

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 10th day of October 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 Darrell B. Hester.

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:
PEDRO "PETE" BENAVIDES

The meeting was called to order by Judge Hinojosa at 9:37 A.M. He asked Father Mike Seiffert, 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 October 6, 2006 at 4:45 P.M.:

Commissioner Wood moved to recess the Regular Meeting at 9:39 a.m.

The motion was seconded by Commissioner Garza and carried unanimously.

Commissioner Garza moved to reconvene the Regular Meeting at 10:48 a.m.

The motion was seconded by Commissioner Wood and carried unanimously.

(7) **DISCUSSION AND POSSIBLE ACTION ON RECENTLY ISSUED REQUEST FOR PROPOSALS ON SELECTIVE CONTRACTING FOR MEDICAID SERVICES BY THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION. (COMM. COURT)**

Judge Hinojosa—"I would propose... and again this goes back to the issue of what I talked about. To me it's not about Valley Baptist (Medical Center) and it's not about Valley Regional (Medical Center), maybe a little about Dolly Vinsant (Memorial Hospital), I worry about that hospital closing. To me, it's about access to healthcare by poor people; that's the issue. That's ultimately what we're talking about; that's my only concern and I think that should be the concern of everybody in this Courtroom and all Commissioners that are here today. I think that the public needs to participate in this process and I don't know why there is a big hurry to do this if we've been doing it this way and I think any decision, final decision, on this issue can wait until we've had an opportunity to air this out; until we have the opportunity to have the State come down and present itself. We'll offer the brand new Cameron County Commissioners' Courtroom at the Dancy Building as a place to have the hearing. I believe it's important for them to come down and to make their presentation on a full day public hearing to allow all sides to present their positions on this stuff so that they can hear out the public on this issue and then make a decision based solely upon whether or not it affects access to healthcare for the poor people of this County. That's what I'm going to propose. I request a motion that says that 'The Cameron County Commissioners' Court expresses its desire that additional public dialogue, including public hearings, be held prior to implementation of Selective Contracting for non-emergency Medicaid hospitalization in order to educate the public and to ensure that the program meets the need of the low-income population in Cameron County'."

Commissioner Tamayo—"So moved."

Judge Hinojosa—"Is there a second to that motion?"

Commissioner Wood—"Second"

Judge Hinojosa—"Any further discussion? All those in favor signify by stating 'aye'."

Commissioner Tamayo, Commissioner Wood and Commissioner Garza—"Aye."

Judge Hinojosa—"All opposed? Motion carries."

The Documentation is as follows:

(1) **PUBLIC COMMENTS.**

None was presented.

PRESENTATIONS

(2) **PRESENTATION OF THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT FINANCIAL AUDIT REPORT. (MY-AUDITOR)**

Mr. Mark Yates, County Auditor, informed the Court that the Rio Grande Health Services District did receive a clean audit opinion for the period of February 19, 2002 through August 31, 2005. He stated that as of August 31, 2005 the Health Services District has assets in the amount of \$1,511,875 that includes the receivable from Hidalgo County in the amount of \$931,000. He noted that the Commissioners' Court has promised to repay the Health Services its' 2002 tobacco fund award in the amount of \$129,400.22 and added that the amount was pledged to be included in the Health Services District budget for this year.

Commissioner Wood pointed out that the Health Services District owes the County \$9,000.

Mr. Yates replied that the \$9,000 has already been paid to the County.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Presentation of the Rio Grande Valley Health Services District Financial Audit Report was acknowledged.

ACTION ITEMS

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

Upon motion by Commissioner Tamayo, 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:

(4) APPROVAL OF CLAIMS.

Mr. Mark Yates, County Auditor, asked that Warrant No. 00168372, made payable to the Comptroller of Public Accounts, in the amount of \$629.45 and Warrant No. 00168373, made payable to the Texas Association of Counties Unemployment Fund, in the amount of \$80,145.34 be added to the list of Claims for approval.

Commissioner Tamayo moved to approved all of the Claims, inclusive of the late claims.

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

AYE: Commissioner Tamayo, Commissioner Wood and Commissioner Garza

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00168221, made payable to the Laguna Madre Water District, in the amount of \$578.79

The Claims and Affidavit are as follows:

(5) CONSIDERATION AND AUTHORIZATION TO TRANSFER JOB SLOT NO. 6003 JOB TITLE "COURT RECORDS COORDINATOR" FROM COUNTY COURT AT LAW NO. 1 FUND 100-426 COUNTY COURT AT LAW NO. 3 FUND 100-428. (JL-COUNTY CT. NO. 1)

Mr. Xavier Villarreal, Budget Officer, informed the Court that funding for the position of 'Court Records Coordinator' is split between County Court at Law No. 1 and County Court at Law No. 3 and there is a request to transfer the position completely to County Court at Law No. 3.

