
(1) PUBLIC COMMENTS.

Mr. Hilario Diaz, of Cameron Works, informed the Court of a conference to be held August 30, 2006 from 8 a.m. to 4 p.m. at the ITEC Building to raise awareness regarding energy conservation.

The Form is as follows:

PRESENTATIONS

(2) PRESENTATION OF RESOLUTION HONORING DAVID WINDSTEAD FOR HIS OUTSTANDING PUBLIC SERVICE. (COMM. COURT)

Judge Hinojosa commended Los Fresnos Mayor David Windstead on overcoming much adversity in his life and his ability to unite the Los Fresnos City Commission and the community of Los Fresnos.

Mayor Windstead thanked the Court for this honor and his wife of 35 years.

Upon motion by Commissioner Wood, second by Commissioner Tamayo and carried unanimously, the Presentation of a Resolution honoring David Windstead for his Outstanding Public Service was acknowledged.

(3) PRESENTATION OF RESOLUTION HONORING MR. RYAN VANO AND LUIS FERNANDO REYES JR FOR THEIR OUTSTANDING ACADEMIC ACHIEVEMENT. (COMM. COURT)

Judge Hinojosa noted the importance of recognizing the academic achievement of the youth of Cameron County. He read and presented Mr. Ryan Vano with a resolution honoring his outstanding academic achievement.

Judge Hinojosa read the resolution for Mr. Luis Fernando Reyes Jr. honoring his outstanding academic achievement.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Presentation of a Resolution honoring Mr. Ryan Vano and Luis Fernando Reyes Jr. for their Outstanding Academic Achievement was acknowledged.

(4) PRESENTATION BY THE U.S. FISH & WILDLIFE SERVICE OF REVENUE SHARING CHECK IN THE AMOUNT OF \$141,715.00. (CS-U.S. FISH & WILDLIFE)

Mr. John B. Wallace presented the Court with a check for \$141,715. He explained that the check is a revenue sharing check for the property that is owned in Cameron County by the U.S. Fish & Wildlife Service, in lieu of payment of taxes.

Commissioner Wood moved to acknowledge the Presentation by the U.S. Fish and Wildlife Service of Revenue Sharing Check in the amount of \$141,715.00

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(5) PRESENTATION BY U.S. FISH AND WILDLIFE SERVICE TO PRESENT A NATIONAL CONSERVATION AWARD TO THE CAMERON COUNTY JUDGE AND COMMISSIONERS' COURT FOR THE NATIONAL RECOGNITION OF THE BAHIA GRANDE RESTORATION PROJECT. (JM-PARK SYSTEM)

Mr. John B. Wallace presented the Cooperative Conservation Award of the Department of Interior for the Bahia Grande Restoration Project to Judge Hinojosa, the Commissioners' Court, the Parks System and the Sheriff's Department.

The Documentation is as follows:

(20) CONSIDERATION AND AUTHORIZATION TO REJECT BIDS RECEIVED FOR THE CAMERON PARK PHASE III IMPROVEMENTS UNDER BORDER COLONIA ACCESS PROGRAM. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, asked to reject the bids that were received on July 31, 2006 as the budget for Phase III was projected at \$2.4 million and the lowest bidder was \$1.1 million over the projected budget.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, authorization to reject bids received for the Cameron Park Phase III Improvements under Border Colonia Access Program was approved.

The Documentation is as follows:

(21) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY DEPARTMENT OF TRANSPORTATION TO PROCEED WITH CONSTRUCTING PHASE III OF THE CAMERON PARK IMPROVEMENT PROJECT UNDER THE BORDER COLONIA ACCESS PROGRAM THROUGH FORCE ACCOUNT AND AUTHORIZATION TO EMPLOY THE NECESSARY PERSONNEL AND LEASE NECESSARY EQUIPMENT TO UNDERTAKE PROJECT. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, informed the Court that the only way to undertake this project is in-house. He added that he has spoken with the Public Works Superintendent regarding Phase III and the Public Works Superintendent advised him that if the necessary personnel can be employed and the necessary equipment can be leased, the project can be done in-house within the projected budget.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, Authorization for the Cameron County Department of Transportation to proceed with constructing Phase III of the Cameron Park Improvement Project under the Border Colonia Access Program through force account and Authorization to employ the necessary personnel and lease necessary equipment to undertake project was approved.

