

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 21<sup>st</sup> day of November 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

**SOFIA C. 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 9:30 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 November 17, 2006 at 4:53 P.M.:

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**(1) PUBLIC COMMENTS.**

Mr. Delton Lee, Harlingen resident, commented on the November 7, 2006 General Election and stated that the people voted for a change as Cameron County has resembled a “culture of corruption” in the past. He added that the people voted based on their “disgust of back-door politics” and expressed embarrassment for having to “jump ship” and vote another way.

**NOTE: Commissioner Garza left the meeting at this time.**

Mr. Edmundo Flores commented on Agenda Items No. 8 and No. 9, regarding the consolidation of County departments into the Department of Administrative Services. He asked that this issue be reviewed and discussed thoroughly by all those persons concerned and not in a rushed manner.

**NOTE: Commissioner Garza returned to the meeting at this time.**

Mr. Flores recommended that any discussion regarding the consolidation involve those departments that would be under the perspective Department of Administrative Services and noted that the process should take several months.

Mr. Dagoberto Barrera stated that the residents of Cameron County have spoken in a decisive vote and asked that Judge Hinojosa not put any obstacles in motion that would undermine the authority of County Judge-Elect Carlos Cascos.

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## **PRESENTATIONS**

**PRESENTATION OF RESOLUTION RECOGNIZING MS. ISABEL BOSWELL FOR HER MANY CONTRIBUTIONS TO THE COMMUNITY. (COMM. COURT) (NOT ON AGENDA)**

Judge Hinojosa presented Ms. Isabel Boswell with a resolution highlighting her many achievements with the Boys and Girls Club.

Ms. Boswell thanked the Commissioners’ Court for the honor and added that she will continue to work in order to better the lives of the youth in Cameron County.

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## **ACTION ITEMS**

- (10) CONSIDERATION AND AUTHORIZATION TO EQUALIZE THE SALARY OF COURT ADMINISTRATOR FOR COUNTY COURT AT LAW NO. 3 TO THAT OF THE DISTRICT COURT LOCAL ADMINISTRATOR ADMINISTRATIVE ASSISTANT. (DR-CC #3)**

County Court at Law No. 3 Judge Daniel Robles informed the Court that the Court Administrator for County Court at Law No. 3, Ms. Nelly Sanchez, has held the position for (8) years and one of the tasks that Ms. Sanchez performs is coordinating with other County Courts at Law concerning visiting Judges and noted that this is the same responsibility that is designated to a staff member of the 107<sup>th</sup> District Court

Mr. Xavier Villarreal, Budget Officer, stated that the increase in salary would cost approximately \$6,000 for the remainder of the fiscal year.

Judge Robles recommended using the Appointed Attorneys Fund to cover the cost of the increase as there is always a surplus in that Fund at the end of the fiscal year.

Judge Hinojosa expressed support for the salary increase.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, Authorization to Equalize the Salary of Court Administrator for County Court at Law No. 3 to that of the District Court Local Administrator Administrative Assistant was approved.

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**(2) PRESENTATION BY UNITED WAY REGARDING 2006/2007 CAMPAIGN KICK OFF. (COMM. COURT)**

Mr. Manny Saenz, County Clerk Chief Deputy, thanked the Court for appointing him as the 2006/2007 United Way Campaign Chair. He stated that each department head has been contacted in order to schedule their United Way presentation and asked that each department do so as soon as possible.

Mr. Joe G. Rivera, County Clerk, informed the Court that the United Way of Southern Cameron County, with the guidance of President Traci Wickett, raised almost \$1.5 million last year.

Ms. Traci Wickett, President of United Way, stressed the fact that raising \$1.5 million was done with only (5) staff members and numerous volunteers. She stated that the United Way exists by mobilizing the caring power of the community.

Commissioner Wood added that when he was Chairman of the United Way the total amount raised for the entire year was a little over \$100,000. He commended Ms. Wickett and the United Way of Southern Cameron County for greatly increasing the amount of contributions as well as the number of volunteers.

Mr. Rivera stated that the County Clerk's Office held their United Way Campaign the previous week and raised almost \$11,000.

Mr. Saenz asked that all Cameron County employees open their hearts and pockets and donate to this year's United Way campaign.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Presentation by United Way Regarding the 2006/2007 Campaign Kick Off was acknowledged.

