

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 26th 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:

9:30 A.M.

PRESENT:

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:
JOHN WOOD

The meeting was called to order by Judge Hinojosa at 9:30 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 22, 2006 at 4:31 P.M.:

(1) **PUBLIC COMMENTS.**

None were presented.

PRESENTATIONS

(2) **PRESENTATION OF RESOLUTION RECOGNIZING MR. SAMUEL WILLIAM JONES FOR HIS CONTRIBUTIONS TO THE COMMUNITY. (COMM. COURT)**

Judge Hinojosa presented Mr. Jones with the resolution honoring his many contributions.

Mr. Samuel William Jones humbly accepted the resolution and accepted the honor on behalf of all the members of Tex-Mex Ministries.

(3) **PRESENTATION OF RESOLUTION PROCLAIMING SEPTEMBER 17 TO SEPTEMBER 23, 2006 AS NATIONAL REHABILITATION AWARENESS CELEBRATION IN CAMERON COUNTY. (COMM. COURT) (NO ACTION TAKEN)**

(4) **PRESENTATION BY MARC HAMLIN, TEXAS ASSOCIATION OF COUNTIES (TAC) PRESIDENT, TO HONOR THE COUNTY FOR ITS RECENT BEST PRACTICES AWARD FROM THE TAC LEADERSHIP FOUNDATION. (COMM. COURT)**

Mr. Marc Hamlin stated that the Texas Association of Counties annually recognizes anywhere from one to twenty successful programs throughout the State of Texas. He noted that Cameron County was recognized this year for the Family Learning Centers. He commended the Court for identifying the needs of the underprivileged children in Cameron County in rural areas and praised the leadership in the County for coming together to support the program.

Commissioner Tamayo introduced Yvette Salinas and Pat Sanchez, who have taken over running the Family Learning Centers. She thanked her staff, Roy Quintanilla and Clemente Cantu, for their efforts.

Judge Hinojosa added that the program was the vision of Commissioner Tamayo.

Commissioner Tamayo informed the audience that the Family Learning Center has been concentrated in rural areas for those families that are not able to attend other programs. She added that the Family Learning Centers have brought the community together. She thanked Ms. Salinas and Ms. Sanchez for their dedication to the Center.

Mr. Hamlin congratulated Commissioner Tamayo, Judge Hinojosa and the entire Commissioner s' Court for receiving this recognition.

The Documentation is as follows:

(24) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A CONTRACTUAL AGREEMENT WITH BROWNSVILLE TEEN & SENIOR CENTER INC. TO PROVIDE SERVICES AT BROWNE ROAD SOCIAL SERVICE BUILDING. (JM-PARK SYSTEM) (Contract No. 2006C09037)**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Contractual Agreement with the Brownsville Teen & Senior Center Inc. to Provide Services at the Browne Road Social Service Building was approved.

The Contract is as follows:

ACTION ITEMS

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

Upon motion by Commissioner Benavides, seconded by Commissioner Garza 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:

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- (6) **APPROVAL OF MINUTES FOR:**
(A) **AUGUST 22, 2006-REGULAR MEETING**
(B) **AUGUST 29, 2006-REGULAR MEETING**
(C) **SEPTEMBER 1, 2006-SPECIAL MEETING**

Judge Hinojosa asked that the minutes of the August 29, 2006-Regular Meeting include his abstention on Warrant No. 00165899, made payable to Juan A. Magallanes, in the amount of \$23,600.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the minutes for the August 22, 2006-Regular Meeting, August 29, 2006-Regular Meeting and the September 1, 2006-Special Meeting were approved, with the inclusion as stated by Judge Hinojosa.

(7) **APPROVAL OF CLAIMS.**

Mr. Mark Yates, County Auditor, presented the Court with a list of late claims and a report regarding the housing of inmates.

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

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

AYE: Commissioner Tamayo, Commissioner Garza and Commissioner Benavides

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00167611, made payable to Southwest Key Program La Esperanza, in the amount of \$21,442.60 and Warrant No. 00167502, made payable to the Laguna Madre Water District, in the amount of \$22,438.37.