(6) PRESENTATION OF STATUS REPORT ON THE RIGHT OF WAY ACQUISITION FOR THE FOLLOWING PROJECTS: FM 732, PRIMERA, GENERAL BRANDT ROAD AND WEST RAIL. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, stated that FM 732 is pending a final release from TxDOT and include 42 parcels.

Mr. Sepulveda stated that the West Rail Project includes 22 parcels and the County has acquired 2 parcels and is pending appraisals.

Mr. Sepulveda stated that General Brandt Road includes 36 parcels: 4 parcels are pending approval within two weeks, 5 parcels are being recorded by the title company, 3 parcels have been acquired through the subdivision process, 6 parcels will be donated by the property owners, 12 parcels are in negotiations, 2 parcels are pending appraisals and 4 parcels, owned by Fish & Wildlife, are in negotiations.

Mr. Sepulveda stated that the Primera Road Project includes 103 parcels. He added that 6 parcels are in negotiations, 2 parcels are pending appraisal reports, 25 parcels are recorded, 59 parcels are at the title company waiting to be recorded, 6 parcels are on the agenda for approval and 4 parcels are pending identification of the property owner.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Presentation of the Status Report on the Right of Way Acquisition for the FM 732 Project, General Brandt Road Project and West Rail Project was acknowledged.

The Documentation is as follows:

(18) CONSIDERATION AND AUTHORIZATION TO AMEND OLD ALICE ROAD PROJECT LIMITS ON PROJECT ROAD MAP FROM EXPRESSWAY 77 TO HIGHWAY 100. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, requested to extend the project limits to include the portion between FM 511 and Highway 100.

Upon motion by Commissioner Tamayo, second by Commissioner Benavides and carried unanimously, authorization to amend Old Alice Road Project Limits on Project Road Map from Expressway 77 to Highway 100 was approved.

The Report is as follows:

(19) CONSIDERATION AND AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE CONTRACTS FOR GEO-TECHNICAL SERVICES. (PS-DEPT. OF TRANSPORTATION)

Judge Hinojosa recommended adding Cobblestone Engineering as a consultant for geo-technical services in addition to L&G Engineering and PSI, Inc.

Commissioner Benavides moved to add Cobblestone Engineering as a consultant for geo-technical services and to authorize the Director of the Department of Transportation to negotiate contracts for Geo-Technical Services.

The motion was seconded by Commissioner Wood and carried unanimously.

(32) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE A WORK AUTHORIZATION WITH TEDSI TO PREPARE AN ENVIRONMENTAL ASSESSMENT FOR OLD ALICE ROAD BETWEEN FM 511 AND HIGHWAY 100. (PS-DEPT. OF TRANSPORTATION)

(33) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY FOR PRIMERA ROAD, PARCEL 51, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)

(34) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY FOR PRIMERA ROAD, PARCEL 34 IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)

(35) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM SEPTEMBER 1, 2006 TO SEPTEMBER 1, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PUERTA DEL CIELO SUBDIVISION, SECTION 1, PRECINCT NO. 2. (PS-DEPT. OF TRANSPORTATION)

The Documentation is as follows:

(36) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JULY 27, 2006 TO JULY 27, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AND WATER SERVICES (WATER WELLS) AT GONZALES ESTATES SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, Consent Items No. 32 through No. 36 were approved.

- (35) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM SEPTEMBER 1, 2006 TO SEPTEMBER 1, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PUERTA DEL CIELO SUBDIVISION, SECTION 1, PRECINCT NO. 2. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

(8) PRESENTATION BY ALICIA NEVAREZ-WARNER, FOOD BANK MULTIMEDIA SPECIALIST, OF EMPTY BOWLS (A FUNDRAISER). (COMM. COURT)

Ms. Alicia Nevarez-Warner, informed the Court that the Empty Bowls Fundraiser, in conjunction with the University of Texas-Pan American, the University of Texas at Brownsville and Texas Southmost College and the Texas State Technical College (Harlingen), brings together local chefs and artists to raise funds for the RGV Food Bank. She stated that each person who attends and buys a ticket will select one bowl and then sample food from the participating chefs.