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**(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 Documentation is as follows:**

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- (4) **APPROVAL OF MINUTES FOR:**  
(A) **OCTOBER 31, 2006-REGULAR MEETING**  
(B) **NOVEMBER 9 , 2006-SPECIAL MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the minutes for the October 31, 2006-Regular Meeting and November 9, 2006-Special Meeting were approved.

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(5) **APPROVAL OF CLAIMS.**

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

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

AYE: Commissioner Garza, Commissioner Wood, Commissioner Benavides and Commissioner Tamayo

NAY: None

ABSTAIN: Judge Hinojosa as to No. 00170859, made payable to Laguna Madre Water District, in the amount of \$3,938.40.

**The Claims and Affidavit are as follows:**

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**(6) CONSIDERATION AND AUTHORIZATION TO PAY NON-TAKEN VACATION TIME FOR 2005-2006 TO THE FOLLOWING EMPLOYEES: MARCELINO IBARRA, JOSE CANO, JOSE CONTRERAS AND MANUEL JIMENEZ. (MI-BUILDING MAINTENANCE)**

Mr. Marcelino Ibarra, Maintenance Director, informed the Court that Mr. Jose Cano, Mr. Jose Contreras, Mr. Manuel Jimenez and himself were not able to take vacation during the 2005-2006 fiscal year due to the high volume of on-going construction projects.

Commissioner Tamayo commended Mr. Ibarra and his staff on their quality of work and expressed concern over the wording of the item.

Mr. Richard Burst, Legal Counsel, advised the Court that an exception can be made and 1) the vacation time can be taken through December 31, 2006 or 2) the Court can approve payment.

Mr. Xavier Villarreal, Budget Officer, added that the amount owed is \$13,370 and noted that there are no funds available for payment.

Judge Hinojosa questioned whether the funds can be charged to bond issues as the work is construction related.

Mr. Villarreal replied that hours worked pro-rated to an employee's salary can be charged to bond issues not vacation time.

Commissioner Garza asked if the vacation time can be paid from the Betterment Fund.

Commissioner Tamayo stressed the importance of not setting a statute.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization to Pay Non-Taken Vacation Time For 2005-2006 to the Following Employees: Marcelino Ibarra, Jose Cano, Jose Contreras and Manuel Jimenez was approved, pending the availability of funds within the construction budget.

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**(7) CONSIDERATION AND APPROVAL OF THE 2006-2007 PATROL VEHICLE REPLACEMENT EQUIPMENT LIST. (XV-BUDGET OFFICER)**

Mr. Xavier Villarreal, Budget Officer, requested that this item be TABLED.

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

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**(8) CONSIDERATION AND POSSIBLE ACTION TO CREATE THE CAMERON COUNTY DEPARTMENT OF ADMINISTRATIVE SERVICES THROUGH THE CONSOLIDATION OF THE FOLLOWING ADMINISTRATIVE PROGRAMS AND DEPARTMENTS: REPRODUCTION CENTER, COMPUTER CENTER, VEHICLE MAINTENANCE, BUILDING MAINTENANCE, PROGRAM DEVELOPMENT & MANAGEMENT, HUMAN RESOURCES, COUNTY FIRE MARSHAL'S OFFICE AND THE CAMERON COUNTY RADIO SYSTEM. (GH-COUNTY JUDGE)**

Judge Hinojosa informed the Court that (10) years ago the Texas Comptroller of Public Accounts, John Sharp, conducted a study on the organization structure of Cameron County. He stated that Mr. Sharp recommended the consolidation of the Bridge System as well as other departments and the final recommended consolidation is those departments listed into the Department of Administrative Services. He went on to say that currently each department head reports to the Commissioners' Court and that makes running necessary daily operations difficult. He added that the consolidation will simplify the budget process for next fiscal year.

Judge Hinojosa recommended funding the proposed positions of Director and Deputy Director for the Department of Administrative Services through the inmate phone service program; which will leave the County Judge's Budget intact for the incoming County Judge. He added that the consolidation will allow County Judge-Elect Carlos Cascos to streamline operations.

Judge Hinojosa commented on the need to manage Cameron County as an urban county. He added that Cameron County is the 11<sup>th</sup> largest county in Texas with one of the lowest tax rates.