Commissioner Garza questioned whether the incoming Judge was consulted on this matter.

Mr. Remi Garza, Assistant County Administrator, requested that this item be TABLED until all parties have been consulted.

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

(6) CONSIDERATION AND ADOPTION OF A RESOLUTION OPPOSING THE CONSTRUCTION OF A BORDER FENCE ALONG THE INTERNATIONAL BOUNDARY BETWEEN THE UNITED STATE AND MEXICO. (COMM. COURT) (Resolution No. 2006R10015)

Judge Hinojosa-"We've expressed, or I have at least expressed absolute opposition to this border fence. We've never formally put a resolution on the agenda on this and we put one together, a proposed one, and if you want to take a minute to read it."

Commissioner Tamayo-"We had already received it and to me there is very good information that is supplied here but it's interesting that a republican representative is definitely opposing it."

Commissioner Garza-"Well I just got it, I don't know..."

Judge Hinojosa-"Do you want to read it? Let's just take a moment to read it and get it done now."

Mr. Remi Garza, Assistant County Administrator-"Judge, do you want to read it into the record so that the public can know?"

Judge Hinojosa-"Yes. 'Consideration and Adoption of a Resolution Opposing the Construction of a Fence along the International Boundary between the United States and Mexico; Whereas, the Secure Fence Act of 2006 was recently enacted authorizing the construction of a fence along many miles of the United States Border with Mexico; Whereas, under this act it has been proposed to divide the adjoining communities in the United States and

Mexico through the construction of two tall parallel fences at numerous locations along the border, including from Brownsville to North of Laredo; Whereas, for many years the United States has enjoyed a close relationship with the Republic of Mexico, which is reflected in the close economic and family ties that are found between the citizens of both countries; Whereas, as a result of the friendship between the United States and Mexico, increasing international trade, and historic business and cultural ties, the economies of border regions in both countries are closely linked and highly interdependent; Whereas the people of the Republic of Mexico have long expressed friendship and good feeling toward the United States and her people, even fighting alongside American soldiers during World War II; Whereas, the proposed fence would divide the closely linked border region, discouraging trade and cultural exchanges, and adversely impacting border residents; Whereas, construction of a fence is a needlessly adversarial act and runs counter to the long history of cooperation on issues of mutual concern between public authorities in the United States and Mexico; Whereas, proponents of the fence, who are not residents of the border region, have wrongly used the construction of a fence as a rhetorical device to transform the issue of immigration from an economic concern to a matter of international relations and national security, and to transfer responsibility for alleged defects in the United States Immigration Policy and Enforcement from the United States Government to the Government of Mexico; Whereas, officials of the union that represents the Border Patrol and other law enforcement professionals along our border have expressed concern that the proposed fence will make patrols more difficult and create a safety hazard; Whereas, environmental groups have also expressed concern that a fence could harm plants and wildlife including numerous threatened or endangered species in the fragile and unique ecosystems that exist along the United States border with Mexico; Whereas, at a time when our nation suffers under the burden of budget deficits and a spiraling federal debt and at a time when our federal government is unable to fund needed spending on healthcare, education, transportation and national security, the construction of a fence would divert funds from more worthwhile purposes; Whereas, the Cameron County Commissioners' Court wishes to express its strong opposition to the construction of a fence along the International Boundary between the United States and Mexico. Now, therefore, be it resolved, that the Cameron County Commissioners' Court hereby expresses its opposition to the construction of a fence along the International boundary between the United States and Mexico; Be it further resolved that the Cameron County Commissioners' Court is opposed to illegal immigration and supports the successful efforts of the United States Border Patrol and other law enforcement professionals to keep the border safe."

Commissioner Wood—"I would like to add, where it talks about what the federal government is unable to fund, I would like to include something about their inability to fund the monies necessary to rebuild the levy to

prevent all of us from flooding and thousands and thousands of people dying if we have a flood and a break in the levee; as opposed to building fences, they ought to take care of that issue.”

Commissioner Garza-“So just include...”

Judge Hinojosa-“...is unable to fund the rebuilding...”