Ms. Nevarez-Warner asked each member of the Court to decorate a bowl to be placed in "Celebrity" section. She added that this year's Empty Bowls event will be held at the Jacob Brown Auditorium on October 19, 2006.

Upon motion by Commissioner Benavides, second by Commissioner Wood and carried unanimously, the Presentation by Alicia Nevarez-Warner, Food Bank Multimedia Specialist, of Empty Bowls (A Fundraiser) was acknowledged.

The Documents are as follows:

(16) **CONSIDERATION AND APPROVAL OF EARLY VOTING POLLING LOCATIONS AND ELECTION DAY POLLING LOCATIONS FOR THE 2006 NOVEMBER GENERAL ELECTION. (RO-ELECTIONS)**

Mr. Roger Ortiz, Elections Administrator, presented the Court with the Early Voting Polling Locations and Election Day Polling Locations for the 2006 November General Election.

Commissioner Garza asked why the Flea Market location is open only until 3 p.m.

Mr. Ortiz replied that most vendors and patrons are gone by 2:30 p.m.

Upon motion by Commissioner Tamayo, second by Commissioner Garza and carried unanimously, the Early Voting Polling Locations and Election Day Polling Locations for the 2006 November General Election was approved.

The Documentation is as follows:

ACTION ITEMS

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

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

The Documentation is as follows:

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- (10) **APPROVAL OF MINUTES FOR:**
(A) **JULY 25, 2006-REGULAR MEETING**
(B) **JULY 28, 2006-SPECIAL MEETING**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Minutes for the July 25, 2006-Regular Meeting and July 28, 2006-Special meeting was approved.

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- (11) **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 Wood and carried unanimously.

The Claims are as follows:

(12) **DISCUSSION REGARDING THE FISCAL YEAR 2006-2007
BUDGET AND TAX RATE. (XV-BUDGET OFFICER)**

Mr. Xavier Villarreal, Budget Officer, informed the Court that the inmate population is at an average of 250, compared to last year's average of 300. He stated that the awarding of SCAAP funding is pending and is not included as projected revenue.

Mr. Villarreal noted that there were increase in utilities and fuel and those projections change monthly as invoices come in. He stated that there is a difference of revenues to expenditures of \$2.4 million, which does not include the 3% salary increase.

Mr. Villarreal stated that, based on the current tax rate, additional revenues to the general fund total \$3.6 million, which leaves available funds of \$1.1 million.

Mr. Villarreal stated that finalization of all funds should be available next week.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Discussion regarding the Fiscal Year 2006-2007 Budget and Tax Rate was acknowledged.

The Document is as follows:

**(13) CONSIDERATION AND POSSIBLE ACTION REGARDING
THE PUBLISHING OF ELECTED OFFICIALS'
COMPENSATION FOR THE 2006-2007 FISCAL YEAR. (XV-
BUDGET OFFICER)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously,
the Publishing of Elected Officials' Compensation For The 2006-2007 Fiscal Year was approved.

The Document is as follows:

(14) DISCUSSION AND POSSIBLE ACTION REGARDING THE PUBLIC HEARING DATES TO SET COUNTY TAX RATES FOR THE 2006-2007 FISCAL YEAR. (XV-BUDGET OFFICER)

Mr. Xavier Villarreal, Budget Officer, stated that the notice provided to the Court is different from previous years and gives notice that there will be two public hearings regarding the tax rate set for August 29, 2006 and September 5, 2006 at 9:30 AM in the Commissioners' Courtroom.

NOTE: Judge Hinojosa left the meeting at this time.

Mr. Villarreal advised the Court that the notice also states the maximum tax rate that the Court will consider and is currently at last year's tax rate of \$.358191 per \$100 valuation.

Commissioner Garza clarified that the notice sets the date of the public hearings.

Mr. Villarreal responded in the affirmative.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the public hearing dates to set the County Tax Rates for the 2006-2007 Fiscal Year and the Maximum Tax Rate was approved.

NOTE: Judge Hinojosa returned to the meeting at this time.

Judge Hinojosa asked to register his vote on this item in favor of setting the maximum tax rate at the current tax rate.