The Claims are as follows:

(8) CONSIDERATION AND POSSIBLE ACTION REGARDING THE JOB DESCRIPTION FOR THE CAMERON COUNTY DETENTION CENTERS HEALTH SERVICES ADMINISTRATOR, INFIRMARY ORGANIZATIONAL CHART AND AUTHORIZATION TO ADVERTISE POSITION. (COMM. COURT)

Mr. Remi Garza, Assistant County Administrator, stated that this item is in keeping with the direction from the Court to move the Infirmary Division under the direction of the Sheriff and at the same time expanding the role of the Infirmary Services Director to have more administrative experience in correctional facilities.

Chief Gus Reyna, Sheriff's Office, added that the documents have been reviewed by Sheriff Lucio.

Commissioner Garza asked if the Organizational Chart is based on recommendations by Louann Collins.

Mr. Remi Garza replied in the affirmative.

Commissioner Garza asked for clarification as to the "Health Service Administrator" position.

Mr. Remi Garza replied that is the position that is to be advertised.

Commissioner Garza asked if the Health Department will be included in the organizational chart.

Mr. Remi Garza replied that the Health Department will not provide any administrative services but may have programs that will be held at the Jail.

Commissioner Garza expressed concern that the organizational chart completely omits the Health Department.

Mr. Remi Garza added that the Health Department may have employees at the jail for certain activities but will not have any role administratively.

Commissioner Garza recommended that the individual hired as the Health Service Administrator have input regarding the organizational chart.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Job Description for the Cameron County Detention Centers Health Services Administrator, the Infirmary Organizational Chart and Authorization to Advertise the Position was approved.

The Documentation is as follows:

(9) CONSIDERATION AND AUTHORIZATION TO UTILIZE JOHNSON CONTROL THROUGH THE TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) ON THE FIRE AND TEMP-CONTROL AT THE COUNTY COURTHOUSE COMPLEX. (MI-BUILDING MAINTENANCE) (Contract No. 2006C10064)

Mr. Marcelino Ibarra, Maintenance Director, asked to utilize Johnson Control to replace the existing fire alarms and the pressure system at the Cameron County Courthouse complex. He added that the contract has been reviewed by Legal Counsel.

Mr. Richard Burst, Legal Counsel, clarified that Ms. Dylbia Jeffries Vega reviewed the contract.

Mr. Xavier Villarreal, Budget Officer, stated that Johnson Control has submitted a financing plan that allows for the payments to be equal to what is currently being paid for the system that is to be replaced.

Commissioner Tamayo asked that the contract be approved subject to review by Legal Counsel as there are no initials from Legal on the agenda request form.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization to Utilize Johnson Control through the Texas Multiple Award Schedule (TXMAS) on the Fire and Temp-Control at the County Courthouse Complex was approved, subject to the agreement being reviewed by Legal Counsel.

The Contract is as follows:

(10) CONSIDERATION AND AUTHORIZATION TO UTILIZE THYSSENKRUPP ELEVATOR TO FIX THE ELEVATOR AT THE JUDICIAL BUILDING THAT HAS BEEN OUT OF SERVICE SINCE MAY 2006. (MI-BUILDING MAINTENANCE) (TABLED)

Mr. Marcelino Ibarra, Maintenance Director, asked that this item be tabled.

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

(11) CONSIDERATION AND AUTHORIZATION TO INCREASE SHERIFF AND CONSTABLES FEE BY ORDER PURSUANT TO LOCAL GOVERNMENT CODE SECTION 118.131. (RB-LEGAL) (Order No. 2006O9009)

Mr. Richard Burst, Legal Counsel, stated that it was brought to his attention by Commissioner Wood that Cameron County is well below average regarding Sheriff and Constable Fees. He advised the Court that the fees can be visited once a year before October 1st and the amended schedule has to be submitted to the State Comptroller General by October 15th so that the amended schedule can go into effect January 1st.

Judge Hinojosa asked how much revenue will be generated from the increase in fees.

Mr. Xavier Villarreal, Budget Officer, replied that he was unsure of the exact amount to be generated as the fees are lumped together in one line item.

Mr. Burst recommended increasing the fees as that will bring the County in-line with other counties of comparable size. He informed the Court of the substantial increase to "order of sale" from \$75 to \$200.

Upon motion by Commissioner Benavides, seconded by Judge Hinojosa and carried unanimously, Authorization to Increase Sheriff and Constables Fee by Order Pursuant To Local Government Code Section 118.131 was approved.