Commissioner Garza-“...of the critical levee system to protect the residents of South Texas. I just think that it ought to be included somewhere in here a note to the fact that we’re looking at this fence that is being proposed and we are selectively targeted as a Border compared to the Canadian Border again. The treatment that occurs on the Canadian Border is different than the treatment that occurs on the Mexico Border. We were so interested in NAFTA and making sure that the free flow of goods would occur from Canada to Mexico and from Mexico to the United States and Canada but again we have an instance where the Border is being made of Mexico and the U.S. I don’t think there’s documented proof of any terrorists coming through this Border and I last heard that is was up in the North.”

Commissioner Wood-“There is documented proof of them coming across the Canadian Border.”

Judge Hinojosa-“I think that’s a good point...”

Commissioner Garza-“We ought to consider something...”

Judge Hinojosa-“...right after the, on the second page, where it says ‘Proponents of the fence, who are not residents of the border region...’, we should say ‘Whereas, no similar proposal for a fence has been made for the U.S.-Canadian Border, where it is known that terrorists have crossed into the United States’. Right?”

Commissioner Tamayo-“Yeah”

Judge Hinojosa-“We can put that in the resolution.”

Mr. Richard Burst, Legal Counsel-“I just think that if a fence is our last ditch effort for national security we are in trouble.”

Commissioner Wood-“We’re in deep trouble aren’t we Richard.”

Mr. Remi Garza-“The wall didn’t work for China and it didn’t work for Berlin (Germany).”

Judge Hinojosa-“Ok, so we’ll add that ‘Whereas’ clause that I just dictated into the record; as well as the ‘rebuilding of the critical levee system to protect the residents of South Texas’. Alright, with those changes to the proposed resolution, do I hear a motion?”

Commissioner Tamayo-“So moved.”

Commissioner Garza-“Second”

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

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

Judge Hinojosa-“All opposed? Motion carries. Make sure Remi (Garza) you get this drafted and we need to send it to our representatives and to the White House as well to make sure that they know what our position is on this issue.”

The Resolution 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. 18 (C):

Judge Hinojosa recommended that Mr. Ernesto Hinojosa, County Engineer, Mr. Mike Forbes, Purchasing Agent, Sheriff Omar Lucio or his representative, Mr. Hondo Garcia, Construction Department, Mr. Remi Garza, Assistant County Administrator comprise the evaluation committee for the Cameron County Law Enforcement County Jail Annex (Olmito, TX) Construction Manager at Risk – RFQ #060901. He also recommended that Mr. Richard Burst, Legal Counsel, or his representative be added to the committee as an ad-hoc member.

Item No. 15:

Mr. David Gonzalez, District Attorney's Office, mentioned that he was not able to confer with Legal Counsel regarding this particular contract and requested that the contract be approved subject to review by Legal Counsel.

Commissioner Wood recommended reviewing Fund 90 parameters regarding this project.

Mr. Gonzalez replied that he will review the contract with Legal Counsel to ensure that the project falls under the guidelines for Fund 90.

Commissioner Tamayo moved to approve the "Consent and Travel Items", with the recommendations to Item No. 18 (C) and Item No. 15.

The motion was seconded by Commissioner Garza and carried unanimously.

- (8) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY FOR AN INDIGENT DEFENSE FORMULA GRANT FROM THE TASK FORCE ON INDIGENT DEFENSE. (FB-PD & M) (Resolution No. 2006R10013)**
The Resolution is as follows:
- (9) CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING MR. BOBBY MARROW ON HIS LIFETIME OF ACHIEVEMENT. (COMM. COURT)**
- (10) CONSIDERATION AND ADOPTION OF A RESOLUTION FOR MR. MICHAEL MAX BEGUM FOR HIS LIFETIME OF ACHIEVEMENT. (COMM. COURT) (Resolution No. 2006R10019)**
- (11) CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING THE MONTH OF OCTOBER 2006 AS "HEAD START AWARENESS MONTH" IN CAMERON COUNTY. (COMM. COURT) (Resolution No. 2006R10014)**
- (12) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES COMMUNITY PREPAREDNESS SECTION FOR THE ENHANCEMENT SURVEILLANCE PROJECT. (YS-HEALTH) (Contract No. 2006C10053)**
The Contract is as follows:
- (13) CONSIDERATION AND POSSIBLE ACTION DECLARING JUDICIAL DIALOG SYSTEMS, CREATORS OF THE "JUDICIAL DIALOG CASE MANAGEMENT SYSTEM," AS A SOLE SOURCE PROVIDER OF A COMPUTER PROGRAM WITH THE ABILITY TO MIGRATE AND INTEGRATE DATA FROM THE ESTABLISHED LEGAL DATABASES KNOWN AS "REFLECTIONS" AND "EAGLE." (AV-DA)**
The Documentation is as follows:

- (14) **CONSIDERATION AND AUTHORIZATION TO USE DEPARTMENT OF INFORMATION RESOURCES TO PURCHASE HP PROLIANT DL 360 SERVER TO FACILITATE OPERATION OF “JUDICIAL DIALOG CASE MANAGEMENT AND DOCUMENT IMAGING RETRIEVAL SYSTEM.” (AV-DA)**
The Documentation is as follows:
- (15) **CONSIDERATION AND POSSIBLE APPROVAL OF ENGINEERING SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND GUZMAN & MUNOZ ENGINEERING AND SURVEYING, INC. (AV-DA) (Contract No. 2006C10054)**
The Contract is as follows:
- (16) **CONSIDERATION AND AUTHORIZATION TO ACCEPT GRANT #18449, DOMESTIC VIOLENCE UNIT AND DESIGNATE THE COUNTY JUDGE TO SIGN AS AUTHORIZED OFFICIAL. (AV-DA) (Contract No. 2006C10055)**
The Contract is as follows:
- (17) **CONSIDERATION AND AUTHORIZATION TO ACCEPT GRANT #16741-04, VICTIM ASSISTANCE PROGRAM AND DESIGNATE THE COUNTY JUDGE TO SIGN AS AUTHORIZED OFFICIAL. (AV-DA) (Contract No. 2006C10056)**
The Contract is as follows:
- (18) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFQ FOR: (MF-PURCHASING)**
- (A) **AUTOMOTIVE & HEAVE DUTY AFTER MARKET PARTS – BID #1995**
 - (B) **LINEN: MATTRESSES, PADS, BLANKETS, TOWELS, MISC.- ANNUAL BID #2360**
 - (C) **CAMERON COUNTY LAW ENFORCEMENT COUNTY JAIL ANNEX (OLMITO, TX) CONSTRUCTION MANAGER AT RISK – RFQ #060901 AND POSSIBLE SELECTION OF EVALUATION COMMITTEE BY COMMISSIONERS’ COURT**

TRAVEL ITEMS

- (19) **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, TO TRAVEL TO AUSTIN, TX, ON 11/28-12/1/06, TO ATTEND TEXAS COUNTY & DISTRICT ATTORNEYS ASSOCIATION ELECTED PROSECUTOR CONFERENCE.**
 - (B) **WIC DIRECTOR, TO TRAVEL TO COLLEGE STATION, TX, ON 11/27-30/06, TO ATTEND A TEXAS ASSOCIATION LOCAL WIC DIRECTOR (TALWD) ANNUAL MEETING.**
 - (C) **WIC DIRECTOR, TO TRAVEL TO AUSTIN, TX, ON 11/16-17/06, TO ATTEND A TEXAS WIC DIETETIC INTERNSHIP PLANNING & EVALUATION COMMITTEE.**
 - (D) **HEALTH ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 10/16-17/06, TO MEET WITH JANET LAWSON, DEPARTMENT OF STATE HEALTH SERVICES ASSISTANT COMMISSIONER.**
 - (E) **INDIGENT HEALTH CARE ELIGIBILITY SUPERVISOR, INDIGENT ELIGIBILITY CLERK, TO TRAVEL TO AUSTIN, TX, ON 10/23-26/06, TO ATTEND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES COUNTY INDIGENT HEALTH CARE PROGRAM TRAINING.**
 - (F) **VETERANS SERVICE OFFICER, TO TRAVEL TO AUSTIN, TX, ON 10/17-20/06, TO ATTEND THE 59TH ANNUAL STATEWIDE TRAINING CONFERENCE FOR VETERANS SERVICE OFFICERS.**

- (G) TAX ASSESSOR-COLLECTOR AND CHIEF OF INVESTIGATIONS AND ENFORCEMENT, TO TRAVEL TO WACO, TX, ON 10/23-27/06, TO ATTEND THE “TEXAS ASSOCIATION OF VEHICLE THEFT INVESTIGATORS 2006 ANNUAL TRAINING CONFERENCE AND BOARD MEETING.”**
- (H) PD & M CD COORDINATOR, TO TRAVEL TO WESLACO, TX, ON 10/12/06, TO ATTEND THE 2007-2012 LOWER RIO GRANDE VALLEY REGIONAL STRATEGIC PLAN.**
- (I) JUVENILE PROBATION OFFICERS (3), ASSISTANT CHIEF, BOOT CAMP COUNSELOR, SUPERVISOR OF DETENTIONS, DRILL INSTRUCTOR AND DETENTION OFFICERS (2), TO TRAVEL TO GALVESTON, TX, ON 10/29-11/1/06, TO ATTEND “JUVENILE JUSTICE ASSOCIATION OF TEXAS CONFERENCE.”**