Commissioner Garza motioned to approve the public hearing dates to set the County Tax Rate for the 2006-2007 Fiscal Year and the maximum tax rate of \$.358191 per \$100 valuation.

The motion was seconded by Commissioner Wood and carried unanimously.

The Notice is as follows:

**(15) CONSIDERATION AND APPROVAL OF RECLASSIFICATION
OF INVESTIGATOR TO ASSISTANT DISTRICT ATTORNEY
FOR THE DISTRICT ATTORNEY'S OFFICE. (AV-DA)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the
Reclassification of Investigator to Assistant District Attorney for the District Attorney's Office was approved.

The Document is as follows:

(17) **CONSIDERATION AND POSSIBLE ACTION REGARDING
THE RESCISSION OF THE ACCEPTANCE BY THE
CAMERON COUNTY COMMISSIONERS FOR THE TAX SALE
OF LOT 15, BLOCK 14 OF THE DEL MAR HEIGHTS
SUBDIVISION. (COMM. COURT)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Rescission of the Acceptance by the Cameron County Commissioners for the Tax sale of Lot 15, Block 14 of the Del Mar Heights Subdivision was approved.

The Documentation is as follows:

(7) **UPDATE AND OR REPORT OF THE HAMER ENTERPRISE JUSTICE OF THE PEACE SOFTWARE SYSTEM. (JW-COMM. PCT. 2)**

Justice of the Peace Sallie Gonzales informed the Court that Mr. Hamer has been given a deadline of September 30, 2006 to complete the Hamer Enterprise Justice Of The Peace Software System and in the meantime other vendors are being considered.

Judge Gonzales stated that Mr. Hamer was given an original deadline of December 1, 2005. She expressed her disapproval with Mr. Hamer and the Easy Justice System.

Commissioner Tamayo asked if Mr. Hamer had the courtesy to call when he did not show up to the April 26, 2006 meeting.

Judge Gonzales replied in the negative and added that her Court Administrator met with Mr. Hamer and provided him with all of the forms that are used in her office and added that those forms have still not been integrated into Easy Justice.

Commissioner Garza recommended that this item be placed on next week's agenda and if Mr. Hamer does not appear at the meeting, the contract be terminated.

Mr. Armando Perez, Justice of the Peace Linda Salazar's Office, informed the Court that Judge Salazar and her staff is content with the Easy Justice System and is no longer processing manual receipts.

Judge Gonzales noted that Easy Justice does not cover every aspect of the JP Courts.

Commissioner Garza pointed out that at the January 30th meeting (6) JP's wanted to continue to work with Mr. Hamer and expressed his assessment that work has been done and other JP's are satisfied.

Judge Gonzales replied that some work has been done but the main goal is to have a completed software system. She added that the Easy Justice System is very flawed and her clerks are constantly on the phone with Computer Center.

Judge Gonzales stated that her office is using OCA, not Easy Justice.

Commissioner Garza questioned Judge Gonzales on how her office seems to have many problems with Easy Justice when they are not using it.

Commissioner Tamayo asked Judge Gonzales if there was a time when her office was using Easy Justice.

Judge Gonzales replied in the negative and explained that her Court Administrator attempted, with the assistance of an Easy Justice technician, to enter civil cases and was not able to retrieve the records once entered.

Commissioner Tamayo asked what the other JP's thoughts are on Easy Justice.

Judge Gonzales responded that Judge Julian Sanchez and Judge David Garza are not happy with the system.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo 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. 24:

Commissioner Garza inquired as to how many people are on the Cameron County Housing Finance Authority Board and who appoints them.

Mr. Remi Garza, Assistant County Administrator, responded that there are (5) board members and the Commissioners' Court appoints the members.

Commissioner Garza stated that he was not made aware that there was a vacancy on this board.

Commissioner Tamayo asked for a listing of all the different boards.

Commissioner Wood asked that the information on the boards include the current board members, when their terms expire, how long the terms are, how the member are appointed and when and where the board normally meets.

Commissioner Tamayo asked for information on Emergency Services Board.

Mr. Remi Garza replied that he will meet with Hilda Lund, PD&M, who is the administrator for the Emergency Services Board.

Commissioner Tamayo added that she has spoken with Hilda, who was quite defensive.