The Order is as follows:

**(12) CONSIDERATION AND APPROVAL OF ORDER
DESIGNATING A DAY OF THE WEEK ON WHICH THE
COMMISSIONERS' COURT SHALL CONVENE IN A
REGULAR TERM EACH MONTH FOR FISCAL YEAR 2007.
(COMM. COURT) (Order No. 2006O9010)**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Order Designating a Day of the Week on Which the Commissioners' Court Shall Convene In A Regular Term Each Month For Fiscal Year 2007 was approved.

The Order is as follows:

(13) CONSIDERATION AND ACTION ON THE RECOMMENDATIONS OF THE COASTAL IMPACT ASSISTANCE PROGRAM AD HOC REVIEW COMMITTEE FOR THE COUNTY'S SHARE OF CIAP FUNDS. (JM-PARK SYSTEM)

Mr. Javier Mendez, Parks Director, informed the Court that the Coastal Impact Assistance Program (CIAP) Ad-Hoc Committee has reviewed all applications. He presented the Court with a spreadsheet detailing the cost of the projects and the allocation amount from the County. He stated that the committee rated the applications based on the start date of the project being within a year of the availability date of the funding.

Judge Hinojosa asked for clarification as to the UTB-TSC Port Isabel Birding Palapas Project.

Mr. Floyd Akers, attorney for the University of Texas at Brownsville, informed the Court that the Birding Palapas Projects is a proposed pier that would extend a couple of hundred yards from private property with palapas located at the end of the pier, which will be used as a birding observation center. He added that the private property owner, Mr. Zimmerman, will be granting public access easements across his property so that the public can have access to the palapas. He noted that this project will adjoin a city project to extend a boardwalk around the area that will allow access to the pier from the boardwalk.

Mr. Robert Garcia, Port Isabel City Manager, stated that the city owns all of the submerged property around the bay, as well as the property in front of the private property owned by Mr. Zimmerman. He went on to say that the city will lease the submerged property to UTB to allow the university to build their palapas. He noted that UTB will have right-of-way onto the property as access to the property will be granted by the private property owner.

Mr. Joe Vega, Parks Deputy Director, informed the Court that UTB has met with the Port Isabel City Commission and the City has agreed to work with UTB as the project is for educational purposes and would be an added attraction to the area. He added that the City of Port Isabel has applied for funding to build a boardwalk that is to extend from Pirate's Landing, continue underneath the Causeway, and connect with Pelican Station.

Judge Hinojosa expressed concern with the issue of access to the palapas.

Mr. Garcia replied that UTB will have to obtain an easement release from Pelican Station and AEP before access can be granted.

Mr. Akers added that there are letters of commitment from Mr. Zimmerman supporting the granting of the easement to UTB.

Mr. Remi Garza, Assistant County Administrator, reminded the Court that the exact amount of funds that are to be awarded is not definite and could be anywhere from \$986,000 to \$1,296,000. He added that the rankings from the committee reflect the possible fluctuations in funds awarded.

Commissioner Garza questioned the progress of the hydrology study for the Bahia Grande.

Mr. Vega stated that the study is part of the application to the State of Texas.

Mr. Remi Garza asked that the Court include the Arroyo Colorado Wetlands Outreach Project (\$124,000), the UT-Pan American Coastal Studies Lab Observation Network (\$139,000) and the Wave Tank for South Padre Island (\$100,000) with the Tier Two applications.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Recommendations of the Coastal Impact Assistance Program Ad Hoc Review Committee for the County's Share of CIAP Funds were approved, with the addition of the Arroyo Colorado Wetlands Outreach Project, the UT-Pan American Coastal Studies Lab Observation Network and the Wave Tank for South Padre Island with the Tier Two applications.

The Documentation is as follows:

**(14) CONSIDERATION AND APPROVAL OF REAPPOINTMENT
OR REPLACEMENT OF CAMERON COUNTY INSURANCE
COMMITTEE MEMBERS. (MV-HUMAN RESOURCES)**

Commissioner Tamayo objected to the fact that the Insurance Committee Members receive a \$3,000 stipend. She suggested that the appointment of the members be rotated and requested that Ms. Mela Hernandez be added to the Insurance Committee.

Commissioner Garza recommended that the \$3,000 stipend be eliminated since the Insurance Committee meetings are held during working hours.

Commissioner Benavides suggested that the stipend remain with the understanding that the Insurance Committee meetings will be held after regular working hours.

Commissioner Tamayo moved to eliminate the stipend received by the Cameron County Insurance Committee Members and to add Ms. Mela Hernandez to the committee.

