

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 3rd day of October 2006, there was conducted a **SPECIAL 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 Darrell B. Hester.

THE COURT MET AT:

1:30 P.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:

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The meeting was called to order by Judge Hinojosa at 1:30 P.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 29, 2006 at 3:45 P.M.:

(1) **PUBLIC COMMENTS.**

None were presented.

PRESENTATIONS

(2) **PRESENTATION OF RESOLUTION RECOGNIZING MS. ISABEL BOSWELL FOR HER MANY CONTRIBUTIONS TO THE COMMUNITY. (COMM. COURT) (TABLED)**

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

(3) **PRESENTATION OF COUNTY KIOSK FOR DANCY BUILDING, BY COMPUTER CENTER. (RJ-COMPUTER CENTER)**

Mr. Marco Sanchez, County Webmaster, explained that the kiosk will be a touch screen and will serve as an information booth for the public and will be installed for the grand opening of the Dancy Building on October 17, 2006. He stated that the kiosk will be located on the first floor and will be available in both English and Spanish. He went on to say that the kiosk will contain information such as a layout of the floor plan detailing department locations, a department directory, a listing of job openings, an events calendar and access to the Commissioners' Court agenda. He noted that this project is open to suggestion by the Court, County employees and the public.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Presentation of County Kiosk for Dancy Building was acknowledged.

ACTION ITEMS

(4) **BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES. (TABLED)**

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

**(5) APPROVAL OF MINUTES FOR:
(A) SEPTEMBER 5, 2006-REGULAR MEETING**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the minutes for the September 5, 2006-Regular Meeting were approved.

(6) APPROVAL OF CLAIMS.

Commissioner Tamayo 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 Tamayo, Commissioner Benavides and Commissioner Wood

NAY: None

ABSTAIN: Commissioner Garza as to Warrant No. 00167943, made payable to the Medicine Shoppe, in the amount of \$15,494.18.

The Claims and Affidavit are as follows:

(7) **CONSIDERATION AND POSSIBLE ACTION REGARDING
STATUS REPORT OF WEST RAIL PROJECT. (PS-DEPT. OF
TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, informed the Court that work is continuing on the right-of-way acquisitions and highlighted the \$13 million from the TxDOT Railroad Grade Separation funds.

Judge Hinojosa questioned the status of the design for the bridge.

Mr. Sepulveda replied that Mexico has been working with the International Boundary and Water Commission in order to relocate the levee on the Mexican side and the final design of the bridge is pending the completion of the levee relocation.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Status Report of the West Rail Project was acknowledged.

The Report is as follows:

(8) CONSIDERATION AND DISCUSSION OF A REPORT FROM RUDY JUAREZ, COMPUTER CENTER DIRECTOR, REGARDING CURRENT FIREWALL AND SPAM FILTERS USED ON COUNTY'S EMAIL SYSTEM. (DG-COMM. PCT. 3)

Commissioner Garza expressed his concern that County employees and members of the Court are receiving numerous junk email messages that could be deemed to be pornographic in nature.

Mr. Rudy Juarez, Chief Information Officer, stated that one of the methods that is being utilized to address and help manage the situation is the Ninja Messaging System. He informed the Court that spam cannot be completely filtered out. He stated that he recently attended a conference and learned that this problem is not unique to Cameron County. He recommended an increase of personnel in the data center to address this issue on a daily basis.

Judge Hinojosa advised Mr. Juarez that adding personnel is not a solution that the Court is willing to hear.

Mr. Juarez stated that he spent the previous two weeks analyzing spam software and has added a rule (Field "Headers" contains "RDNS Failed") that has filtered out 23,281 spam emails in a period of one week. He noted that response has been positive regarding the decrease of spam emails. He explained the Blacklist feature on the current email system used by the County and noted that he has been using this feature and the number of spam emails he receives has decreased significantly.