Item No. 37 (E):

Mr. Remi Garza, Assistant County Administrator, asked to table this item.

Commissioner Garza moved to approve Consent Items No. 22 through 31 and Travel Item No. 37 (A) through (Q), tabling Travel Item No. 37 (E).

The motion was seconded by Commissioner Wood and carried unanimously.

- (22) **CONSIDERATION AND AUTHORIZATION TO PURCHASE IBM SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)**
The Agreement is as follows:
- (23) **CONSIDERATION AND APPROVAL OF SERVICE AGREEMENT BETWEEN CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1) DISTRICT (CCECD) AND CAMERON COUNTY, TEXAS (COUNTY). (TH-EMERGENCY MANAGEMENT)**
The Agreement is as follows:
- (24) **CONSIDERATION AND APPOINTMENT OF SIDNEY LASSEIGNE AND DINA SOLIS TO THE CAMERON COUNTY HOUSING FINANCE AUTHORITY. (COMM. COURT)**
- (25) **CONSIDERATION AND APPROVAL OF CHANGER ORDER NO. 2 TO CONSTRUCTION CONTRACT WITH RICO CONSTRUCTION, LTD., FOR THE EL SALADO MAINE ROAD AREA SANITARY SEWER PROJECT (TCDP CONTRACT NO. 725131). (FB-PD & M)**
The Change Order is as follows:

- (26) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE WELL CHILD AND MATERNITY SERVICES. (YS-HEALTH)**
The Contract is as follows:
- (27) **CONSIDERATION AND APPROVAL ON A CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS FOR FY07 BUDGET. (YS-HEALTH)**
The Contract is as follows:
- (28) **CONSIDERATION AND APPROVAL OF CONTRACT WITH CHEMICAL RESPONSE & REMEDIATION CONTRACTORS, INC. (CRRC) FOR ASBESTOS SURVEY – DEL MAR HEIGHTS FEMA BUYOUT PROJECT RFQ #060702. (GS-COUNTY JUDGE)**
The Contract is as follows:
- (29) **CONSIDERATION AND AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO UPGRADE THE BOAT RAMP FACILITY ON HIGHWAY 48. (JM-PARK SYSTEM)**
- (30) **CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AMENDMENT WITH CONCESSIONAIRE WOODY AND DICK’S BEACH SHACK INC, D/B/A WOODY’S BEACH SHACK AT ANDY BOWIE PARK. (JM-PARK SYSTEM)**
The Agreement is as follows:
- (31) **CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AMENDMENT WITH ALFONSO SALAZAR D/B/A SEA RANCH BAIT AND TACKLE IN ISLA BLANCA PARK. (JM-PARK SYSTEM)**
The Agreement is as follows:
- (32) **CONSIDERATION AND AUTHORIZATION TO NEGOTIATE A WORK AUTHORIZATION WITH TEDSI TO PREPARE AN ENVIRONMENTAL ASSESSMENT FOR OLD ALICE ROAD BETWEEN FM 511 AND HIGHWAY 100. (PS-DEPT. OF TRANSPORTATION) (ACTION TAKEN SEPARATELY)**
- (33) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY FOR PRIMERA ROAD, PARCEL 51, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (ACTION TAKEN SEPARATELY)**
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TRAVEL ITEMS