Commissioner Tamayo added that the creation of the Department of Transportation was Phase I of the organizational restructuring as recommended by State Comptroller John Sharp, the creation of the Health Department was Phase II and the creation of the proposed Department of Administrative Services is Phase III. She expressed opposition to the inclusion of the Vehicle Maintenance Department under the Department of Administrative Services.

Judge Hinojosa responded that the Vehicle Maintenance Department can be removed from the proposed consolidation. He clarified that the proposed consolidation will have the Department of Administrative Services monitoring and tracking the maintenance of the County's 300 vehicles and will not affect the heavy equipment component.

Commissioner Tamayo asked if a tracking system is currently in place for the County's vehicles.

Mr. Pete Sepulveda, Department of Transportation Director, replied that there is a tracking system in place and added that he is working with Mr. Lee Lozano, Vehicle Maintenance Director, on creating an electronic file for each County vehicle.

Judge Hinojosa added that the County's fueling program needs to be addressed and recommended that Mr. Lozano track the maintenance of each vehicle and the Auditor's Office track the fuel usage of all County vehicles.

Ms. Martha Galarza, Assistant County Auditor, advised the Court that the funds for the Emergency Management Slot 03, Administrative Assistant, are from the Emergency Communications District (9-1-1) and can only be sued by the Emergency Management Department.

Commissioner Wood commented on the uproar within the community regarding this issue and stated his belief that having department heads report to several different people is illogical.

Commissioner Tamayo stated that she would prefer to advertise for the position of Director of Administrative Services and added that implementation of the consolidation is critical to the operations of the County.

Commissioner Garza stated that he does not recall any mention of this proposed consolidation since he was elected to serve as Commissioner for Precinct No. 3. He added that he is not opposed to the consolidation of departments and feels that the timing in which this issue has been brought forth is problematic. He suggested that Judge Hinojosa and County Judge-Elect Carlos Cascos meet to discuss the consolidation to ensure that all parties have a say in the matter.

Commissioner Wood stated that he has spoken with County Judge-Elect Carlos Cascos regarding the consolidation and he understands that the consolidation is a better method of management and accountability.

Commissioner Tamayo added that County Judge-Elect Carlos Cascos left her a message asking that the County Judge's Budget remain untouched if the consolidation is to move forward.

Judge Hinojosa commented on the perception that the consolidation is based on corruption. He added that when he took office (12) years ago, every slot had been transferred out of his budget and the only slot that remained was for a receptionist position. He went on to say that he hired Mr. Remi Garza (12) years ago with the receptionist slot that paid \$16,000 a year.

Commissioner Tamayo stated that this issue is based on a need to continue the restructuring and added that she would not support this issue unless the incoming Judge is in support of the consolidation.

Commissioner Benavides added that during the time of the Department of Transportation consolidation her late husband, Pedro "Pete" Benavides, had some objections but came to realize that the consolidation was only for the betterment of Cameron County operations.



Commissioner Wood moved to approve the creation of the Cameron County Department of Administrative Services through the Consolidation of the following administrative programs and departments: Reproduction Center, Computer Center, Building Maintenance, Program Development & Management, Human Resources, County Fire Marshal's Office and the Cameron County Radio System; and to Advertise for the Position of Director of Administrative Services.

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

AYE: Commissioner Wood, Commissioner Benavides and Commissioner Tamayo

NAY: Commissioner Garza

**The Documentation is as follows:**

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- (9) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE LATERAL TRANSFER AND RECLASSIFICATION OF SLOT 02 ASSISTANT COUNTY ADMINISTRATOR FUND/DEPARTMENT 100-4010 COUNTY JUDGE TO DIRECTOR OF ADMINISTRATIVE SERVICES FUND/DEPARTMENT 100-4090 GENERAL ADMINISTRATION AND APPOINTMENT OF INDIVIDUAL TRANSFERRED TO THE SLOT, AND SLOT 03 ADMINISTRATIVE ASSISTANT FUND/DEPARTMENT 100-4060 TO DEPUTY DIRECTOR FUND/DEPARTMENT 100-4090 GENERAL ADMINISTRATION, CREATION OF A SECRETARIAL POSITION IN FUND/DEPARTMENT 100-4090 GENERAL ADMINISTRATION AND THE DESIGNATION OF OFFICE NUMBERS 251 AND 252 IN THE CAMERON COUNTY COURTHOUSE (DANCY BUILDING). (GH-COUNTY JUDGE)**

