

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 8<sup>th</sup> day of August 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:**  
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The meeting was called to order by Judge Hinojosa at 9:37 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 August 4, 2006 at 4:05 P.M.:

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(1) **PUBLIC COMMENTS.**

None were presented.

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**ACTION ITEMS**

(16) **CONSIDERATION AND SELECTION OF ONE OR MORE PROJECTS FOR APPLICATION TO THE 2007-2008 TEXAS COMMUNITY DEVELOPMENT PROGRAM COMMUNITY DEVELOPMENT FUND. (FB-PD & M)**

Judge Hinojosa recommended that the 2007-2008 Texas Community Development Program Community Development Fund be divided as follows: \$100,000 to the El Salado Potable Water Line Replacement Project, \$100,000 to the Olmito Potable Water Line Replacement Project, \$37,500 to the Laguna Heights Street Lights Project and \$52,360 to the Cameron Park Street Lights for a total of \$289,860.

Mr. Frank Bejarano, PD&M Director, informed the Court that engineering services can be done in-house.

Commissioner Garza asked if there are enough funds for the municipalities.

Mr. Gale Armstrong, General Manager of El Jardin Water Supply Corporation, thanked the Court for funding \$100,000 of the El Salado Potable Water Line Replacement Project and added that El Jardin Water Supply Corp. will make up the difference of \$65,000.

Mr. James Elium, General Manager of Olmito Water Supply Corporation, expressed thanks to the Commission for awarding \$100,000 to the Olmito Potable Water Line Replacement Project.

Commissioner Wood recommended coordinating with the County for in-house construction.

Commissioner Garza inquired as to whom will be paying the light bill once the Laguna Heights Street Lights Project is completed.

Judge Hinojosa stated that he read an article citing unanimous support for the Laguna Heights Street Lights Project and noted that this project will only progress if there is much support from the community.

Commissioner Garza moved to approve the selections of the projects for the 2007-2008 Texas Community Development Program Community Development Fund as recommended by Judge Hinojosa.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

## **PRESENTATIONS**

**(2) ADMINISTER OATH OF OFFICE TO DAVID E. ALLEX,  
CHAIRMAN, CAMERON COUNTY REGIONAL MOBILITY  
AUTHORITY. (PS-DEPT. OF TRANSPORTATION)**

Judge Hinojosa expressed gratitude and noted how fortunate the County has been for having Mr. David Alex on the Cameron County Regional Mobility Authority Board. He highlighted the fact that the CCRMA recently secured \$21 million for a second causeway and for the West Loop Project.

Commissioner Wood noted the extreme flooding in the El Paso, Texas Area and applauded the CCRMA as a “poster child” for other RMAs in the State.

Commissioner Tamayo thanked Mr. Alex for his dedication to the RMA.

Mr. David Alex, Chairman of the Cameron County Regional Mobility Authority, commended the (6) individuals who sit on the Cameron County Regional Mobility Authority Board and praised them for all of their work.

Commissioner Garza complimented the RMA Board for all they have accomplished with minimal funding.

Judge Hinojosa administered the oath of office to Mr. David E. Alex, Chairman of the Cameron County Regional Mobility Authority.

**The Documentation is as follows:**

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**(3) PRESENTATION OF STATUS REPORT BY THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY. (PS-DEPT. OF TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, informed the Court that on June 29, 2006, the Cameron County Regional Mobility Authority was awarded \$21 million for a second causeway to South Padre Island and for the West Loop Project.

**NOTE: Judge Hinojosa left the meeting at this time.**

Mr. Sepulveda stated that a level 2 traffic and revenue study will be done for the second causeway and should be completed in March 2007. He added that Phase 1 of the North Rail Relocation Project will be completed in the next (60) days and will include a plan on how to relocate the switchyard in downtown Harlingen to the Olmito area as well as a concurrence from Union Pacific on how to make the plan a realization.

**NOTE: Judge Hinojosa returned to the meeting at this time.**

Mr. Sepulveda stated that once the switchyard is relocated, congestion in downtown Harlingen should be alleviated by as much as 70% to 80%. He added that an environmental assessment for the North Rail Relocation Project will take 15 to 18 months.

Mr. Sepulveda informed the Court that HNTB is doing a feasibility study for TxDOT on extending I-37 to the lower Rio Grande Valley.