- (37) **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) DEPARTMENT OF TRANSPORTATION SURVEYOR, TO TRAVEL TO WESLACO, TX, ON 8/26/06, TO ATTEND CONTINUING EDUCATION COURSE SURVEYING BOUNDARY LAW ESSENTIALS.
- (B) DEPARTMENT OF TRANSPORTATION ASSISTANT STAFF ENGINEER, TO TRAVEL TO AUSTIN, TX, ON 8/21-22/06, TO ATTEND HEARING REGARDING A LAWSUIT FILED IN TRAVIS COUNTY BY THE OFFICE OF THE ATTORNEY GENERAL.
- (C) SHERIFF AND CHIEF, TO TRAVEL TO AUSTIN, TX, ON 8/15-18/06, TO ATTEND 2006 ANNUAL CONFERENCE TEXAS ASSOCIATION OF COUNTIES.
- (D) SHERIFF DEPARTMENT DETENTION OFFICERS (6), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 8/21-24/06, TO ATTEND TEXAS JAIL ASSOCIATION JAIL MANAGEMENT CONFERENCE.
- (E) DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS (2), TO TRAVEL TO EL PASO, TX, ON 8/9-11/06, TO ATTEND THE INTERNATIONAL EXTRADITIONS AND ARTICLE 4 PROSECUTION CONFERENCE. (TABLED)
- (F) TAX ASSESSOR-COLLECTOR AND CHIEF OF INVESTIGATIONS, TO TRAVEL TO GALVESTON, TX, ON 8/26-30/06, TO ATTEND THE "67TH TEXAS ASSOCIATION OF ASSESSING OFFICERS & INSTITUTE OF CERTIFIED TAX ADMINISTRATORS ANNUAL CONFERENCE & EXPO."
- (G) CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 8/28-30/06, TO ATTEND THE REGIONAL UNIFIED COMMAND CONFERENCE (RUCC).
- (H) CHIEF DEPUTY FIRE MARSHAL AND DEPUTY FIRE MARSHAL, TO TRAVEL TO MATAMOROS, TAMAULIPAS, MEXICO, ON 8/14/06, TO ATTEND THE BORDER 2012 TEXAS-COAHUILA-NUEVO LEON-TAMAULIPAS (4 STATE) REGIONAL WORKSHOP.
- (I) DEPARTMENT OF HEALTH AND HUMAN SERVICES CLINIC SUPERVISOR/CERTIFYING AUTHORITY, TO TRAVEL TO AUSTIN, TX, ON 9/19-22/06, TO ATTEND A CLINICAL LACTATION PRACTICUM.
- (J) DEPARTMENT OF HEALTH AND HUMAN SERVICES BREASTFEEDING COORDINATOR, TO TRAVEL TO AUSTIN, TX, ON 9/5-8/06, TO ATTEND A CLINICAL LACTATION PRACTICUM.
- (K) DEPARTMENT OF HEALTH AND HUMAN SERVICES BREASTFEEDING PEER COUNSELORS (2), TO TRAVEL TO AUSTIN, TX, ON 9/12-14/06, TO ATTEND A PEER COUNSELOR TRAINER WORKSHOP.
- (L) JUVENILE PROBATION WEED AND SEED COORDINATOR, EARLY INTERVENTION OFFICER AND JUVENILE PROBATION OFFICER, TO TRAVEL TO CORPUS CHRISTI, TX, ON 8/27-30/06, TO ATTEND A REQUIRED WEED AND SEED TRAINING.
- (M) JUVENILE PROBATION OPERATIONS MANAGER AND BOOT CAMP CAPTAIN, TO TRAVEL TO REFUGIO, TX, ON 8/24/06, TO ATTEND "WHY TRY PROGRAM CONFERENCE."
- (N) DEPARTMENT OF HEALTH AND HUMAN SERVICES CHILDREN AND PREGNANT WOMEN STAFF (4), TO TRAVEL TO CORPUS CHRISTI, TX, ON 8/17-18/06, TO ATTEND THE SOUTH TEXAS SOUTH TEXAS SOCIAL WORKERS SOCIETY CONFERENCE.
- (O) DEPARTMENT OF HEALTH AND HUMAN SERVICES CHILDREN WITH SPECIAL HEALTH CARE NEEDS STAFF (4), TO TRAVEL TO CORPUS CHRISTI, TX, ON 8/17-18/06, TO ATTEND THE SOUTH TEXAS SOCIAL WORKERS SOCIETY CONFERENCE.

