

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 19th day of September 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:

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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 September 15, 2006 at 4:13 P.M.:

(1) PUBLIC COMMENTS.

Mr. Victor Tamayo asked the Court to honor his late father, Tony Tamayo Jr., who passed away on the first floor of the Oscar C. Dancy Building on July 9, 1973. He suggested that a plaque be erected on the roadway behind the Old Courthouse and noted that the Tamayo family would be willing to cover any expenses.

Ms. Maria Lagunes spoke in favor of lowering the tax rate. She commented on the loss of revenue from the federal inmates at the Carrizales-Rucker Detention Center. She questioned why taxes are continually being raised when Cameron County ranks 2nd in the nation regarding unemployment rates and is a low wage-based community. She asked that the County be more prudent regarding the budget.

Mr. Francisco Sifuentes commented on the toll rate increase for commercial vehicles at the International Bridge System and noted that this increase will cripple many businesses. He informed the Court that while the toll rates have remained the same over the years, the cost of diesel, parts, maintenance and the salary for the drivers have all increased. He asked that the Court reconsider the increase of \$1.00 per truck.

NOTE: Commissioner Benavides joined the meeting at this time.

Judge Hinojosa pointed out that many Mexican commercial vehicles are not filling up their trucks with diesel fuel in the United States as they will not receive a tax deduction on their income tax in Mexico. He clarified that the revenue generated from the toll increase will supplement the Road & Bridge Budget, which was decreased by \$300,000 in order to reduce the tax rate by \$.01.

Mr. Sifuentes informed the Court that Mexican commercial vehicles have a diesel permit that requires them to consume diesel fuel in the United States or they will have to pay taxes to the State of Texas.

The Forms are as follows:

ACTION ITEMS

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

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

The Budget Amendments, Line Item Transfers and/or Salary Schedules are as follows:

**(3) APPROVAL OF MINUTES FOR:
(A) AUGUST 22, 2006-REGULAR MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED**.

(4) APPROVAL OF CLAIMS.

Commissioner Wood 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 Wood and Commissioner Benavides

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00167033, made to the Laguna Madre Water District, in the amount of \$741.51; Commissioner Garza as to Warrant No. 00167056, made payable to The Medicine Shoppe, in the amount of \$487.37; Commissioner Tamayo as to Fund 820, Solid Waste Collection, in the amount of \$213.20.

The Claims and Affidavits are as follows:

(5) CONSIDERATION AND ADOPTION OF THE BUDGETS FOR THE CAMERON COUNTY GENERAL FUND, THE SPECIAL ROAD AND BRIDGE FUND, THE LAW LIBRARY, THE EMPLOYEE BENEFITS FUND, THE CHILD SUPPORT FUNDS, THE FIFTH JUDICIAL ADMINISTRATIVE REGION FUNDS, THE DEBT SERVICE FUNDS, THE INTERNATIONAL TOLL BRIDGE SYSTEM FUNDS, THE PARK SYSTEM FUNDS, THE AIRPORT FUNDS FOR THE FISCAL YEAR 2006-2007. (XV-BUDGET OFFICER)

Judge Hinojosa informed the Court that the County Judge's Office has been working with the Budget Officer and the County Auditor to achieve a \$.01 reduction of the tax rate.

Mr. Xavier Villarreal, Budget Officer, stated that (1) vehicle mechanic, (2) maintenance technicians, (1) custodian and (1) gardener were added to the Building Maintenance Department as well as an 8% salary increase for the JP's Staff. He asked for clarification as to the requests from the magistrates regarding benefits.

Judge Hinojosa replied that he was under the impression that the benefits for the magistrates were to be added to the budget and the travel allowance request was to be denied.

Commissioner Tamayo added that she thought that this issue was to be brought up next fiscal year as others' requests were being denied in order to balance the budget.

Commissioner Garza expressed his concern for providing health benefits for contracted employees.

Commissioner Wood added that he thought the benefits were to be approved. He noted that one of the magistrates has had to be tested for TB three separate times due to the close proximity with the inmates.

Commissioner Benavides expressed his belief that every employee that works for the County should receive benefits as that is often a factor as to whether or not employee stays with the County.

Commissioner Wood noted that the magistrate positions were established by State statute and the magistrates are hired by the District Judges. He commented on the fact that the magistrates have managed to keep the inmate population level down and should continue to do so.

Commissioner Tamayo asked for justification as to the need of the magistrates.

Mr. Richard Burst, Legal Counsel, informed the Court that the law establishing the magistrates is particular to Cameron County. He stated that the statute is fashioned after the same laws that apply to other counties and added that the structure is such that the District Judges and the statutory Court at Law Judges appoint the magistrates and they are given discretion to appoint one, two or no magistrates. He added that once the magistrates have been appointed, the statute provides that the magistrates are entitled to compensation provided by the Commissioners'

Court. He expressed his opinion that the Commissioners' Court does not have the authority to deny funding for the magistrate positions.

Commissioner Garza questioned whether the magistrate positions are covered by Civil Service.

Mr. Burst replied in the negative. He recommended that if the magistrates are to receive benefits their contracts be terminated and they become employees of Cameron County.

Mr. Remi Garza, Assistant County Administrator, added that the magistrates have been able to maintain the population level of inmates.

Commissioner Tamayo asked for a report detailing the inmate population levels, the funds being spent and how effective the program has been before and after the magistrate positions went into effect to best determine if the positions are necessary.

Judge Hinojosa pointed out that the magistrates have worked closely with the District Judges in setting up a uniform system of bonds based on offenses and they continue to work with the District Attorney's Office to ensure that the paperwork filed by the arresting agency is correct and that there is probable cause for the arrest.