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

AYE: Commissioner Tamayo and Commissioner Garza

NAY: Commissioner Benavides

The Documentation is as follows:

(15) CONSIDERATION AND AUTHORIZATION FOR LYNN, PHAM & ROSS, LLP TO CONTINUE WITH CLASSIFICATION SYSTEM FOR CIVIL SERVICE PROJECT. (RB-LEGAL)

Mr. Richard Burst, Legal Counsel, informed the Court that Lynn, Pham & Ross, LLP is pending only the completion of the classification system and are willing to finish the project as long as they are paid their fee.

Commissioner Garza noted that the letter provided to the Court from Lynn, Pham & Ross, LLP asks that the County pay for travel expenses and time spent.

Mr. Burst stated that the reimbursement of travel expenses and time spent only applies if the firm is asked to come down to visit the County. He added that Mr. Manuel Villarreal, Human Resources Director, has advised him that it will not be necessary for the firm to travel to the County to complete the classification system. He informed the Court that the County owes the firm \$60,000 as \$12,000 has already been paid.

Commissioner Garza questioned the amount of the original estimate.

Mr. Burst replied that the estimate was originally between \$25,000 to \$30,000. He stated that Lynn, Pham & Ross, LLP has agreed to finish the classification system at no additional charge to the County.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization for Lynn, Pham & Ross, LLP to Continue with Classification System for the Civil Service Project was approved.

(16) CONSIDERATION AND POSSIBLE ACTION REGARDING THE DANCY BUILDING AND COURTHOUSE PRESERVATION AND PROTECTION POLICY. (COMM. COURT)

Mr. Remi Garza, Assistant County Administrator, presented the Court with a pamphlet produced by the Texas Historical Commission providing recommendations and guidance to counties once their restoration project is complete. He asked the Court to give direction to the department heads that will be located at the Dancy Building to follow the guidelines in order to protect the historic architectural features of the building and that the Court designate the Courthouse square as a non-smoking area. He added that an area in the parking lot will be designated for those that wish to smoke.

Commissioner Benavides asked how far the proposed smoking-area is from the Dancy Building.

Mr. Remi Garza stated that the area is located across the street from the building.

Commissioner Benavides informed the Court that he has been approached by employees, who are smokers, that are concerned with the issue of a smoking-area being located in the parking lot.

Mr. Remi Garza noted that the designated smoking-area will be located closer to the building than where the employees will park.

Commissioner Benavides asked for clarification as to what walls are considered "historical".

Mr. Remi Garza replied that the walls that are not historic are those with the glass panel leading to the ceiling.

Commissioner Garza asked who would be in charge of enforcing the historic guidelines.

Mr. Remi Garza replied that the department heads should enforce the guidelines.

Judge Hinojosa recommended that the policy be circulated to all those concerned with this matter.

Commissioner Garza pointed out the chewing tobacco inside the building is permitted in the policy. He recommended that chewing tobacco inside the building be prohibited in addition to smoking.

Commissioner Tamayo recommended that the policy be tabled until the policy has been reviewed by the Court and the department heads.

Mr. Remi Garza asked that the Courthouse square be designated as a non-smoking area until the policy has been reviewed.

Commissioner Tamayo moved to prohibit smoking in the Courthouse square and to TABLE the policy.

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

AYE: Commissioner Tamayo and Commissioner Garza

NAY: Commissioner Benavides

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 ITEMS:

Item No. 22:

Mr. Remi Garza, Assistant County Administrator, stated that the Emergency Services District provides funding to the County for the fire marshals. He added that the amendment is to extend the current agreement by one year.

Item No. 29 (C):

Mr. Mike Forbes, Purchasing Agent, asked for recommendations as to the evaluation committee for the Structural Inspections – County International Bridges – Annual RFQ #123.

Judge Hinojosa recommended Mr. Pete Sepulveda, Department of Transportation Director, Mr. Ernesto Hinojosa, County Engineer, Mr. Mike Forbes, Purchasing Agent, Mr. Xavier Villarreal, Budget Officer, and Mr. Remi Garza, Assistant County Administrator for the evaluation committee.

Item No. 31:

Commissioner Garza questioned whether the travel to South Padre Island is in accordance with County policy.

Mr. Xavier Villarreal, Budget Officer, replied in the affirmative.