Mr. Sepulveda mentioned that at the CCRMA July Board Meeting, the Board unanimously approved a strategic plan that identifies (8) goals that the RMA hopes to accomplish between 2007 and 2011. He added that the plan is still being finalized and will be distributed in both English and Spanish once complete.

Mr. Sepulveda stated that the RMA has received \$25,000 from the South Padre Island Economic Development Council, \$12,500 from the City of Port Isabel, \$12,500 from the Port Isabel Economic Development Council and \$50,000 from the Harlingen Development Corporation.

Judge Hinojosa commended the RMA on all of their efforts.

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**(8) CONSIDERATION AND POSSIBLE ADOPTION OF A RESOLUTION REGARDING THE INCLUSION OF LA VISTA ALLIANCE (VALLEY INITIATIVE FOR SKILLS TRAINING AND ADVANCEMENT) PARTICIPATION FOR COUNTY CONSTRUCTION CONTRACTS. (COMM. COURT)**

Ms. Wanda Garza, a member of the Valley Initiative for Skills Training and Advancement, informed the Court that the La VISTA Alliance is comprised of the South Texas College, Texas State Technical College-

Harlingen, the University of Texas at Brownsville and Texas Southmost College, Workforce Solutions, Project VIDA and local employers. She stated that persons will be given the opportunity to pursue a career in the construction industry and the goal is to assist people in obtaining careers that provide a livable wage. She added that this is a regional effort and asked for the support of the Commissioners' Court.

Judge Hinojosa asked if the partners in the Alliance plan to provide some sort of training in electrical work.

Commissioner Wood noted that contractors are in need of electrical workers.

Commissioner Tamayo asked if there is a program in place that provides this type of work and how much funding was awarded for this project.

Ms. Wanda Garza stated that Workforce Solutions secured the funding to support the Alliance and has applied for \$900,000 to run training programs. She announced that training is set to begin in September 2006.

Commissioner Garza asked if there is an on-going demand to support the workers after they are trained and if training includes on-the-job or hands-on training.

Ms. Wanda Garza mentioned that the construction industry is a high growth market that has shown a trend of growth in the Rio Grande Valley.

Judge Hinojosa asked if the program can be expanded to include more skilled workers such as carpenters, air conditioning specialists or plumbers.

Ms. Wanda Garza responded that once the program has proven to be successful, the potential to expand is a definite possibility to meet the needs of the community.

Commissioner Tamayo asked if there is an executive director for the Alliance.

Mr. Dominick Hallaby responded that at the current time, individuals who are interested can call 1-800-478-1770 and speak with a VIDA representative.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Adoption of a Resolution regarding the inclusion of La Vista Alliance (Valley Initiative for Skills Training and Advancement) Participation for County Construction Contracts was approved.

**The Resolution 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:

**(36) 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 LAND FOR A PROPOSED PARK IN LA PALOMA, PRECINCT NO. 4, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (C) 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.**
- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF PROPERTY IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL INFIRMARY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARCH 15, 2005 LEASE AGREEMENT ON ISLA BLANCA PARK WITH LAGUNA MADRE ENHANCEMENT GROUP TO CONSIDER TERMINATION OR AMENDMENT OF THE LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)(2).**
- (G) DISCUSSION AND CONSULTATION WITH DELINQUENT TAX ATTORNEY ON BIDS RECEIVED AT THE MARCH 7, 2006 TAX RESALE FOR PROPERTIES STRUCK OFF TO CAMERON COUNTY FOR ITSELF AND OTHER TAXING JURISDICTIONS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 571.071 (A)(2).**
- (H) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE PROPOSED FLOR DE MAYO BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (I) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR FM 106 (GENERAL BRANT ROAD) IN THE PRECINCT NO. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 11:44 A.M. to discuss the following matters:

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

- (G) **DISCUSSION AND CONSULTATION WITH DELINQUENT TAX ATTORNEY ON BIDS RECEIVED AT THE MARCH 7, 2006 TAX RESALE FOR PROPERTIES STRUCK OFF TO CAMERON COUNTY FOR ITSELF AND OTHER TAXING JURISDICTIONS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 571.071 (A)(2).**
- (13) **CONSIDERATION AND POSSIBLE ACTION ON BIDS RECEIVED AT THE MARCH 7, 2006 TAX RESALE FOR THE FOLLOWING PROPERTIES STRUCK OFF TO CAMERON COUNTY FOR ITSELF AND OTHER TAXING JURISDICTIONS. (TY-TAX ASSESSOR-COLLECTOR)**
- (14) **CONSIDERATION AND POSSIBLE ACTION ON RESOLUTIONS APPROVING THE BIDS RECEIVED ON TAX RESALE PROPERTIES ON MARCH 7, 2006. (TY-TAX ASSESSOR-COLLECTOR)**

Commissioner Garza moved to authorize the County Judge to sign the resale deed on all (11) properties.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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(4) **PRESENTATION OF THE THIRD QUARTERLY REPORT FOR THE INTERNATIONAL BRIDGE SYSTEM. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Third Quarterly Report for the International Bridge System was acknowledged.