Commissioner Garza asked if the magistrates practice law in the District Courts.

Mr. Remi Garza replied that there is a prohibition either in the statute or the contract that states the magistrates cannot represent any individual that they magistrate.

Commissioner Benavides noted that the magistrates are mandated by statute and the work that they do is necessary.

Mr. Remi Garza stated that when the magistrate positions were added it was based on the evolution of the District Attorney's Office to work more closely with law enforcement agencies to process cases more expeditiously.

Judge Hinojosa stated that Legal Counsel has already advised the Court that the funding for the magistrate positions cannot be eliminated. He noted that the increase of the salaries for the staff of the JPs has been increased by a total of 18% over the past two years.

Commissioner Tamayo questioned whether the magistrates are treating the position as their first priority as opposed to their own private practice.

Commissioner Garza inquired as to the stipends for the Insurance Committee members.

Mr. Villarreal replied that the stipends are included in the budget.

Commissioner Garza asked for minutes from the Insurance Committee meetings and added that he has been requesting the minutes for the past year.

Mr. Remi Garza stated that the Human Resources Department is currently working on transcribing the minutes for the Insurance Committee meetings.

Commissioner Wood recommended that as the Insurance Committee meetings are transcribed the minutes are presented to the Commissioners' Court.

Commissioner Tamayo expressed opposition regarding the stipend for the Insurance Committee members as the meetings are held during normal business hours.

Mr. Villarreal advised the Court that if they wish to approve the benefits for the magistrates the total amount needed is \$23,512. He noted that the only line item that has funds available is within the Civil Department under "Appointed Attorneys".

Commissioner Garza moved to NOT reduce the Civil Division Budget by \$23,512 in order to fund the fringe benefits for the magistrates.

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

AYE: Commissioner Garza and Commissioner Tamayo

NAY: Commissioner Benavides, Commissioner Wood and Judge Hinojosa

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

Commissioner Wood moved to reduce the Civil Division Budget by \$23,512 in order to fund the fringe benefits for the magistrates.

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

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

NAY: Commissioner Tamayo

Mr. Villarreal requested that the Court take action on Supplemental Item No. 1, as it affects the budget.

SUPPLEMENTAL AGENDA

(1) CONSIDERATION AND POSSIBLE ACTION REGARDING THE TOLL RATES FOR COMMERCIAL VEHICLES (TRUCKS) FOR THE CAMERON COUNTY INTERNATIONAL BRIDGE SYSTEM. (COMM. COURT)

Judge Hinojosa recommended that the toll rates for commercial vehicles for the Cameron County International Bridge System be increased by \$1.00 per truck.

Mr. Pete Sepulveda, Department of Transportation Director, recommended that toll rates for commercial vehicles be increased to \$1.25 per truck as the conversion to Mexican currency is more efficient.

Judge Hinojosa pointed out that the increase from \$1.00 to \$1.25 per truck will increase the Road & Bridge Budget by almost \$30,000.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Toll Rates for Commercial Vehicles (Trucks) for the Cameron County International Bridge System was increased by \$1.25 per truck.

(5) **CONSIDERATION AND ADOPTION OF THE BUDGETS FOR THE CAMERON COUNTY GENERAL FUND, THE SPECIAL ROAD AND BRIDGE FUND, THE LAW LIBRARY, THE EMPLOYEE BENEFITS FUND, THE CHILD SUPPORT FUNDS, THE FIFTH JUDICIAL ADMINISTRATIVE REGION FUNDS, THE DEBT SERVICE FUNDS, THE INTERNATIONAL TOLL BRIDGE SYSTEM FUNDS, THE PARK SYSTEM FUNDS, THE AIRPORT FUNDS FOR THE FISCAL YEAR 2006-2007. (XV-BUDGET OFFICER)**

Commissioner Garza informed the Court that Mr. Lee Lozano, Vehicle Maintenance Supervisor, is the lowest paid department head in the County and noted that he is on-call 24 hours a day 7 days a week. He recommended that Mr. Lozano's salary be increased from \$42,000 to \$50,000, the minimal standard for department heads. He added that the County Auditor is willing to certify \$72,000 within the Bridge Fund from interest-earned and recommended that the \$72,000 be utilized to accommodate the salary increase of Lee Lozano to \$50,000 and that the remaining monies be divided equally between the Road & Bridge Fund and for the salary increases for the JP staff.

Commissioner Benavides expressed support for the recommendation by Commissioner Garza.

Mr. Villarreal stated that he would need to change the interest revenues in the Bridge System, make transfers to the Road & Bridge Fund and the General Fund and change the salary schedules for Vehicle Maintenance and to all the JPs departments. He recommended that the Court adopt the current budget and then amend the changes at the next Commissioners' Court meeting.

Mr. Mark Yates, County Auditor, added that he will present the Court with certified revenues at next week's meeting.

Commissioner Wood recommended that the "budget process" begin earlier next fiscal year so that workshops with all departments can be conducted and the County Auditor will know exactly what amount is needed to be certified.

Mr. Villarreal clarified the split of the \$72,000 involves 1) the salary increase for Lee Lozano to \$50,000 and 2) the remaining funds will be divided between the JPs and Road & Bridge for road materials.

Judge Dan Sanchez, Justice of the Peace Precinct 7 Place 2, asked for clarification as to what has occurred thus far regarding the salary of the JP staff.

Judge Hinojosa replied that the salary increase of the JP staff will be approximately 10%. He noted that the increase, combined with the previous year's increase, is a total salary increase of 18%.