- (P) COUNTY JUDGE, DIRECTOR OF DEPARTMENT OF TRANSPORTATION, ASSISTANT DIRECTOR OF DEPARTMENT OF TRANSPORTATION, COMMISSIONER PRECINCT NO. 1, COMMISSIONER PRECINCT NO. 2, COMMISSIONER PRECINCT NO. 3 AND COMMISSIONER PRECINCT NO. 4, TO TRAVEL TO AUSTIN, TX, ON 8/23-24/06, TO ATTEND THE TEXAS TRANSPORTATION COMMISSION MEETING REGARDING THE WEST RAIL PROJECT.**
- (Q) EMERGENCY MANAGEMENT ASSISTANT COORDINATOR AND SECRETARY, TO TRAVEL TO AUSTIN, TX, ON 8/29-31/06, TO ATTEND G710 TEXAS BASIC MITIGATION WORKSHOP COURSE.**

- (22) **CONSIDERATION AND AUTHORIZATION TO PURCHASE IBM SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)**

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The Change Order is as follows:

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The Contract is as follows:

- (30) CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AMENDMENT WITH CONCESSIONAIRE WOODY AND DICK'S BEACH SHACK INC, D/B/A WOODY'S BEACH SHACK AT ANDY BOWIE PARK. (JM-PARK SYSTEM)
The Agreement is as follows:**

- (31) CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AMENDMENT WITH ALFONSO SALAZAR D/B/A SEA RANCH BAIT AND TACKLE IN ISLA BLANCA PARK. (JM-PARK SYSTEM)
The Agreement is as follows:**

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously,
the Court met in Executive Session at 12:38 P.M. to discuss the following matters:

(38) 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 RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF PROPERTY IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 160, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 2, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 42, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A AND BFI WASTE SERVICES OF TEXAS, L.P. VS. COUNTY OF CAMERON AND RED RIVER SERVICE CORPORATION OF TEXAS, INC., CASE NO. B-05-279, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A).**
- (H) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT ISSUE OF NONCOMPLIANCE OR OF DEFAULT 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).**
- (I) 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.**
- (J) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE STATUS OF NEGOTIATIONS OF PROPERTY FOR PARCEL 1, EBONY ROAD IN THE PRECINCT NO. 4 ARE, 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 1:05 P.M. to discuss the following matters:

(39) 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.

Commissioner Garza-“Move to acknowledge report of (Legal) Counsel and lease agreement to the Besteiro, for the Besteiro parking”

Commissioner Tamayo-“second”

Commissioner Benavides-“Ok, there’s a motion by Commissioner Garza, second by Commissioner Tamayo. All those in favor say ‘aye’”

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

Commissioner Benavides-“Opposed? The ayes have it”

(B) 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 Tamayo and carried unanimously, this Item was **TABLED**.

(C) 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 Tamayo and carried unanimously, the Status Report by Legal Counsel was acknowledged.

(D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 160, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, 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 \$602 was approved.

(E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 2, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, authorization to purchase the property for \$1,238 was approved.

(F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 42, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, 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 \$707 was approved.

(G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A AND BFI WASTE SERVICES OF TEXAS, L.P. VS. COUNTY OF CAMERON AND RED RIVER SERVICE CORPORATION OF TEXAS, INC., CASE NO. B-05-279, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A).

Commissioner Garza-“Would you state the motion?”

Mr. Richard Burst, Legal Counsel-“Making a motion, Commissioner, to approve removal of the counterclaim in the State B.F.I. State Court case to Federal court”

Commissioner Garza-“So moved”

Commissioner Wood-“Second”

Commissioner Benavides-“Ok, there’s a motion by Commissioner Garza, second by Commissioner Wood. All those in favor say ‘aye’”

Commissioner Garza and Commissioner Wood-“Aye”

Commissioner Benavides-“Opposed?”

Commissioner Tamayo-“Note by abstention on (39) G”

Commissioner Benavides-“One abstention”

The Affidavit is as follows:

(H) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT ISSUE OF NONCOMPLIANCE OR OF DEFAULT 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 acknowledge the Status Report of Legal Counsel and approved authorization to proceed as discussed in Executive Session.

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

AYE: Commissioner Garza, Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Commissioner Tamayo

Commissioner Wood let it be known that Commissioner Tamayo was not present during the discussion of Executive Session Items No. 39 (G) and (H).

The Affidavit is as follows:

- (I) 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 Wood, seconded by Commissioner Tamayo and carried unanimously, this Item was **TABLED**.

- (J) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE STATUS OF NEGOTIATIONS OF PROPERTY FOR PARCEL 1, EBONY ROAD IN THE PRECINCT NO. 4 ARE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo 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 Tamayo and carried unanimously, the meeting was **ADJOURNED** at 1:11 P.M.

APPROVED this 5th day of **September 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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