Commissioner Tamayo moved to approve the "Consent and Travel Items", with the inclusion of the recommendation as stated on Item No. 29 (C) and excluding Item No. 24.

The motion was seconded by Commissioner Garza and carried unanimously.

- (17) **CONSIDERATION AND POSSIBLE APPROVAL OF LEGAL SERVICES CONTRACT WITH NATHANIEL C. PEREZ, JR. FOR THE 107TH JUDICIAL DISTRICT COURT. (BE-107TH DISTRICT COURT) (Contract No. 2006C09036)**
The Contract is as follows:
- (18) **CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR LEGAL SERVICES WITH ALEJANDRO SOLIS TO SERVE AS INTERPRETER FOR THE JUDICIAL DISTRICT COURTS. (BE-107TH DISTRICT COURT) (Contract No. 2006C09035)**
The Contract is as follows:
- (19) **CONSIDERATION AND ACTION REGARDING REQUESTING LETTERS OF INTENT FOR PARTICIPATION IN A FAMILY PROTECTION FEE PURSUANT TO GOVERNMENT CODE CHAPTER 51, SECTION 51.961 AND AUTHORIZATION TO ADVERTISE. (COMM. COURT)**
The Documentation is as follows:
- (20) **CONSIDERATION AND APPROVAL OF RESOLUTION AUTHORIZING THE SHERIFF'S OFFICE TO WORK THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) DWI GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (DESIGNATING A SOURCE OF REQUIRED MATCH). (OL-SHERIFF) (Resolution No. 2006R09012)**
The Resolution is as follows:
- (21) **CONSIDERATION AND ACTION TO REJECT ALL BIDS FOR THE PEDERSON SUBDIVISION/SH 100 SANITARY SEWER IMPROVEMENT PROJECT AND AUTHORIZATION TO REDUCE THE SCOPE OF WORK AND RE-ADVERTISE (TCDP CONTRACT NO. 725165). (FB-PD & M)**
The Documentation is as follows:
- (22) **CONSIDERATION AND POSSIBLE APPROVAL OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR THE IMPLEMENTATION AND ENFORCEMENT OF A FIRE CODE. (TH-EMERGENCY MANAGEMENT) (Contract No. 2006C09038)**
The Contract is as follows:
- (23) **CONSIDERATION AND POSSIBLE ACCEPTANCE OF A COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT AWARD IN THE AMOUNT OF \$197,446 FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND AUTHORIZING COUNTY JUDGE TO SIGN ACCEPTANCE. (TH-EMERGENCY MANAGEMENT)**
The Documentation is as follows:
- (24) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A CONTRACTUAL AGREEMENT WITH BROWNSVILLE TEEN & SENIOR CENTER INC. TO PROVIDE SERVICES AT BROWNE ROAD SOCIAL SERVICE BUILDING. (JM-PARK SYSTEM) (ACTION TAKEN SEPARATELY)**
- (25) **CONSIDERATION AND APPROVAL OF A RENEWAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND ST. MARY'S CATHOLIC CHURCH (SANTA ROSA WIC CLINIC) TO PROVIDE**

WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM SERVICES. (YS-HEALTH) (Contract No. 2006C09039)

The Contract is as follows:

- (26) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND DEPARTMENT OF STATE HEALTH SERVICE TO PROVIDE WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM SERVICES. (YS-HEALTH) (Contract No. 2006C09040)**

The Contract is as follows:

- (27) **CONSIDERATION AND APPROVAL TO AMEND CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY06-FY07 LOCAL PUBLIC HEALTH PREPAREDNESS WORK PLAN AND BUDGET. (YS-HEALTH) (Contract No. 2006C09052)**

The Contract is as follows:

- (28) **CONSIDERATION AND APPROVAL OF CONSTRUCTION CONTRACT IN THE AMOUNT OF \$253,00.00 WITH THE 5125 COMPANY FOR THE LOUISIANA ROAD AND DAKOTA VILLAGE NOS. 1 AND 2 WATER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 725165). (FB-PD & M) (Contract No. 2006C09034)**

The Contract is as follows:

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

- (A) **CARPETING & FLOOR TILE (INSTALLED) – SAN BENITO ANNEX BLDG – BID #060802**
- (B) **ELEVATOR MAINTENANCE – ANNUAL BID #1380**
- (C) **STRUCTURAL INSPECTIONS – COUNTY INTERNATIONAL BRIDGES – ANNUAL RFQ #1230 & POSSIBLE SELECTION OF EVALUATION COMMITTEE BY COMMISSIONERS’ COURT**