**The Report is as follows:**

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

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

**The Documentation is as follows:**

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**(6) APPROVAL OF MINUTES FOR:**

**(A) JULY 18, 2006-REGULAR MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the minutes for the July 18, 2006-Regular Meeting were approved.

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**(7) APPROVAL OF CLAIMS.**

Commissioner Benavides moved to approve the Claims.

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

AYE: Commissioner Benavides and Commissioner Wood

NAY: None

ABSTAIN: Commissioner Garza as to Warrant No. 00164497, made payable to The Medicine Shoppe, in the amount of \$4,575.40, Commissioner Tamayo as to Warrant No. 00164533, made payable to Red River Service Corporation, in the amount of \$3,829.16 and Judge Hinojosa as to Warrant No. 00164479, made payable to the Laguna Madre Water District, in the amount of \$285,519.67.

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

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**(15) CONSIDERATION AND POSSIBLE ACTION REGARDING ORDER ADOPTING CHANGES TO THE DUNE PROTECTION PLAN. (COMM. COURT)**

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

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**(17) CONSIDERATION AND APPROVAL OF RECLASSIFICATION OF PART TIME FAMILY LEARNING CENTER (FLC) COORDINATOR TO FULL TIME FLC COORDINATOR FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. (YS-HEALTH)**

Commissioner Tamayo moved to approve the Reclassification of Part-time Family Learning Center (FLC) Coordinator to Full-time FLC Coordinator for the Department of Health and Human Services.

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

AYE: Commissioner Tamayo, Commissioner Benavides and Commissioner Garza

NAY: Commissioner Wood

**The Documentation is as follows:**

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**(18) CONSIDERATION AND APPROVAL OF THE FINAL LIST OF APPOINTEES AND CANDIDATES FOR PRESIDING JUDGES AND ALTERNATES IN EACH COUNTY ELECTION PRECINCT WHERE THEIR GUBERNATORIAL CANDIDATE RECEIVED THE HIGHEST OR SECOND HIGHEST NUMBER OF VOTES IN THE LAST GUBERNATORIAL RACE AS PER THE TEXAS ELECTION CODE FOR A PERIOD OF TWO YEARS AND PROVIDES THE NAMES OF APPOINTEES TO FILL THOSE POSITIONS THAT HAD REMAINED VACANT. (RO-ELECTIONS)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Final List of Appointees and Candidates for Presiding Judges and Alternates in each County Election Precinct where their Gubernatorial Candidate received the highest or second highest number of votes in the last Gubernatorial Race as per the Texas Election Code for a period of two years and provides the names of appointees to fill those positions that had remained vacant was approved.

**The List is as follows:**

## CONSENT ITEMS

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

DISCUSSION CONCERNING CONSENT AND TRAVEL ITEMS:

**Item No. 22:**

Commissioner Wood expressed his concern regarding funding operational costs once the parks are constructed.

Commissioner Tamayo moved to approve the Exemption under V.T.C.A., Local Government Code, Section 262.024(A)(4) from the competitive requirements for certain purchases by a county in reference to hiring an architect to design and prepare plans for La Esperanza, La Paloma, Rio Hondo and Laureles Park Improvements.

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

AYE: Commissioner Tamayo, Commissioner Garza and Commissioner Benavides

NAY: Commissioner Wood

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Commissioner Benavides moved that the "Travel and Consent Items" be approved, excluding Item No. 22.

The motion was seconded by Commissioner Garza and carried unanimously.