Judge Sanchez thanked the Court for the salary increases of the JP staff. He went on to say that the increases are greatly appreciated but the amount is not sufficient to bring the JP staff to an equal level of the County Court at Law employees are being paid. He pointed out that when he was first elected to office, the revenues generated were \$36,000 a year and that amount has increased to \$330,000, with the help of his staff member.

Judge Hinojosa asked Judge Sanchez what the salary was for his clerk when before the salary increases.

Judge Sanchez replied that her starting salary was \$17,000 and she is now making \$26,000.

Judge Hinojosa noted that her salary will have increased from \$17,000 to approximately \$28,600, with the inclusion of this year's 10% increase, in period of (2) years.

Judge Linda Salazar, Justice of the Peace Precinct 2 Place 1, thanked the Court for the 10% salary increase. She commended Commissioner Tamayo for questioning the need of the magistrates.

Judge David Wise, Justice of the Peace Precinct 5 Place 2, expressed his opinion that the \$40,000 salary of the magistrates is extremely unreasonable as they work part-time and recommended hiring one magistrate as a full-time employee. He stated that many other positions and programs are being funded and the JP staff is being left behind. He recommended implementing a salary matrix system.

Judge Adam Gonzales, Justice of the Peace Precinct 7 Place 1, stated that the revenue generated from his office has tripled since he came into office a year and eight months ago. He mentioned that the magistrates do not perform arraignments at the jail.

Judge Hinojosa disagreed with Judge Gonzales regarding the arraignments performed by the magistrates.

Judge Sanchez clarified that Judge Gonzales is referring to the difference between an arraignment and a magistration. He stated that an arraignment is when an individual comes to Court to be told what they are formally charged with and a magistration is informing an individual of their rights, determining if there is probable cause for the arrest and setting a bond.

Mr. Remi Garza added that magistrates will be performing arraignments when the District Attorney's Office has finished setting up the system.

Mr. Burst noted that magistrates have statutory authority to perform arraignments.

Judge Hinojosa stated that the first time the Court has heard of any request to increase the salary of the JP staff was last year. He commented on the difficulty of increasing the salaries of the JP staff to a comparable level of the County Court at Law clerks as the taxpayers have suffered significantly due to increased appraisal values.

Commissioner Tamayo stressed the importance of communication between the JPs and the Commissioners' Court. She expressed support for hiring one full-time magistrate versus two part-time.

Judge Bennie Ochoa, Justice of the Peace Precinct 1, thanked the Court for the 10% increase and expressed support for eliminating the magistrate positions.

Judge Rolando Muniz, Justice of the Peace Precinct 4, presented Legal Counsel with a document for review that addresses a conflict between the JP's Office and the magistrates.

Commissioner Garza moved to adopt the budgets for the Cameron County General Fund, the Special Road and Bridge Fund, the Law Library, the Employee Benefits Fund, the Child Support Funds, the Fifth Judicial Administrative Region Funds, the Debt Service Funds, the International Toll Bridge System Funds, the Park System Funds and the Airport Funds for the Fiscal Year 2006-2007, to be paid by a tax rate that will be \$.01 less than the current tax rate.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(6) CONSIDERATION AND SETTING OF THE COUNTY TAX RATE FOR THE 2006-2007 FISCAL YEAR AT OR BELOW .358191 PER \$100 VALUATION. (XV-BUDGET OFFICER)

Judge Hinojosa-“What is the recommended tax rate?”

Mr. Xavier Villarreal, Budget Officer-“The total tax rate is \$0.348191 and then let me go ahead and read it by fund. For the General Fund, these are all per \$100 valuation, it’s \$0.267371, Special Road and Bridge Maintenance Fund \$0.030289, Lease/Equipment Financing (Tax Pledge) \$0.011135 for a total Maintenance and Operations of \$0.308795. For the Interest and Sinking Funds, for the 1994 Road Bonds \$0.001420, for the 1995 Road Bonds \$0.001759, for the 2002 Road Bonds \$0.000440, the 2005 Road Bonds \$0.004120, for the total Unlimited Tax Road Bonds of \$0.004643. For the 2005 Refunding Certificates of Obligation \$0.010818, for the 2005 Certificates of Obligation \$0.005907, for the 2004 Certificates of Obligation \$0.002385, the 2004 Refunding Certificates of Obligation \$0.007284 and the 2000 Certificates of Obligation \$0.008389. When Senate Bill 18 was passed, even though you’re reducing the tax rate from this year to the next year, it is above the effective rate so the motion has to be stated, whoever makes the motion, that ‘I move that the property taxes be increased by the adoption of the tax rate of \$0.348191.’”

Judge Hinojosa-“Do I hear a motion to that effect?”

Commissioner Benavides-“So moved”

Commissioner Tamayo-“Second”

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

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

Judge Hinojosa-“All opposed? Motion carries.”

The Documentation is as follows:

(7) **CONSIDERATION AND DESIGNATION OF FUNDING SOURCE FOR JAIL ANNEX CONSTRUCTION PROJECT. (XV-BUDGET OFFICER)**

Judge Hinojosa recommended that that Jail Annex Construction Project be funded with settlement funds.

Commissioner Garza asked if there is any other process with which to fund the Jail Annex.

Mr. Mark Yates, County Auditor, stated that he would like to work with Estrada Hinojosa & Co. on a reimbursement resolution.

Judge Hinojosa noted that if you fund the Jail Annex with bonds there are limitations as to the number of federal inmates that can be housed at the facility, in order to preserve the tax-exempt status on the bonds.