- (30) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JUNE 14, 2006 TO JUNE 14, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VISTA DEL MONTE SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

TRAVEL ITEMS

- (31) **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) **TAX ASSESSOR-COLLECTOR AND CHIEF DEPUTY, TO TRAVEL TO COLLEGE STATION, TX, ON 11/12-15/06, TO ATTEND THE 24TH ANNUAL COUNTY TAX ASSESSOR-COLLECTOR’S CONTINUING EDUCATION SEMINAR.**

- (B) **COUNTY CLERK AND EMPLOYEES (4), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 10/10-12/06, TO ATTEND THE “AREA VIII REGIONAL CONFERENCE.”**

- (C) **CHIEF JUVENILE PROBATION OFFICER, TO TRAVEL TO GALVESTON, TX, ON 10/8-11/06,, TO ATTEND “34TH ANNUAL CHIEF PROBATION OFFICERS’ CONFERENCE.”**

- (D) **JUVENILE PROBATION PSYCHOLOGIST, TO TRAVEL TO CORPUS CHRISTI, TX, ON 10/12/06, TO ATTEND “DIAGNOSIS AND TREATMENT OF THE MAJOR DSM-IV-TR PSYCHIATRIC DISORDERS: DEPRESSION, ANXIETY AD PSYCHOSIS.”**

- (E) **EXTENSION AGENTS (5), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 10/1-2/06, TO ATTEND AND HOST THE SIXTH BIENNIAL BINATIONAL CONFERENCE ON FAMILIES.**

- (F) EXTENSION AGENT, TO TRAVEL TO GALVESTON, TX, ON 10/5/06, TO ATTEND THE SEA GRANT RESEARCHER CONFERENCE.
- (G) EXTENSION AGENT, TO TRAVEL TO JACKSONVILLE, FL, ON 10/15-18/06, TO ATTEND THE FIRST NATIONAL SEA GRANT FISHERIES EXTENSION MEETING.
- (H) ASSISTANT HEALTH ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 10/2-5/06, TO ATTEND A TOWARD 2010-ELIMINATING CHILD LEAD POISONING MEETING.
- (I) CONSTABLE PRECINCT NO. 4 AND DEPUTIES (2), TO TRAVEL TO SAN ANTONIO, TX, ON 10/15-18/06, TO ATTEND THE 20-HOUR CIVIL PROCESS SEMINAR.
- (J) DISTRICT CLERK AND DEPUTY CLERKS (9), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 10/10-12/06, TO ATTEND THE COUNTY & DISTRICT CLERKS' REGION 8 CONFERENCE.
- (K) DIRECTOR OF DEPARTMENT OF TRANSPORTATION AND ASSISTANT DIRECTOR, TO TRAVEL TO MONTERREY, MX, ON 10/16-17/06, TO ATTEND THE BI-NATIONAL MEETING ON BRIDGES AND BORDER CROSSINGS.
- (L) CONSTABLE PRECINCT NO. 7 AND DEPUTIES (3), TO TRAVEL TO SAN ANTONIO, TX, ON 10/15-18/06, TO ATTEND TJCTC CIVIL PROCESS TRAINING.
- (M) INDIGENT DEFENSE COORDINATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 10/24-27/06, TO ATTEND THE TEXAS ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE.
- (N) DEPARTMENT OF TRANSPORTATION DIRECTOR, TO TRAVEL TO AUSTIN, TX, ON 9/24-26/06, TO ATTEND THE BORDER TRADE ALLIANCE CONFERENCE MEETING.
- (O) CONSTABLE PRECINCT NO. 5 DEPUTIES (2), TO TRAVEL TO SAN ANTONIO, TX, ON 10/15-19/06, TO ATTEND 20-HOUR CIVIL PROCESS SEMINAR.
- (P) COMMISSIONER PRECINCT NO. 2, TO TRAVEL TO AUSTIN, TX, ON 9/27-28/06, TO ATTEND THE TEXAS TRANSPORTATION COMMISSION MEETING REGARDING THE WEST RAIL PROJECT.
- (Q) LEGAL COUNSEL, TO TRAVEL TO AUSTIN, TX, ON 10/26-27/06, TO ATTEND THE BASIC COURSE IN TEXAS CONSTRUCTION LAW.
- (R) SHERIFF'S DEPARTMENT LIEUTENANT AND CLERK, TO TRAVEL TO SAN ANTONIO, TX, ON 10/10-12/06, TO ATTEND TRAFFIC JAM COALITION MEETING (STEP PROGRAM GRANT)(TXDOT).