- (19) **CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FAMILY PLANNING SERVICES. (YS-HEALTH)**  
The Contract is as follows:
- (20) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES OFFICE OF BORDER HEALTH TO ADDRESS HEALTHY BORDER 2010 OBJECTIVES. (YS-HEALTH)**  
The Contract is as follows:
- (21) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES OFFICE OF BORDER HEALTH FOR THE IMPLEMENTATION OF EARLY WARNING INFECTIOUS DISEASE SURVEILLANCE PROJECT IN CAMERON COUNTY. (YS-HEALTH)**  
The Contract is as follows:
- (22) **CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.024(A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO HIRING AN ARCHITECT TO DESIGN AND PREPARE PLANS FOR LA ESPERANZA, LA PALOMA, RIO HONDO AND LAURELES PARK IMPROVEMENTS. (JM-PARK SYSTEM) (ACTION TAKEN SEPARATELY)**  
The Order is as follows:
- (23) **ACKNOWLEDGEMENT OF THE QUARTERLY REPORT, FOR THE QUARTER ENDING JUNE 30, 2006 ON INVESTMENTS OF COUNTY FUNDS. (EG-TREASURER)**  
The Report is as follows:

- (24) **ACKNOWLEDGEMENT OF CAMERON COUNTY TREASURER'S CERTIFICATION AS PER THE STATE OF TEXAS MANDATED REQUIREMENTS. (EG-TREASURER)**  
The Documentation is as follows:
- (25) **ACKNOWLEDGEMENT OF CAMERON COUNTY TREASURER'S "PUBLIC INFORMATION ACT" CERTIFICATE OF COURSE COMPLETION. (EG-TREASURER)**  
The Documentation is as follows:
- (26) **ACKNOWLEDGEMENT OF CAMERON COUNTY TREASURER'S "OPEN MEETINGS ACT" CERTIFICATE OF COURSE COMPLETION. (EG-TREASURER)**  
The Documentation is as follows:
- (27) **CONSIDERATION AND ACCEPTANCE OF THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS OFFICE'S TOBACCO COMPLIANCE GRANT FOR THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE. (AV-DA)**  
The Documentation is as follows:
- (28) **CONSIDERATION AND APPROVAL OF GRANT AWARD AGREEMENT IN THE AMOUNT OF \$316,800 FOR THE CONSTRUCTION OF A FACILITY FOR THE SANTA ROSA BOYS AND GIRLS CLUB PROJECT NO. B-06-SP-TX-0976 U.S. DEPT. OF HUD-ECONOMIC DEVELOPMENT INITIATIVE (EDI) FY 2006. (GS-COUNTY JUDGE)**  
The Documentation is as follows:
- (29) **CONSIDERATION AND AUTHORIZATION TO PURCHASE CISCO LAN MANAGEMENT & SUPPORT UTILIZING STATE OF TEXAS QUALIFIED INFORMATION SERVICES VENDOR (QISV) (PRESIDIO). (RJ-COMPUTER CENTER)**  
The Documentation is as follows:
- (30) **CONSIDERATION AND AUTHORIZATION TO NEGOTIATE A CONTRACT WITH C.R.R.C. FOR ASBESTOS SURVEY – DEL MAR HEIGHTS FEMA BUYOUT PROJECT RFQ #060702. (GS-COUNTY JUDGE)**  
The Tabulation is as follows:
- (31) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS FOR: (MF-PURCHASING)**  
(A) **BUILDING PAINT: STAIN & VARNISH – ANNUAL BID #2008**  
(B) **BUILDING: AIR CONDITIONER PARTS & REFRIGERANTS – ANNUAL BID #1998**  
(C) **FUEL – ANNUAL BID #2280**
- (32) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING ANNUAL BIDS/RFP'S F.Y. 06-07: AUCTIONEER SERVICES (RFP), UNIFORMS NEW (SHERIFF/JAIL), LAUNDRY SUPPLIES, ROAD MACHINERY RENTAL, ROAD MATERIALS – DIRT, SAND, LIME, MOSQUITO INSECTICIDE, LUBES: AUTOMOTIVE – OILS, GREASE, ANTI-FREEZE, ROAD MATERIALS – STABILIZER LIQUID, ELECTRICAL SUPPLIES, PRODUCE, DRUG & ALCOHOL TESTING – EMPLOYEES, ROAD SIGNS & POSTS MISC., AUTOMOTIVE PARTS – O.E.M. G.M., AUTOMOTIVE PARTS – O.E.M. CHRYSLER, JANITORIAL SUPPLIES – CHEMICALS & CLEANING, MATTRESSES & LINEN – BLANKETS, TOWELS, JANITORIAL PAPERS & LINERS, SAFETY SUPPLIES, FINANCING FOR EQUIPMENT, ROAD MATERIALS – CONCRETE, POLICE SUPPLIES & BODY ARMOR, BUILDING – LIGHT BULBS & BALLASTS, ROAD MATERIALS – COLD PATCH, BATTERIES – AUTOMOTIVE, CARPENTRY MATERIALS, ELEVATOR MAINTENANCE & REPAIRS, CAFÉ FOOD CONCESSIONS SERVICES, AUTOMOTIVE – AFTER MARKET PARTS, AUTOMOTIVE PARTS – O.E.M. FORD, GENERATOR REPAIRS AND MOPS & MATS RENTAL & CLEANING. (MF-PURCHASING)**
- (33) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND CENTENNIAL CONTRACTORS ENTERPRISES, INC. FOR THE CARRIZALES-RUCKER DETENTION CENTER WALL BRACING PROJECT. (PS-DEPT. OF TRANSPORTATION)**  
The Contract is as follows:

- (34) **CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND AEP TEXAS CENTRAL COMPANY FOR USE OF AIRPORT PROPERTY. (PS-DEPT. OF TRANSPORTATION)**

The Agreement is as follows:

## **TRAVEL ITEMS**

- (35) **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) **JUSTICE OF THE PEACE PRECINCT 2, PLACE 1 COURT COORDINATOR, TO TRAVEL TO GALVESTON, TX, ON 8/23-24/06, TO ATTEND JUDGE AND COURT PERSONNEL WORKSHOP.**
- (B) **UNIFIED NARCOTICS INTELLIGENCE TASK FORCE DIRECTOR, TO TRAVEL TO PORT ARANSAS, TX, ON 9/26-28/06, TO ATTEND QUARTERLY HIDTA INTELLIGENCE MEETING.**
- (C) **UNIFIED NARCOTICS INTELLIGENCE TASK FORCE ANALYST, TO TRAVEL TO PORT ARANSAS, TX, ON 9/26-28/06, TO ATTEND QUARTERLY HIDTA INTELLIGENCE MEETING.**
- (D) **SHERIFF'S DEPARTMENT INVESTIGATORS (2), TO TRAVEL TO SAN ANTONIO, TX, ON 8/7-8/06, TO ATTEND JUSTICE FOR KIDS TRAINING (THE SHAKEN BABY ALLIANCE SIDS PROGRAM).**
- (E) **PARK SYSTEM DIRECTOR AND DEPUTY DIRECTOR, TO TRAVEL TO AUSTIN, TX, ON 8/14/06, TO ATTEND A COASTAL IMPACT ASSISTANCE PROGRAM WORKSHOP FOR THE TEXAS GENERAL LAND OFFICE.**
- (F) **PD & M CD COORDINATOR, TO TRAVEL TO WESLACO, TX, ON 8/10/06, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.**
- (G) **COMMISSIONER PRECINCT NO. 2, TO TRAVEL TO DALLAS, TX, ON 9/16-20/06, TO ATTEND IBTTA.**
- (H) **ASSISTANT COUNTY ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 8/3/06, TO ATTEND TEXAS COMMISSION ON JAIL STANDARDS AND TEXAS BORDER COALITION**

- (19) **CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FAMILY PLANNING SERVICES. (YS-HEALTH)**  
**The Contract is as follows:**

- (20) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES OFFICE OF BORDER HEALTH TO ADDRESS HEALTHY BORDER 2010 OBJECTIVES. (YS-HEALTH)**

**The Contract is as follows:**

- (21) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES OFFICE OF BORDER HEALTH FOR THE IMPLEMENTATION OF EARLY WARNING INFECTIOUS DISEASE SURVEILLANCE PROJECT IN CAMERON COUNTY. (YS-HEALTH)**

**The Contract is as follows:**

- (22) **CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.024(A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO HIRING AN ARCHITECT TO DESIGN AND PREPARE PLANS FOR LA ESPERANZA, LA PALOMA, RIO HONDO AND LAURELES PARK IMPROVEMENTS. (JM-PARK SYSTEM) (ACTION TAKEN SEPARATELY)**  
**The Order is as follows:**

- (23) **ACKNOWLEDGEMENT OF THE QUARTERLY REPORT, FOR THE QUARTER ENDING JUNE 30, 2006 ON INVESTMENTS OF COUNTY FUNDS. (EG-TREASURER)**  
**The Report is as follows:**