Commissioner Wood questioned Mr. Juarez as to the fact that he is one of the "Top 20 Spammed Users" even though he is using the Blacklist feature.

Mr. Juarez replied that the report lists the total number of emails that was filtered out and never sent to the email user. He stated that spam email cannot be fully eradicated but can be contained and managed by his department.

Commissioner Wood expressed concern that using the Blacklist feature would require time as he receives upwards of 75 spam emails everyday.

Mr. Juarez stated that the available options that can address the concerns with spam emails include the Blacklist feature, changing one's email address or investing in other technologies.

Commissioner Garza recommended adding more 'rules' such as the one that filtered over 23,000 emails.

Judge Hinojosa suggested that Mr. Juarez present the Court with other software options.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Report from Rudy Juarez, Computer Center Director, Regarding Current Firewall and Spam Filters Used on County's Email System was acknowledged.

The Documentation is as follows:

(9) DISCUSSION AND PRESENTATION OF THE COUNTY AUDITOR'S ELECTRONIC TIME AND ATTENDANCE POLICY. (MY-AUDITOR)

Mr. Mark Yates, County Auditor, presented the Court with a proposed policy for review.

Commissioner Tamayo recommended that the Court review the policy and make any changes necessary.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, Presentation of the County Auditor's Electronic Time and Attendance Policy was acknowledged.

The Documentation is as follows:

(10) CONSIDERATION AND APPROVAL FOR A NINETY (90) DAY EXTENSION ON THE CONTRACT FOR OFFICIAL RECORDS WITH ACS GOVERNMENT RECORDS, WHILE AWAITING NEW BIDS FOR CONTRACT. (JGR-COUNTY CLERK)

Mr. Joe G. Rivera, County Clerk, informed the Court that, in order to comply with the Purchasing Act, the extension on the contract has to be for (30) days at a limit of \$15,000.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Thirty (30) Day Extension on The Contract for Official Records with ACS Government Records, While Awaiting New Bids for Contract, was approved.

(11) CONSIDERATION AND POSSIBLE ACTION REGARDING GRANTING A LICENSE TO SET UP A SHOE SHINE STATION IN THE LOBBY OF THE CAMERON COUNTY JUDICIAL ANNEX. (COMM. COURT)

Mr. Remi Garza, Assistant County Administrator, stated that a request was received from Mr. Gilberto De La Cruz to setup a shoe shine station inside the lobby of the Judicial Building. He asked for authorization from the Court to work with Mr. De La Cruz in developing a license to determine any requirements.

Commissioner Garza questioned whether this service needs to go out for bids.

Mr. Remi Garza replied that this process has historically been done with a license.

Mr. Richard Burst, Legal Counsel, clarified that bids will need to go out as a space in the Courthouse is being designated for this service.

Commissioner Wood moved to go out for Request For Proposals for this service.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation 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 ITEMS:

Item No. 15:

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

Item No. 12:

Commissioner Wood asked if this item has gone out for RFPs.

Mr. Richard Burst, Legal Counsel, stated that he was not familiar with this item.

Mr. Mark Yates, County Auditor, noted that the District Attorney's Office must comply with purchasing guidelines on this item and does not require specific approval from the Commissioners' Court.

Commissioner Garza questioned why this item is up for approval if it does not have to be.

Mr. Yates replied that this is a renewal of an agreement and the agreement stipulates that insurance is to be provided and the company has yet to provide the County with a copy of their insurance.

Commissioner Wood asked if all guidelines have been followed by the company.

Mr. Yates replied that he was not sure.

Commissioner Garza asked to **TABLE** this item.

Commissioner Benavides moved that the "Consent and Travel Items" No. 13 thru No. 24 be approved, tabling Items No. 12 and No. 15.

The motion was seconded by Commissioner Wood and carried unanimously.