Mr. Yates mentioned that there are two issues involving this project: 1) using cash reserves and 2) setting up a \$6.5 million allocation of funds. He informed the Court that over the last (4) years, the initial budget of many of the projects that have been bid out have been significantly less than the actual or final budget.

Commissioner Garza asked the Court if they would prefer to allow Mr. Noe Hinojosa to provide h an opinion as to the best route to take regarding funding.

Judge Hinojosa stressed the need for 650 additional beds at Carrizales-Rucker. He stated his opinion that the settlement monies be used as to not increase the tax rate.

Mr. Xavier Villarreal, Budget Officer, added that in the RFQ for this project, there was a cost of \$6.5 million and a space allowed for a funding source.

Mr. Yates recommended setting the funding level at \$7.5 million to ensure that the budget does not go over the amount allocated.

Commissioner Garza moved to authorize the utilization of settlement monies for the construction of the Jail Annex with the understanding that the County's financial advisor, Mr. Noe Hinojosa, will be consulted to get his recommendation before a final decision is made as to the funding source.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(8) CONSIDERATION AND ORDER RE-DESIGNATING THE 1912 COURT HOUSE LOCATED AT 1100 E MONROE AS THE CAMERON COUNTY COURT HOUSE AND RENAMING THE JUDICIAL BUILDING, 974 E. HARRISON ST. AND THE ADMINISTRATIVE BUILDING, 964 E. HARRISON ST. (RB-LEGAL) (Order No. 2006O9008)

Mr. Richard Burst, Legal Counsel, recommended that the word "Courthouse" be removed from the current Cameron County Courthouse (964 E. Harrison St.) in order to: 1) differentiate the building from the Dancy Building (1100 E. Monroe) and 2) the building in which the Commissioners' Court meetings are held has to be named the "Cameron County Courthouse" by statute. He recommended naming the Administrative Building the Administrative Annex as there will be administrative duties performed at the Dancy Building.

Mr. Remi Garza, Assistant County Administrator, clarified that the Dancy Building will become the Cameron County Courthouse as of October 17, 2006 at 1:00 pm, the building located at 964 E. Harrison will be named the Administrative Annex and the building located at 974 E. Harrison will be named the Judicial Building.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Order Re-Designating the 1912 Court House Located At 1100 E Monroe as The Cameron County Court House and Renaming the Judicial Building, 974 E. Harrison St., and the Administrative Annex, 964 E. Harrison St., was adopted.

The Order is as follows:

(9) **APPROVAL OF CHANGE ORDER NO. 6 ON THE DANCY BUILDING RESTORATION CONTRACT WITH JOE R. JONES CONSTRUCTION, INC. (RB-LEGAL)**

Mr. Roberto Ruiz, Dancy Building Architect, requested that (134) days be granted to the contractor for additional work as stated in Change Order No. 6.

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, Change Order No. 6 on The Dancy Building Restoration Contract with Joe R. Jones Construction, Inc was approved.

The Change Order is as follows:

(10) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 TO CONSTRUCTION CONTRACT WITH RICO CONSTRUCTION, LTD., FOR THE EL SALADO BROWNE ROAD AREA SANITARY SEWER PROJECT (TCDP CONTRACT NO. 724175). (FB-PD & M) (Order No. 2006O9007)**

Mr. Omar Trevino, with Ambiotec, explained that the Change Order is in the amount of \$11,320, as requested by the Brownsville Public Utilities Board. He informed that Court that any additional costs will be paid by PUB.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Change Order No. 2 To Construction Contract With Rico Construction, Ltd., For the El Salado Browne Road Area Sanitary Sewer Project (TCDP Contract No. 724175) was approved.

The Change Order is as follows:

(11) **CONSIDERATION AND AUTHORIZATION TO USE ONLINE AUCTIONEER PUBLIC SURPLUS AS A PILOT PROJECT TO SELL CAMERON COUNTY SURPLUS. (MY-AUDITOR)**

Commissioner Garza asked how much is paid to the regular auctioneer.

Mr. Mark Yates, County Auditor, replied that an estimated 9% is paid to the auctioneer and added that the percentage paid depends on 1) the threshold and 2) if threshold is reached.

Commissioner Garza asked if there is a threshold with this vendor.

Mr. Yates replied in the negative.

Commissioner Garza questioned who will determine what items are sold locally and on-line.

Mr. Yates responded that items up for auction will be brought to the Court for approval and to determine which method to use.

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, Authorization to Use Online Auctioneer Public Surplus as a Pilot Project to Sell Cameron County Surplus was approved.

The Documentation is as follows:

(12) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE JOB DESCRIPTION FOR THE CAMERON COUNTY DETENTION CENTERS HEALTH SERVICES ADMINISTRATOR AND AUTHORIZATION TO ADVERTISE POSITION. (COMM. COURT) (TABLED)**

Mr. Remi Garza, Assistant County Administrator, stated that the item presented to the Court is the existing job description. He added that he is working with Ms. Collins to make any necessary changes to the job description.

Commissioner Garza recommending that this item be tabled until the final job description is complete.

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

(13) **CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY, CITY OF BROWNSVILLE AND THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION, REGARDING OLD ALICE ROAD BETWEEN FM 511 AND HIGHWAY 100. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09025)**

Judge Hinojosa informed the Court that the Los Fresnos Consolidated Independent School District passed a bond election to build school along Old Alice Road and Cameron County was approached to address the problems with the road. He stated that 70% of the road is in the City of Brownsville's jurisdiction and they do not have funding available to repair the road. He added that the County met with TxDOT and they have agreed to fund a portion of the costs.