- (24) **ACKNOWLEDGEMENT OF CAMERON COUNTY TREASURER'S CERTIFICATION AS PER THE STATE OF TEXAS MANDATED REQUIREMENTS. (EG-TREASURER)**  
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- (25) **ACKNOWLEDGEMENT OF CAMERON COUNTY TREASURER'S "PUBLIC INFORMATION ACT" CERTIFICATE OF COURSE COMPLETION. (EG-TREASURER)**  
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- (27) **CONSIDERATION AND ACCEPTANCE OF THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS OFFICE'S TOBACCO COMPLIANCE GRANT FOR THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE. (AV-DA)**  
**The Documentation is as follows:**

- (28) CONSIDERATION AND APPROVAL OF GRANT AWARD AGREEMENT IN THE AMOUNT OF \$316,800 FOR THE CONSTRUCTION OF A FACILITY FOR THE SANTA ROSA BOYS AND GIRLS CLUB PROJECT NO. B-06-SP-TX-0976 U.S. DEPT. OF HUD-ECONOMIC DEVELOPMENT INITIATIVE (EDI) FY 2006. (GS-COUNTY JUDGE)**  
**The Documentation is as follows:**

- (29) **CONSIDERATION AND AUTHORIZATION TO PURCHASE CISCO LAN MANAGEMENT & SUPPORT UTILIZING STATE OF TEXAS QUALIFIED INFORMATION SERVICES VENDOR (QISV) (PRESIDIO). (RJ-COMPUTER CENTER)**  
**The Documentation is as follows:**

- (30) **CONSIDERATION AND AUTHORIZATION TO NEGOTIATE A CONTRACT WITH C.R.R.C. FOR ASBESTOS SURVEY – DEL MAR HEIGHTS FEMA BUYOUT PROJECT RFQ #060702. (GS-COUNTY JUDGE)**

**The Tabulation is as follows:**

- (33) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND CENTENNIAL CONTRACTORS ENTERPRISES, INC. FOR THE CARRIZALES-RUCKER DETENTION CENTER WALL BRACING PROJECT. (PS-DEPT. OF TRANSPORTATION)**  
**The Contract is as follows:**

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**The Agreement is as follows:**

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**(10) DEPARTMENTAL PRESENTATIONS FOR FISCAL YEAR 2006-2007 BUDGETS. (XV-BUDGET OFFICER)**

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

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**(9) CONSIDERATION OF THE FISCAL YEAR 2006-2007 BUDGET AND TAX RATE. (XV-BUDGET OFFICER)**

Mr. Xavier Villarreal, Budget Officer, informed the Court that the effective rate is .321315 per \$100 valuation, the rollback rate is .390241 per \$100 valuation and our current tax rate is .358191 per \$100 valuation. He added that if the County were to adopt the effective rate, at a 100% collection rate, an additional \$914,000 would be generated.

Mr. Villarreal stated that he is currently working on the departmental requests. He informed the Court that child welfare costs has been steadily increasing over the last couple of years and to address that issue he has budgeted an additional \$150,000. He added that the indigent burial costs have been high as well and has consequently budgeted an additional \$100,000.

Mr. Villarreal stated that the Department of Transportation has requested to increase the "Road Materials" line item by \$1 million. He added that, at this time, he has an additional \$400,000 budgeted for that line item and when the cost of fuel is taken into account, the "Road Materials" line item will be short \$700,000.

Commissioner Garza inquired as to the number of federal inmates in the jail system, at the present time.

Mr. Villarreal replied that there are currently 247 inmates.

Commissioner Garza asked how much an additional ¼ of a penny will generate for the Road & Bridge Fund.

Mr. Villarreal responded that an additional \$200,000 to \$250,000 will be generated.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Presentation on the Fiscal Year 2006-2007 Budget and Tax Rate was acknowledged.

**The Documentation is as follows:**

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**(11) CONSIDERATION AND POSSIBLE ACTION REGARDING THE PUBLISHING OF ELECTED OFFICIALS' COMPENSATION FOR THE 2006-2007 FISCAL YEAR. (XV-BUDGET OFFICER)**

Commissioner Garza let it be known that he will not consider any increase of any elected official that is a larger percentage salary increase than Cameron County employees.