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

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- (11) **CONSIDERATION AND POSSIBLE ACCEPTANCE OF PROJECT AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY COMMUNICATION DISTRICT (9-1-1) IN THE AMOUNT OF \$562,000 FOR THE CONTINUATION OF THE NICE RECORDING SYSTEM PROJECT FOR CAMERON COUNTY. (TH-EMERGENCY MANAGEMENT) (Contract No. 2006C11087)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Project Agreement between Cameron County and the Cameron County Emergency Communication District (9-1-1) in the amount of \$562,000 for the Continuation of the NICE Recording System Project for Cameron County was approved.

**The Agreement is as follows:**

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**(12) CONSIDERATION AND DISCUSSION CONCERNING THE PROPOSED PARKS R.V. RATES INCREASE. (JM-PARK SYSTEM)**

Mr. Javier Mendez, Parks Director, informed the Court that a 10% increase to the RV Rates at Isla Blanca Park, Andy Bowie Park and Adolph Thomae Jr. Park will generate \$211,000 and a 15% increase will generate \$316,514.

Commissioner Garza inquired as to the amount that was needed for the Maintenance & Operations of the proposed parks.

Mr. Mendez replied that \$200,000 is needed for Maintenance & Operations. He informed the Court that (18) additional RV sites at Isla Blanca Park are to be constructed and a 10% increase, with (18) additional sites, will generate \$308,597.

Commissioner Tamayo questioned whether the additional (18) RV sites are a certainty.

Mr. Mendez replied in the affirmative.

Judge Hinojosa recommended increasing RV Rates by 15% with the inclusion of the additional (18) sites.

Commissioner Garza expressed support for the increase and asked that repairs be done and amenities added.

Mr. Mendez informed the Court that there is a capital improvement list for Isla Blanca Park in place. He added that he met with RV residents and they asked for improvements to the Park rather than additional amenities.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Report concerning the proposed R.V. Rates increase given by Javier Mendez, Parks Director, was acknowledged.

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**(13) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR THE PURPOSE OF CHANGING THE NAME OF ROAD 228 TO ESPINOZA STREET, LOCATED IN PRECINCT NO. 2 AND SAID ROAD IS A PUBLIC DEDICATED TO ROAD SHOWN IN MAP OF BARREDA GARDENS SUBDIVISION RECORDED IN VOLUME 8, PAGE 66 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Public Hearing was opened.

Commissioner Wood expressed concern for the possibility of duplicating road names as that could create complications with 9-1-1 Emergency Services.

Commissioner Tamayo noted that there is an Espinoza Street in her precinct.

Mr. Richard Walker, Right of Way Agent, stated that this issue was reviewed when the 9-1-1 Addressing Program was initiated and it was concluded that duplicated road names be separated by precinct or by major avenues.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Public Hearing was closed.

**The Documentation is as follows:**

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- (14) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER ACCEPTING THE ROAD NAME CHANGE OF ROAD 228 TO ESPINOZA STREET, IN BARREDA GARDENS SUBDIVISION, RECORDED IN VOLUME 8, PAGE 66, OF THE MAP RECORDS AND SAID ROAD IS LOCATED IN PRECINCT NO. 2. (PS-DEPT. OF TRANSPORTATION) (Order No. 2006O11016)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Authorization to Adopt an Order Accepting the Road Name Change of Road 228 to Espinoza Street, In Barreda Gardens Subdivision, Recorded in Volume 8, Page 66, Of the Map Records and Said Road Is Located in Precinct No. 2 was approved.

**The Order is as follows:**

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**(15) CONSIDERATION AND ACTION REGARDING THE DONATION OF MATERIALS BY PROPERTY OWNERS FOR THE IMPROVEMENT OF CALLE HERMOSA IN THE BAYVIEW AREA. (PS-DEPT. OF TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, informed the Court that the property owners are willing to donate the materials to the County if the County provides the labor and equipment. He stated that the cost for materials is \$33,000 and the cost for labor and equipment is \$10,000.

Commissioner Tamayo moved to accept the Donation of Materials by Property Owners for the Improvement of Calle Hermosa in the Bayview Area.