- (12) **CONSIDERATION AND APPROVAL OF LEASE AGREEMENT BETWEEN CAMERON COUNTY DISTRICT ATTORNEY'S AND ALL VALLEY TOWING FOR STORAGE SPACE. (AV-DA) (TABLED)**
- (13) **CONSIDERATION AND ADOPTION OF A RESOLUTION TO APPLY FOR, ACCEPT, DECLINE, MODIFY, OR CANCEL GRANT APPLICATION FOR THE INDIGENT DEFENSE FORMULA GRANT PROGRAM. (MM-103RD DISTRICT COURT) (Resolution No. 2006R10018)**
The Resolution is as follows:
- (14) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO SUBMIT A GRANT APPLICATION TO THE GOVERNOR OFFICE, CRIMINAL JUSTICE DIVISION, JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FOR THE SEXUAL ASSAULT INTERVENTION PROGRAM AND DESIGNATING THE COUNTY JUDGE TO ACT AS AUTHORIZED OFFICIAL. (AV-DA)**
The Documentation is as follows:
- (15) **DELIBERATION AND POSSIBLE APPROVAL OF A CONCESSION AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION DEPT.) AND AFFILIATED MANAGEMENT SYSTEMS, LTD. (JM-PARK SYSTEM) (TABLED)**
- (16) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND GUY BLATNIK FOR THE USE OF COUNTY PROPERTY FOR THE SOUTH PADRE ISLAND KITE FESTIVAL & COMPETITION TO BE HELD AT**

THE SAND FLATS (NORTH OF CONVENTION CENTRE) AT ANDY BOWIE PARK-SOUTH PADRE ISLAND ON NOV. 4 & 5, 2006. (JM-PARK SYSTEM) (Contract No. 2006C10059)

The Contract is as follows:

- (17) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND VAL LAMANTIA PEISEN FOR L & F DISTRIBUTOR, LTD, ANHEUSER-BUSCH COMPANIES, INC. FOR THE USE OF COUNTY PARK OWNED PROPERTY DURING THE WEEK OF OCTOBER 9-15, 2006 AT ANDY BOWIE PARK. (JM-PARK SYSTEM) (Contract No. 2006C10060)**

The Contract is as follows:

- (18) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR:**

- (A) **TIRE ON & OFF ROAD – ANNUAL BID #1997 TO FIRESTONE**
- (B) **BUILDING SUPPLIES: AIR CONDITIONING FILTERS – ANNUAL BID #2001 TO JOE W. FLY**
- (C) **MEDICAL WASTE DISPOSAL – HEALTH DEPTS. – ANNUAL BID #1965 TO STERICYCLE**

The Tabulation is as follows:

- (19) **CONSIDERATION AND AUTHORIZATION TO AWARD ELEVATOR MAINTENANCE – ANNUAL BID #1380 TO THYSON KRUPP. (MF-PURCHASING)**

The Tabulation is as follows:

- (20) **CONSIDERATION AND AUTHORIZATION TO AWARD CARPETING & VINYL TILE (INSTALLED) SAN BENITO ANNEZ BUILDING – BID #060802 TO REVELES CARPET. (MF-PURCHASING)**

The Tabulation is as follows:

- (21) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM OCTOBER 10, 2006 TO SEPTEMBER 20, 2013 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA PALOMA SUBDIVISION, NO. 3, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

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

The Tabulation is as follows:

- (23) **CONSIDERATION AND APPROVAL OF THE COUNTY’S SPONSORSHIP AND MEMBERSHIP IN THE BORDER TRADE ALLIANCE. (PS-DEPT. OF TRANSPORTATION)**