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

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**(12) CONSIDERATION AND AUTHORIZATION TO PUBLISH PUBLIC NOTICES AS REQUIRED WITHIN THE TIME REQUIREMENTS AND FORMAT AS STATED IN THE PROPERTY TAX CODE FOR THE SETTING OF THE FISCAL YEAR 2007 TAX RATE. (XV-BUDGET OFFICER)**

Mr. Xavier Villarreal, Budget Officer, informed the Court that the public notices will be published in the August 13, 2006 Sunday edition of The Brownsville Herald.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, authorization to publish public notices as required within the time requirements and format as stated in the property tax code for the setting of the fiscal year 2007 tax rate was approved.

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**EXECUTIVE SESSION**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 12:10 P.M. to discuss the following matters:

**(36) 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 LAND FOR A PROPOSED PARK IN LA PALOMA, PRECINCT NO. 4, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (C) 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.**

- (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF PROPERTY IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL INFIRMARY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (F) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARCH 15, 2005 LEASE AGREEMENT ON ISLA BLANCA PARK WITH LAGUNA MADRE ENHANCEMENT GROUP TO CONSIDER TERMINATION OR AMENDMENT OF THE LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)(2).**
- (H) **DELIBERATION REGARDING REAL PROPERTY CONCERNING THE PROPOSED FLOR DE MAYO BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (I) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR FM 106 (GENERAL BRANT ROAD) IN THE PRECINCT NO. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 12:38 P.M. to discuss the following matters:

**(37) 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 Garza, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Pete Sepulveda, Department of Transportation Director, was acknowledged.

- (B) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN LA PALOMA, PRECINCT NO. 4, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

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

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Pete Sepulveda, Department of Transportation Director, was acknowledged.

**(D) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF PROPERTY IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

**(E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL INFIRMARY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Legal Counsel was acknowledged and authorization for Xavier Villarreal, Budget Officer, to proceed as directed in Executive Session was approved.

**(F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARCH 15, 2005 LEASE AGREEMENT ON ISLA BLANCA PARK WITH LAGUNA MADRE ENHANCEMENT GROUP TO CONSIDER TERMINATION OR AMENDMENT OF THE LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)(2).**

Judge Hinojosa informed the Court that an agreement has been reached with the Laguna Madre Enhancement Group that will exclude all of the property within the Brownsville Navigation District Deed to Cameron County. He stated that all of the parties have agreed that the remaining 27 acres will be divided into (4) tracts of land of a minimum size of (5) acres for the construction of hotels or casino gambling, subject to legalization by the State of Texas. He noted that the Laguna Madre Enhancement Group must develop the land in a certain period of time and during the period of time that the land is undeveloped, the party will pay a planning fee of \$20,000 per tract of land per year.

Judge Hinojosa stated that as each tract of land is developed, the party will pay 4% of gross revenues for the first (3) years, which increases to 5% after the third year, or a minimum of \$75,000 per tract of land per year for the first two years, which increases to \$150,000 per tract of land after two years. He added that each tract of land has to be developed within a period of (2) years or the land will revert back to the County and if the Laguna Madre Enhancement Group wishes to retain the land, they must pay an additional price of \$100,000 a year per tract of land.

Mr. Richard Burst, Legal Counsel, added that the additional \$100,000 per tract per year applies to the tracts of land that the party fails to begin construction.

Mr. Gene Washburn, South Padre Island resident, expressed concern over the preservation of the sand dunes. He stated his belief that the Commission has neglected to evaluate the environmental impacts on Cameron County. He requested that a change be made to requests for proposals that questions why the developer cannot develop their project on private property to prevent spoiling the environmental

enhancements associated with County property. He stated that he is not against development and asked that the Commission act in a responsible manner with regard to the land that they administer for the residents of Cameron County from an environmental stand point.

Commissioner Benavides moved to approve the agreement, subject to review by Legal Counsel.

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

AYE: Commissioner Benavides, Commissioner Tamayo and Commissioner Wood

NAY: Commissioner Garza

**The Lease Agreement is as follows:**

**(H) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE PROPOSED FLOR DE MAYO BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Wood moved to authorize Mr. Pete Sepulveda, Department of Transportation Director, to hire the appraisal firm of Robinson & Duffy to conduct a review of the appraisal received.

The motion was seconded by Commissioner Garza and carried unanimously.

**(I) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR FM 106 (GENERAL BRANT ROAD) IN THE PRECINCT NO. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, authorization to purchase property for \$335 was approved.

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There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 12:49 P.M.

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**APPROVED** this 22<sup>nd</sup> day of **August 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**