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

AYE: Commissioner Wood, Commissioner Tamayo, Commissioner Garza and Commissioner Benavides

NAY: None

ABSTAIN: Judge Hinojosa

**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. 27:**

Commissioner Wood questioned whether the equipment and installation fee of \$245,832 is to be paid all at once or over a period of time.

Mr. Rudy Juarez, Computer Center, replied that the fee is a one-time cost for the switching equipment, telephones, HIPCS software and maintenance of the device that is going to be used to interface the entire system. He noted that there is a monthly recurring cost for (24) months of \$9,122.50 for the HIPCS software and \$2,834 for the phones.

Commissioner Wood questioned the need for monthly recurring costs when the County is going to pay for the equipment upfront.

Mr. Juarez clarified that the equipment is paid for upfront and the recurring cost is for the actual service.

Commissioner Wood inquired as to the cost after (24) months.

Mr. Juarez replied that the monthly recurring charge will need to be renegotiated after (24) months.

**Item No. 28:**

Judge Hinojosa asked to TABLE this item.

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Commissioner Garza moved to approve the "Consent and Travel Items", tabling COnsent Item No. 28.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (16) **CONSIDERATION AND ACKNOWLEDGEMENT OF RACIAL PROFILING TIER DATA COLLECTED FROM JANUARY THRU DECEMBER 2005 BY THE CAMERON COUNTY SHERIFF'S DEPARTMENT. (OL-SHERIFF)**  
**The Documentation is as follows:**
- (17) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR RFP'S FOR PHARMACEUTICAL, DENTIST, LABORATORY, X-RAY AND PSYCHOLOGIST. (OL-SHERIFF)**
- (18) **CONSIDERATION AND POSSIBLE APPROVAL OF CONCESSION AGREEMENT WITH SYLVIA RODRIGUEZ D/B/A THE COURTHOUSE COFFEE SHOP. (DJV-LEGAL) (Contract No. 2006C11089)**  
**The Contract is as follows:**
- (19) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. LEONEL BETANCOURT FOR HIS MANY CONTRIBUTIONS TO THE COMMUNITY. (COMM. COURT)**
- (20) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING DR. OLIVIA RIVAS FOR HER MANY CONTRIBUTIONS TO THE COMMUNITY. (COMM. COURT)**
- (21) **CONSIDERATION AND APPOINTMENT OF MR. SANTIAGO SANCHEZ TO THE CAMERON COUNTY HOUSING AUTHORITY BOARD. (COMM. COURT)**  
**The Documentation is as follows:**
- (22) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND CERES ENVIRONMENTAL SERVICES INC. FOR DEBRIS MANAGEMENT-REMOVAL AND**

**DISPOSAL FOR POST-HURRICANE/DISASTER RECOVERY OPERATIONS. (TH-EMERGENCY MANAGEMENT) (Contract No. 2006C11085)**

**The Contract is as follows:**

- (23) **CONSIDERATION AND APPROVAL OF A CONTRACTUAL AGREEMENT BETWEEN CAMERON COUNTY (PARKS) AND BABE ANDREWS TO SERVE AS BINGO DIRECTOR FOR ISLA BLANCA PARK GUESTS. (JM-PARK SYSTEM) (Contract No. 2006C11088)**

**The Contract is as follows:**

- (24) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE 2007-2008 COLONIA CONSTRUCTION FUND AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M) (Resolution No. 2006R11022)**

**The Resolution is as follows:**

- (25) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 TO CONSTRUCTION CONTRACT WITH CORNETT CONSTRUCTION FOR THE BREEDLOVE ROAD AREA WATER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 724055). (FB-PD & M) (Order No. 2006O11013)**

**The Order is as follows:**

- (26) **CONSIDERATION AND AUTHORIZATION TO PURCHASE GIGAMAN SERVICE UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS FOR LEVI'S BUILDING. (RJ-COMPUTER CENTER) (Contract No. 2006C11083)**

**The Documentation is as follows:**

- (27) **CONSIDERATION AND AUTHORIZATION TO PURCHASE VOICE & DATA SYSTEM UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACT FOR LEVI'S BUILDING. (RJ-COMPUTER CENTER) (Contract No. 2006C11084)**

**The Documentation is as follows:**

- (28) **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 RECORDS MANAGEMENT & IMAGING SYSTEM & SERVICES. (MF-PURCHASING) (TABLED)**