Commissioner Garza asked if this road is on Project Road Map.

Mr. Pete Sepulveda, Department of Transportation Director, replied in the affirmative.

Judge Hinojosa added that engineers have been hired to do an environmental study.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Interlocal Agreement between Cameron County, City Of Brownsville And The State Of Texas Department Of Transportation, Regarding Old Alice Road between FM 511 and Highway 100 was approved.

The Agreement is as follows:

CONSENT ITEMS

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

DISCUSSION CONCERNING CONSENT AND TRAVEL ITEMS:

Items No. 40 (H) and (J):

Mr. Remi Garza, Assistant County Administrator, asked to table these items.

Item No. 15:

Commissioner Wood asked when Waro Inc. made the sale of the property to the Community Development Corporation.

Mr. Remi Garza, Assistant County Administrator, asked that this item be discussed when the Tax Assessor-Collector is present.

Item No. 16:

Commissioner Wood asked for clarification of this item.

Mr. Joe G. Rivera, County Clerk, replied that current month-to-month contract expires September 30, 2006 and this method is the fastest way to qualify vendors.

Commissioner Garza asked if a (30) day extension is possible.

Mr. Richard Burst, Legal Counsel, responded that there is not a provision in the contract to allow for any more extensions.

Judge Hinojosa asked if this method is temporary until we can go out for proposals.

Mr. Mike Forbes, Purchasing Agent, responded that he would be working through the Texas Building and Procurement Commission. He stated that the Commission would require the County to solicit (3) State-approved Catalog Information Systems Vendors (CISV) and get pricing for a Request for Offer for similar types of services. He added that Mr. Rivera has been working with Computer Center on a scope of work that can be sent to (3) CISV vendors to solicit pricing.

Commissioner Benavides moved to approve authorization to utilize the State of Texas – Texas Building and Procurement System (TBPC) Catalog Information Systems Vendor (CISV) Request For Offer (RFO) #920 for the County Clerk's Department Records Management & Imaging System & Services.

Judge Hinojosa inquired as to the consequences if this item is not approved and the Court decided to go out for bids.

Mr. Burst replied that the County Clerk's Office will not be able to do any imaging after September 30th.

Mr. Rivera added that his office will not be able to do any indexing or cashiering.

Judge Hinojosa asked what the yearly budget is for this item.

Mr. Rivera replied \$192,000.

Mr. Burst advised the Court that chapter 262 states that when you have the same purchase on a month-to-month basis between the same department and the same vendor, that cumulates within the \$25,000 limit and once the limit is reached, you cannot go over.

Judge Hinojosa recommended going out for RFPs.

Mr. Rivera expressed concern that choosing to go with RFPs will greatly hinder operations and he may have to shut down his office until a vendor is approved.

Commissioner Benavides withdrew his motion.

Items No. 17, No. 18 and No. 19:

Commissioner Wood asked if the amount of the projects is the total amount that is going to be spent.

Mr. Herb Tolentino, Health Department, replied that there is one change to Item No. 17 regarding the immunization program. He stated that the State has allotted for additional personnel and will be providing funding for the additional persons..

Items No. 21 and No. 22:

Commissioner Wood asked if there is a typo in the advertising timeline and the deadline timeline.

Mr. Javier Mendez, Parks Director, replied that the deadline should read "October 13".

Commissioner Wood asked to vote on Item No. 21 separately.

Item No. 21:

Commissioner Garza moved to approve authorization to solicit Request for Qualifications (RFQ) for Professional Services to Design the Newly Proposed Laureles Park.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Commissioner Wood asked if a Maintenance and Operation budget is available.

Mr. Mendez replied that an M&O budget has been prepared and will be forwarded to the Court for review.

Item No. 15:

Commissioner Wood asked if the sale of the property was pro-rated.

Mr. Tony Yzaguirre, Tax Assessor-Collector, replied in the negative.

Commissioner Wood asked when the property was sold.

Mr. Yzaguirre replied that a copy of the deed was not forwarded to his office and the information provided to the Court was the information received. He added that he has requested a copy of the deed and according to statute the sale cannot be pro-rated.

Commissioner Tamayo moved that the "Consent and Travel Items" be approved, excluding Item No. 21 and tabling Items No. 40 (H) and (J).

The motion was seconded by Commissioner Garza and carried unanimously.

- (14) **CONSIDERATION AND APPROVAL OF GRANT CONTRACT BETWEEN CAMERON COUNTY AND TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE BORDER SECURITY ENHANCEMENT OPERATIONS (BSEO) PROJECT. (OL-SHERIFF) (Contract No. 2006C09024)**

The Contract is as follows:

- (15) **CONSIDERATION AND AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 25.25 (C) OF THE TEXAS PROPERTY TAX CODE TO: (TY-TAX ASSESSOR-COLLECTOR)**

(A) **WARRO INC., \$3,412.15, ADD ABSOLUTE EXEMPTION**

(B) **PINNACLE TOWER INC., \$27,822.86, CHANGE VALUE**

(C) **PINNACLE TOWER INC., \$9,717.43, CHANGE VALUE.**

The Documentation is as follows:

- (16) **CONSIDERATION AND AUTHORIZATION TO UTILIZE THE STATE OF TEXAS – TEXAS BUILDING AND PROCUREMENT SYSTEM (TBPC) CATALOG INFORMATION SYSTEMS VENDOR (CISV) REQUEST FOR OFFER (RFO) #920 FOR COUNTY CLERK’S DEPARTMENT RECORDS MANAGEMENT & IMAGING SYSTEM & SERVICES. (JGR-COUNTY CLERK)**
The Documentation is as follows:
- (17) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IMMUNIZATION DIVISION TO PROVIDE IMMUNIZATION SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2006C09026)**
The Contract is as follows:
- (18) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FAMILY PLANNING SERVICES. (YS-HEALTH) (Contract No. 2006C09027)**
The Contract is as follows:
- (19) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH TO PROVIDE TB SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2006C09028)**
The Contract is as follows:
- (20) **CONSIDERATION AND APPROVAL OF RENEWAL AGREEMENT WITH THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 TO PROVIDE EMERGENCY CONSULTING SERVICES THROUGH THE CAMERON COUNTY EMERGENCY MANAGEMENT DEPARTMENT. (TH-EMERGENCY MANAGEMENT) (Contract No. 2006C09029)**
The Contract is as follows:
- (21) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO SOLICIT REQUEST FOR QUALIFICATIONS (RFQ) FOR PROFESSIONAL SERVICES TO DESIGN THE NEWLY PROPOSED LAURELES PARK. (JM-PARK SYSTEM) (ACTION TAKEN SEPARATELY)**
- (22) **CONSIDERATION AND AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR COUNTY PARK PROPERTY LOCATED IN ANDY BOWIE PARK REFERRED TO AS THE NORTH FLATS FOR THE POSSIBLE CONCESSION. (JM-PARK SYSTEM)**
- (23) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GREEN, RUBIANO & ASSOCIATES, INC. (JM-PARK SYSTEM) (Contract No. 2006C09030)**
The Contract is as follows:
- (24) **CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE CURRENT CONCESSION AGREEMENT WITH COSTA RICA FOOD & SPIRIT’S INC. AND AGUICO PROPERTIES, LLC AT ANDY BOWIE PARK. (JM-PARK SYSTEM) (Contract No. 2006C09031)**
The Contract is as follows:
- (25) **CONSIDERATION AND ACKNOWLEDGEMENT OF CHANGE ORDER NOS. 2-5 ON THE DANCY BUILDING RESTORATION CONTRACT WITH JOE R. JOES CONSTRUCTION, INC. (RB-LEGAL)**
The Documentation is as follows:
- (26) **CONSIDERATION AND AUTHORIZATION TO TERMINATE THE AUDIT, ANALYSIS, RECONCILIATION OF COUNTY – TELEPHONE / DATA LINES – RATES AND RELATED BILLING ISSUES CATEGORY OF ANNUAL RFP #1221-2 (GULF COAST UTILITY SERVICES) AND ADVERTISE FOR RFP’S. (MF-PURCHASING)**
The Documentation is as follows:

- (27) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING ANNUAL BIDS FY 06-07: (MF-PURCHASING)**
- (A) **OFFICE, COMPUTER, COPIER SUPPLIES & TONER – ANNUAL BID #2440**
 - (B) **LINEN & MATTRESSES: BLANKETS, TOWELS, MATTRESSES & PADS – ANNUAL BID #2360**
 - (C) **AUTOMOTIVE PARTS: AFTER MARKET – ANNUAL BID #1995**
 - (D) **TELEVISION BROADCASTING – COMMISSIONERS COURT MEETINGS – ANNUAL BID #1830**
- (28) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR:**
- (A) **TIRE REPAIRS – ANNUAL BID #1850 TO JAIME’S TIRE STORE, G.C.R. HARLINGEN**
 - (B) **VOTING SUPPLIES – ANNUAL BID #2680 TO CAPITAL GRAPHICS, ELECTION SYSTEMS & SOFTWARE**
 - (C) **SIGNS, POSTS & MISC. FOR ROAD – ANNUAL BID #2630 TO VULCAN SIGNS**
 - (D) **AUTOMOTIVE PARTS O.E.M. CHRYSLER – ANNUAL BID #1996C TO DON JOHNSON**
 - (E) **AUTOMOTIVE PARTS O.E.M. FORD – ANNUAL BID #1996F TO L.T. BOSWELL**
 - (F) **AUTOMOTIVE PARTS O.E.M. GENERAL MOTORS – ANNUAL BID #1996G TO LUKE FRUIA & TIP-O-TEX**
 - (G) **SAFETY SHOES – ANNUAL BID #2620 TO REDWING SHOES**
 - (H) **JANITORIAL SUPPLIES: CHEMICALS & CLEANING – ANNUAL BID #2300-1 TO GULF COAST PAPER**
 - (I) **GENERATOR REPAIRS – ANNUAL BID #1444 TO STEWART & STEPHENSON**
 - (J) **MOPS, MATS & APRONS RENTAL & CLEANING – ANNUAL BID #1535 TO CINTAS**
- The Tabulation is as follows:
- (29) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM AUGUST 1, 2006 TO AUGUST 1, 2007 FOR PROVIDING WATER AND SEWER FACILITIES (SEPTIC SYSTEMS) AT RED BIRD SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**
- The Documentation is as follows:
- (30) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RESACA PALOMA SUBDIVISION NO. 3, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- The Documentation is as follows:
- (31) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 44, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09042)**
- The Documentation is as follows:
- (32) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 56, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09043)**
- The Documentation is as follows:
- (33) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 125, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09044)**
- The Documentation is as follows:
- (34) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 126 A, B AND C, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09045)**
- The Documentation is as follows:
- (35) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 140, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09046)**

The Documentation is as follows:

- (36) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 145-1&2, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09047)
The Documentation is as follows:
- (37) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 153, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09048)
The Documentation is as follows:
- (38) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 156, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09049)
The Documentation is as follows:
- (39) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
(A) PRECINCT NO. 2-5-G ESTATES SUBDIVISION, BEING A SUBDIVISION OUT OF LOT 12, BLOCK 10 BARREDA GARDEN SUBDIVISION, CAMERON COUNTY, TEXAS.
The Documentation is as follows:

TRAVEL ITEMS

- (40) CONSIDERATION AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
- (A) UNIFIED NARCOTICS INTELLIGENCE TASK FORCE ANALYST, TO TRAVEL TO IRVING, TX, ON 11/6-5/06, TO ATTEND AVIATION DRUG INTERDICTION.
- (B) TB PROGRAM SUPERVISOR AND TB LICENSED VOCATIONAL NURSE, TO TRAVEL TO SAN ANTONIO, TX, ON 9/25-28/06, TO ATTEND TB CONTACT INVESTIGATION TRAINING SPONSORED BY THE HEART LAND NATIONAL TB CENTER A PARTNERSHIP OF UT HEALTH CENTER AND TCID.
- (C) CONSTABLE PRECINCT NO. 2 DEPUTY, TO TRAVEL TO HUNTSVILLE, AL & CARTERSVILLE, GA, ON 10/1-11/17/06, TO ATTEND TRAINING – K-9 PROGRAM HANDLER AND TO PICK UP K-9.
- (D) JUVENILE PROBATION OFFICERS (2), TO TRAVEL TO AUSTIN, TX, ON 9/20-22/06, TO ATTEND “TRAINERS TRAINING WITH TJPC.”
- (E) JUSTICE OF THE PEACE PRECINCT 5, PLACE 1 AND STAFF (3), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 10/5-8/06, TO ATTEND THE SOUTH TEXAS JUSTICES OF THE PEACE AND CONSTABLES ASSOCIATION ANNUAL TRAINING CONFERENCE.
- (F) SHERIFF AND CHIEF, TO TRAVEL TO DALLAS & FORT WORTH, TX, ON 9/18-21/06, TO VIEW JAIL FACILITY AND IMAGING SYSTEM.
- (G) JUVENILE PROBATION OPERATIONS MANAGER, TO TRAVEL TO COLORADO SPRINGS, CO, TO ATTEND SOUTHWEST YOUTH DEVELOPMENT CONFERENCE, WORKSHOP AND MANAGEMENT TRACK I PROGRAM.
- (H) COUNTY COURT AT LAW NO. 2 COURT COORDINATOR TO TRAVEL TO CORPUS CHRISTI, TX, ON 10/24-27/06, TO ATTEND 30TH ANNUAL TEXAS ASSOCIATION OF COURT ADMINISTRATORS EDUCATION CONFERENCE. (TABLED)

- (I) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO PALMETTO, FL, ON 9/5-6/06, TO PICK UP PRISONER HELD BY FLORIDA FOR EXTRADITION.**

- (J) 103RD DISTRICT COURT ADMINISTRATOR, COORDINATOR AND INDIGENT DEFENSE COORDINATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 10/24-27/06, TO ATTEND THE TEXAS ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE. (TABLED)**

- (14) CONSIDERATION AND APPROVAL OF GRANT CONTRACT BETWEEN CAMERON COUNTY AND TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE BORDER SECURITY ENHANCEMENT OPERATIONS (BSEO) PROJECT. (OL-SHERIFF) (Contract No. 2006C09024)**
The Contract is as follows:

- (15) CONSIDERATION AND AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 25.25 (C) OF THE TEXAS PROPERTY TAX CODE TO: (TY-TAX ASSESSOR-COLLECTOR)**
- (A) WARRO INC., \$3,412.15, ADD ABSOLUTE EXEMPTION**
 - (B) PINNACLE TOWER INC., \$27,822.86, CHANGE VALUE**
 - (C) PINNACLE TOWER INC., \$9,717.43, CHANGE VALUE.**
- The Documentation is as follows:**

- (16) **CONSIDERATION AND AUTHORIZATION TO UTILIZE THE STATE OF TEXAS – TEXAS BUILDING AND PROCUREMENT SYSTEM (TBPC) CATALOG INFORMATION SYSTEMS VENDOR (CISV) REQUEST FOR OFFER (RFO) #920 FOR COUNTY CLERK’S DEPARTMENT RECORDS MANAGEMENT & IMAGING SYSTEM & SERVICES. (JGR-COUNTY CLERK)**
The Documentation is as follows:

- (17) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IMMUNIZATION DIVISION TO PROVIDE IMMUNIZATION SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2006C09026)**
The Contract is as follows:

- (18) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FAMILY PLANNING SERVICES. (YS-HEALTH)
(Contract No. 2006C09027)
The Contract is as follows:**

- (19) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH TO PROVIDE TB SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2006C09028)**
The Contract is as follows:

- (20) CONSIDERATION AND APPROVAL OF RENEWAL AGREEMENT WITH THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 TO PROVIDE EMERGENCY CONSULTING SERVICES THROUGH THE CAMERON COUNTY EMERGENCY MANAGEMENT DEPARTMENT. (TH-EMERGENCY MANAGEMENT) (Contract No. 2006C09029)**
The Contract is as follows:

- (23) CONSIDERATION AND AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GREEN, RUBIANO & ASSOCIATES, INC. (JM-PARK SYSTEM)
(Contract No. 2006C09030)
The Contract is as follows:**

- (24) CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE CURRENT CONCESSION AGREEMENT WITH COSTA RICA FOOD & SPIRIT'S INC. AND AGUICO PROPERTIES, LLC AT ANDY BOWIE PARK. (JM-PARK SYSTEM) (Contract No. 2006C09031)
The Contract is as follows:**