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- (22) **CONSIDERATION AND POSSIBLE APPROVAL OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR THE IMPLEMENTATION AND ENFORCEMENT OF A FIRE CODE. (TH-EMERGENCY MANAGEMENT) (Contract No. 2006C09038)**
The Contract is as follows:

- (23) **CONSIDERATION AND POSSIBLE ACCEPTANCE OF A COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT AWARD IN THE AMOUNT OF \$197,446 FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND AUTHORIZING COUNTY JUDGE TO SIGN ACCEPTANCE. (TH-EMERGENCY MANAGEMENT)**
The Documentation is as follows:

- (25) CONSIDERATION AND APPROVAL OF A RENEWAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND ST. MARY'S CATHOLIC CHURCH (SANTA ROSA WIC CLINIC) TO PROVIDE WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM SERVICES. (YS-HEALTH) (Contract No. 2006C09039)**

The Contract is as follows:

- (26) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND DEPARTMENT OF STATE HEALTH SERVICE TO PROVIDE WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM SERVICES. (YS-HEALTH) (Contract No. 2006C09040)**
The Contract is as follows:

- (27) **CONSIDERATION AND APPROVAL TO AMEND CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY06-FY07 LOCAL PUBLIC HEALTH PREPAREDNESS WORK PLAN AND BUDGET. (YS-HEALTH) (Contract No. 2006C09052)**
The Contract is as follows:

- (28) CONSIDERATION AND APPROVAL OF CONSTRUCTION CONTRACT IN THE AMOUNT OF \$253,00.00 WITH THE 5125 COMPANY FOR THE LOUISIANA ROAD AND DAKOTA VILLAGE NOS. 1 AND 2 WATER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 725165). (FB-PD & M) (Contract No. 2006C09034)**
The Contract is as follows:

- (30) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JUNE 14, 2006 TO JUNE 14, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VISTA DEL MONTE SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:00 A.M. to discuss the following matters:

(32) 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 LEGAL COUNSEL CONCERNING AN AGREEMENT WITH TOWN OF SOUTH PADRE ISLAND ECONOMIC DEVELOPMENT COUNSEL FOR A BIRDING CENTER 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(A)(2).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING FRED ROCHA VS. CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT; CAUSE NO. 2006-08-3958-C, AUTHORITY TO HIRE OUTSIDE COUNSEL TO REPRESENT TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**
- (E) DELIBERATION REGARDING THE GRANTING OF A 25' X 25' EQUIPMENT EASEMENT AND A 15' X 25' INGRESS/EGRESS EASEMENT TO SOUTHWESTERN BELL TELEPHONE, L.P., A TEXAS LIMITED PARTNERSHIP, D/B/A AT& T TEXAS, PRECINCT NO. 2, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 11:20 A.M. to discuss the following matters:

(33) 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. (TABLED)**

- (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. (TABLED)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, these items were **TABLED**.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AN AGREEMENT WITH TOWN OF SOUTH PADRE ISLAND ECONOMIC DEVELOPMENT COUNSEL FOR A BIRDING CENTER 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(A)(2).**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, authorization for Legal Counsel to continue negotiations with the Town of South Padre Island Economic Development Counsel was approved.

- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING FRED ROCHA VS. CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT; CAUSE NO. 2006-08-3958-C, AUTHORITY TO HIRE OUTSIDE COUNSEL TO REPRESENT TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, authorization for Legal Counsel to retain the services of Charles Willette to represent Tommy Ramirez as outside counsel was approved.

- (E) DELIBERATION REGARDING THE GRANTING OF A 25' X 25' EQUIPMENT EASEMENT AND A 15' X 25' INGRESS/EGRESS EASEMENT TO SOUTHWESTERN BELL TELEPHONE, L.P., A TEXAS LIMITED PARTNERSHIP, D/B/A AT&T TEXAS, PRECINCT NO. 2, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the granting of the easements was approved.

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 11:23 A.M.

APPROVED this 9th day of **November 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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