TRAVEL ITEMS

- (24) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

- (A) **DISTRICT ATTORNEY INVESTIGATOR, TO TRAVEL TO HUMBLE, TX, ON 10/16-18/06, TO ATTEND PUBLIC AGENCY TRAINING COUNCIL’S CHILD INJURY & CHILD DEATH INVESTIGATION SEMINAR.**
- (B) **COUNTY JUDGE, DEPARTMENT OF TRANSPORTATION AND ASSISTANT DIRECTOR OF TRANSPORTATION, TO TRAVEL TO AUSTIN, TX, ON 9/27-28/06, TO ATTEND THE TEXAS TRANSPORTATION COMMISSION MEETING REGARDING THE WEST RAIL PROJECT.**
- (C) **COMMISSIONER PRECINCT NO. 2, TO TRAVEL TO AUSTIN, TX, ON 9/24-26/06, TO ATTEND THE BORDER TRADE ADVISORY COMMITTEE MEETING.**
- (D) **JUVENILE PROBATION OFFICERS (2), TO TRAVEL TO AMARILLO, TX, ON 9/24-26/06, TO ATTEND “TJDA FALL MANAGEMENT CONFERENCE.”**

- (E) JUVENILE BOOT CAMP CAMPTAIN, TO TRAVEL TO GEORGETOWN, TX, ON 9/26-27/06, TO ATTEND “WHY TRY TRAINING.”
- (F) CONSTABLE PRECINCT NO. 2 SERGEANT AND INVESTIGATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 10/5/06, TO ATTEND TRAINING/TOBACCO GRANT.
- (G) HEALTH DEPARTMENT EPIDEMIOLOGIST AND CLERK, TO TRAVEL TO LAREDO, TX, ON 10/4-5/06, TO ATTEND THE PANDEMIC INFLUENZA TABLETOP EXERCISE.
- (H) HEALTH DEPARTMENT DIRECTOR OF NURSES, TO TRAVEL TO AUSTIN, TX, ON 10/17-18/06, TO ATTEND “EXCELLING IN EXCELLENCE” 2006 ANNUAL TB CLINICAL RECORDS CONFERENCE AND WORKSHOP SPONSORED BY TEXAS DEPARTMENT OF STATE HEALTH SERVICES INFECTIOUS DISEASE CONTROL UNIT/TB SURVEILLANCE DATE REPORTING GROUP.
- (I) HEALTH DEPARTMENT TUBERCULOSIS SUPERVISOR, TO TRAVEL TO AUSTIN, TX, ON 10/17-21/06, TO ATTEND “EXCELLING IN EXCELLENCE” 2006 ANNUAL TB CLINICAL RECORDS CONFERENCE AND WORKSHOP SPONSORED BY TEXAS DEPARTMENT OF STATE HEALTH SERVICES INFECTIOUS DISEASE CONTROL UNIT/TB SURVEILLANCE DATE REPORTING GROUP.”
- (J) HEALTH DEPARTMENT LICENSED VOCATIONAL NURSE AND CLERKS (2), TO TRAVEL TO AUSTIN, TX, ON 10/18-21/06, TO ATTEND “EXCELLING IN EXCELLENCE” 2006 ANNUAL TB CLINICAL RECORDS CONFERENCE AND WORKSHOP SPONSORED BY TEXAS DEPARTMENT OF STATE HEALTH SERVICES INFECTIOUS DISEASE CONTROL UNIT/TB SURVEILLANCE DATE REPORTING GROUP.
- (K) HEALTH DEPARTMENT EPIDEMIOLOGIST AND COMPUTER TECHNICIAN, TO TRAVEL TO DENVER, CO, ON 10/22-27/06, TO ATTEND THE 2006 ESRI HEALTH GIS CONFERENCE.
- (L) COUNTY CLERK AND DEPUTY CLERKS (2), TO TRAVEL TO AUSTIN, TX, ON 12/3-5/06, TO ATTEND THE 52ND ANNUAL VITAL STATISTICS CONFERENCE.
- (M) SHERIFF’S DEPARTMENT AND INVESTIGATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 10/16-20/06, TO ATTEND TEXAS ASSOCIATION OF PROPERTY AND EVIDENCE INVENTORY TECHNICIANS (T.A.P.E.I.T.).
- (N) SHERIFF’S DEPARTMENT CAPTAIN, TO TRAVEL TO AUSTIN, TX, ON 10/15-21/06, TO ATTEND COALITION MEETING.
- (O) SHERIFF AND CHIEF, TO TRAVEL TO HUNTSVILLE, TX, ON 10/9-12/06, TO ATTEND 37TH ANNUAL JAIL MANAGEMENT CONFERENCE.