- (25) CONSIDERATION AND ACKNOWLEDGEMENT OF CHANGE ORDER NOS. 2-5 ON THE DANCY BUILDING RESTORATION CONTRACT WITH JOE R. JOES CONSTRUCTION, INC. (RB-LEGAL)
The Documentation is as follows:**

- (26) **CONSIDERATION AND AUTHORIZATION TO TERMINATE THE AUDIT, ANALYSIS, RECONCILIATION OF COUNTY – TELEPHONE / DATA LINES – RATES AND RELATED BILLING ISSUES CATEGORY OF ANNUAL RFP #1221-2 (GULF COAST UTILITY SERVICES) AND ADVERTISE FOR RFP'S. (MF-PURCHASING)**
The Documentation is as follows:

- (28) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR:**
- (A) **TIRE REPAIRS – ANNUAL BID #1850 TO JAIME’S TIRE STORE, G.C.R. HARLINGEN**
 - (B) **VOTING SUPPLIES – ANNUAL BID #2680 TO CAPITAL GRAPHICS, ELECTION SYSTEMS & SOFTWARE**
 - (C) **SIGNS, POSTS & MISC. FOR ROAD – ANNUAL BID #2630 TO VULCAN SIGNS**
 - (D) **AUTOMOTIVE PARTS O.E.M. CHRYSTLER – ANNUAL BID #1996C TO DON JOHNSON**
 - (E) **AUTOMOTIVE PARTS O.E.M. FORD – ANNUAL BID #1996F TO L.T. BOSWELL**
 - (F) **AUTOMOTIVE PARTS O.E.M. GENERAL MOTORS – ANNUAL BID #1996G TO LUKE FRUIA & TIP-O-TEX**
 - (G) **SAFETY SHOES – ANNUAL BID #2620 TO REDWING SHOES**
 - (H) **JANITORIAL SUPPLIES: CHEMICALS & CLEANING – ANNUAL BID #2300-1 TO GULF COAST PAPER**
 - (I) **GENERATOR REPAIRS – ANNUAL BID #1444 TO STEWART & STEPHENSON**
 - (J) **MOPS, MATS & APRONS RENTAL & CLEANING – ANNUAL BID #1535 TO CINTAS**
- The Tabulation is as follows:**

- (29) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM AUGUST 1, 2006 TO AUGUST 1, 2007 FOR PROVIDING WATER AND SEWER FACILITIES (SEPTIC SYSTEMS) AT RED BIRD SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

- (30) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RESACA PALOMA SUBDIVISION NO. 3, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

- (31) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 44, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)
(Contract No. 2006C09042)**

The Documentation is as follows:

- (32) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 56, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)
(Contract No. 2006C09043)**

The Documentation is as follows:

- (33) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 125, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09044)**
The Documentation is as follows:

- (34) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 126 A, B AND C, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09045)**

The Documentation is as follows:

- (35) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 140, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09046)**
The Documentation is as follows:

- (36) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 145-1&2, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09047)**
The Documentation is as follows:

- (37) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 153, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09048)**
The Documentation is as follows:

- (38) CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 156, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C09049)**

The Documentation is as follows:

- (39) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
(A) PRECINCT NO. 2-5-G ESTATES SUBDIVISION, BEING A SUBDIVISION OUT OF LOT 12, BLOCK 10 BARREDA GARDEN SUBDIVISION, CAMERON COUNTY, TEXAS.
The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 12:07 P.M. to discuss the following matters:

(41) 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) CONFER WITH COMMISSIONERS' COURT ON ACCEPTANCE OF OFFER FOR BLOCK 4, LOTS 2 & 3 – ROBERT NINO REGARDING THE DEL MAR HEIGHTS BUYOUT PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ASSIGNMENT OF LEASE AGREEMENT WITH FUN 'N' SHADE AND ISLAND FUN SPOT 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), AND PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 12:20 P.M. to discuss the following matters:

(42) 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.**
- (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 Tamayo, seconded by Commissioner Wood and carried unanimously, Items No. 42 (A) and (B) were TABLED as there was no discussion.

(C) CONFER WITH COMMISSIONERS' COURT ON ACCEPTANCE OF OFFER FOR BLOCK 4, LOTS 2 & 3 – ROBERT NINO REGARDING THE DEL MAR HEIGHTS BUYOUT PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (Contract No. 2006C09041)

Ms. Grace Salinas, County Judge's Office-"That amount is at 75%; \$21,905."

Commissioner Wood-"Move to authorize the purchase in that amount."

Commissioner Tamayo-"Second"

Judge Hinojosa-"Moved by Commissioner Wood seconded by Commissioner Tamayo, any further discussion?"

Commissioner Wood-"And also want to authorize the purchase of the vacant lots."

Judge Hinojosa-"At 75% of the value."

Commissioner Wood-"Based on the money you have left."

Judge Hinojosa-"All those in favor signify by stating 'aye'."

Commissioner Wood, Commissioner Tamayo, Commissioner Gaza and Commissioner Benavides-"Aye"

Judge Hinojosa-"All opposed? Motion carries."

The Contract is as follows:

- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ASSIGNMENT OF LEASE AGREEMENT WITH FUN 'N' SHADE AND ISLAND FUN SPOT 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), AND PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (Island Fun Spot-Contract No. 2006C09032) (Fun 'n' Shade-Contract No. 2006C09033)**

Commissioner Garza moved to approve the assignments.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Contract is as follows:

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 12:22 P.M.

APPROVED this 31st day of **October 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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