- (8) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY FOR AN INDIGENT DEFENSE FORMULA GRANT FROM THE TASK FORCE ON INDIGENT DEFENSE. (FB-PD & M) (Resolution No. 2006R10013)**
The Resolution is as follows:

- (12) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES COMMUNITY PREPAREDNESS SECTION FOR THE ENHANCEMENT SURVEILLANCE PROJECT. (YS-HEALTH) (Contract No. 2006C10053)**
The Contract is as follows:

- (13) **CONSIDERATION AND POSSIBLE ACTION DECLARING JUDICIAL DIALOG SYSTEMS, CREATORS OF THE “JUDICIAL DIALOG CASE MANAGEMENT SYSTEM,” AS A SOLE SOURCE PROVIDER OF A COMPUTER PROGRAM WITH THE ABILITY TO MIGRATE AND INTEGRATE DATA FROM THE ESTABLISHED LEGAL DATABASES KNOWN AS “REFLECTIONS” AND “EAGLE.” (AV-DA)**

The Documentation is as follows:

- (14) **CONSIDERATION AND AUTHORIZATION TO USE DEPARTMENT OF INFORMATION RESOURCES TO PURCHASE HP PROLIANT DL 360 SERVER TO FACILITATE OPERATION OF “JUDICIAL DIALOG CASE MANAGEMENT AND DOCUMENT IMAGING RETRIEVAL SYSTEM.” (AV-DA)**

The Documentation is as follows:

- (15) **CONSIDERATION AND POSSIBLE APPROVAL OF ENGINEERING SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND GUZMAN & MUNOZ ENGINEERING AND SURVEYING, INC. (AV-DA) (Contract No. 2006C10054)**
The Contract is as follows:

- (16) **CONSIDERATION AND AUTHORIZATION TO ACCEPT GRANT #18449, DOMESTIC VIOLENCE UNIT AND DESIGNATE THE COUNTY JUDGE TO SIGN AS AUTHORIZED OFFICIAL. (AV-DA) (Contract No. 2006C10055)**
The Contract is as follows:

- (17) **CONSIDERATION AND AUTHORIZATION TO ACCEPT GRANT #16741-04, VICTIM ASSISTANCE PROGRAM AND DESIGNATE THE COUNTY JUDGE TO SIGN AS AUTHORIZED OFFICIAL. (AV-DA) (Contract No. 2006C10056)**
The Contract is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the

Court met in Executive Session at 11:21 A.M. to discuss the following matters:

(20) 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 THE POSSIBLE ANNEXATION BY THE TOWN OF SOUTH PADRE ISLAND, TX OF COUNTY OWNED PROPERTY LOCATED ON THE SOUTHERN END OF SOUTH PADRE ISLAND, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (D) DELIBERATION REGARDING LEASE OF LAND FOR 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.**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A POSSIBLE CONCESSION WITH AFFILIATED MANAGEMENT SYSTEMS, LTD. FOR A CONCESSION LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (F) 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).**
- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARY ELIZABETH OSWALD VS. CAMERON COUNTY, CAUSE NO. 2006-CCL-0028-S, FOR DISCUSSION ON STATUS OF CASE, 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, the

Court reconvened into Regular Session at 11:46 A.M. to discuss the following matters:

(21) 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)**
- (D) DELIBERATION REGARDING LEASE OF LAND FOR 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)**
- (F) 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). (TABLED)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, these items were **TABLED**.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE POSSIBLE ANNEXATION BY THE TOWN OF SOUTH PADRE ISLAND, TX OF COUNTY OWNED PROPERTY LOCATED ON THE SOUTHERN END OF SOUTH PADRE ISLAND, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

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

- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A POSSIBLE CONCESSION WITH AFFILIATED MANAGEMENT SYSTEMS, LTD. FOR A CONCESSION LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARY ELIZABETH OSWALD VS. CAMERON COUNTY, CAUSE NO. 2006-CCL-0028-S, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A).**

Commissioner Tamayo moved to accept the \$1,855 settlement.

The motion was seconded by Commissioner Garza and carried unanimously.

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 11:49 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