- (13) **CONSIDERATION AND ADOPTION OF A RESOLUTION TO APPLY FOR, ACCEPT, DECLINE, MODIFY, OR CANCEL GRANT APPLICATION FOR THE INDIGENT DEFENSE FORMULA GRANT PROGRAM. (MM-103RD DISTRICT COURT) (Resolution No. 2006R10018)**
The Resolution is as follows:

- (14) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO SUBMIT A GRANT APPLICATION TO THE GOVERNOR OFFICE, CRIMINAL JUSTICE DIVISION, JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FOR THE SEXUAL ASSAULT INTERVENTION PROGRAM AND DESIGNATING THE COUNTY JUDGE TO ACT AS AUTHORIZED OFFICIAL. (AV-DA)**
The Documentation is as follows:

- (16) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND GUY BLATNIK FOR THE USE OF COUNTY PROPERTY FOR THE SOUTH PADRE ISLAND KITE FESTIVAL & COMPETITION TO BE HELD AT THE SAND FLATS (NORTH OF CONVENTION CENTRE) AT ANDY BOWIE PARK-SOUTH PADRE ISLAND ON NOV. 4 & 5, 2006. (JM-PARK SYSTEM) (Contract No. 2006C10059)**
The Contract is as follows:

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The Contract is as follows:

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 - (B) BUILDING SUPPLIES: AIR CONDITIONING FILTERS – ANNUAL BID #2001 TO JOE W. FLY**
 - (C) MEDICAL WASTE DISPOSAL – HEALTH DEPTS. – ANNUAL BID #1965 TO STERICYCLE**
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The Documentation is as follows:

- (22) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR EAGLE ESTATES SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Tabulation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 2:36 P.M. to discuss the following matters:

(25) 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) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE REQUEST FOR PROPOSALS FOR PROPERTY IN CAMERON COUNTY LOCATED IN ANDY BOWIE PARK REFERRED TO AS THE "NORTH FLATS," PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071.**
- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCELS 167-I AND 167-II, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 11, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (G) DELIBERATION REGARDING LEASE OF LAND FOR A RIGHT OF WAY EASEMENT ON PROPERTY OWNED BY CAMERON COUNTY AT THE FREE TRADE BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Special Session at 2:58 P.M. to discuss the following matters:

(26) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

(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 Tamayo, seconded by Commissioner Wood and carried unanimously, this Item was 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 Tamayo, seconded by Commissioner Wood and carried unanimously, the Status Report by Legal Counsel was acknowledged and authorization to proceed as discussed in Executive Session was approved.

(D) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE REQUEST FOR PROPOSALS FOR PROPERTY IN CAMERON COUNTY LOCATED IN ANDY BOWIE PARK REFERRED TO AS THE "NORTH FLATS," PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Status Report by Javier Mendez was acknowledged and authorization to proceed as discussed in Executive Session was approved.

(E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCELS 167-I AND 167-II, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Commissioner Wood moved to authorize Commissioner' Court Counsel to go for condemnation on the property.

The motion was seconded by Commissioner Garza and carried unanimously.

(F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 11, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Commissioner Tamayo moved to authorize acquisition of the property for \$36,402, the appraised value.

The motion was seconded by Commissioner Garza and carried unanimously.

(G) DELIBERATION REGARDING LEASE OF LAND FOR A RIGHT OF WAY EASEMENT ON PROPERTY OWNED BY CAMERON COUNTY AT THE FREE TRADE BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (TABLED)

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

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 3:01 P.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