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

**The Documentation is as follows:**

- (30) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCEL 142, IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)**

## **TRAVEL ITEMS**

- (31) **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) **EXTENSION AGENT, TO TRAVEL TO BROWNWOOD, TX, ON 11/6-9/06, TO ATTEND THE 4-H & YOUTH DEVELOPMENT SUMMIT.**



- (B) DIRECTOR OF DEPARTMENT OF TRANSPORTATION AND ASSISTANT DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO CORPUS CHRISTI, TX, ON 12/4-5/06, TO ATTEND 3<sup>RD</sup> ANNUAL NATIONAL ASSOCIATION OF REGIONAL COUNCILS FREIGHT AND GOODS MOVEMENT CONFERENCE.**
- (C) DIRECTOR OF DEPARTMENT OF TRANSPORTATION AND ASSISTANT DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO HOUSTON, TX, ON 12/1/06, TO ATTEND ANNUAL END OF YEAR ALLIANCE FOR INTERSTATE 69 MEETING.**
- (D) DISTRICT ATTORNEY INVESTIGATOR AND IT SPECIALIST, TO TRAVEL TO DALLAS, TX, ON 12/4-7/06, TO ATTEND FORENSIC COMPUTER EVIDENCE RECOVERY SEMINAR.**
- (E) ELECTIONS ADMINISTRATOR, ADMINISTRATIVE ASSISTANT AND PROGRAMMER, TO TRAVEL TO AUSTIN, TX, ON 11/29-12/1/06, TO ATTEND THE "18<sup>TH</sup> ANNUAL ELECTION LAW SEMINAR."**
- (F) PD & M CD COORDINATOR, TO TRAVEL TO WESLACO, TX, ON 11/29/06, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.**
- (G) COUNTY CLERK AND DEPUTY CLERKS (4), TO TRAVEL TO COLLEGE STATION, TX, ON 1/8-11/06, TO ATTEND THE "35<sup>TH</sup> ANNUAL COUNTY & DISTRICT CLERK'S CONTINUING EDUCATION SEMINAR."**

- (16) **CONSIDERATION AND ACKNOWLEDGEMENT OF RACIAL PROFILING TIER DATA COLLECTED FROM JANUARY THRU DECEMBER 2005 BY THE CAMERON COUNTY SHERIFF'S DEPARTMENT. (OL-SHERIFF)**  
**The Documentation is as follows:**

- (18) CONSIDERATION AND POSSIBLE APPROVAL OF CONCESSION AGREEMENT WITH SYLVIA RODRIGUEZ D/B/A THE COURTHOUSE COFFEE SHOP. (DJV-LEGAL) (Contract No. 2006C11089)  
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The Order is as follows:



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**The Documentation is as follows:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 11:28 A.M. to discuss the following matters:

**(32) EXECUTIVE SESSION:**

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF REAL PROPERTY RELATING TO PARKING 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 RENEWAL OF THE CONCESSION LEASES WITHIN THE ISLA BLANCA PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE RENEWAL OF THE CONCESSION LEASES: FUN -N- SUN SHADES; ISLAND FUN SPOT; SONNY'S BEACH SERVICE; BEACH SNACK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CLAIM OF JOEL G. TOVAR, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A) & (2).**

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**NOTE: Commissioner Garza and Commissioner Tamayo did not return to the meeting.**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 11:41 A.M. to discuss the following matters:

**(33) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF REAL PROPERTY RELATING TO PARKING 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 RENEWAL OF THE CONCESSION LEASES WITHIN THE ISLA BLANCA PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Commissioner Wood let it be known that these items were not discussed.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, Executive Session Items No. 33 (A), (B) and (C) were **TABLED**.

- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE RENEWAL OF THE CONCESSION LEASES: FUN -N- SUN SHADES; ISLAND FUN SPOT; SONNY'S BEACH SERVICE; BEACH SNACK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, authorization to renew the concession leases, with a 3% increase per year, was approved.

- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CLAIM OF JOEL G. TOVAR, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A) & (2).**

Commissioner Wood moved to authorize Commissioners' Court Legal Counsel to represent Cameron County in the lawsuit.

The motion was seconded by Commissioner Benavides and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 11:42 A.M.

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**APPROVED** this 12<sup>th</sup> day of **December 2006**

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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