

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 31st 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

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 9:32 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 October 27, 2006 at 4:01 P.M.:

(1) PUBLIC COMMENTS.

Ms. Mary Helen Flores, Brownsville resident, expressed concern over Isla Blanca Park and the maintenance of the boat ramps.

Mr. Delton Lee, Harlingen resident, presented a chart compiling data from a survey taken by 30,000 residents of Cameron County on how they use Isla Blanca Park. He stated that the 'Friends of Isla Blanca' is a non-profit organization.

PRESENTATIONS

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

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

ACTION ITEMS

(10) CONSIDERATION AND AUTHORIZATION TO TRANSFER JOB SLOT NO. 08-JOB TITLE "COURT RECORDS COORDINATOR" AND JOB SLOT NO. 07- JOB TITLE ROVING COURT BAILIFF FROM COUNTY COURT AT LAW NO. 1 FUND NO. 100-426 TO COUNTY COURT AT LAW NO. 3 FUND 100-428.(DR-COUNTY COURT AT LAW NO. 3)

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Authorization to Transfer Job Slot No. 08-Job Title "Court Records Coordinator" And Job Slot No. 07- Job Title Roving Court Bailiff from County Court at Law No. 1 Fund No. 100-426 to County Court at Law No. 3 Fund 100-428 was approved.

(16) CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST BY THE JUSTICE OF THE PEACE COURTS IN PRECINCT 5, PLACES 1 AND 2 TO PURCHASE A CASE MANAGEMENT SOFTWARE. (SG-J. P. PCT 5-1)

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

(11) CONSIDERATION AND POSSIBLE ACTION REGARDING POSTING OF SIGNS AND SETTING SPEED LIMITS SIGNS AT BOCA CHICA BEACH. (GH-COUNTY JUDGE)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, authorization for the Department of Transportation to begin the process of setting the speed limit at Boca Chica Beach was approved.

(15) CONSIDERATION AND POSSIBLE ACTION REGARDING THE SELECTION OF ONE OR MORE PROJECTS FOR APPLICATION TO THE 2007-2008 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA CONSTRUCTION FUND. (FB-PD & M)

Commissioner Tamayo moved to select the El Salado Project for the Application To The 2007-2008 Texas Community Development Program Colonia Construction Fund.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(13) CONSIDERATION AND POSSIBLE ACCEPTANCE OF 2006 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT AWARD. (TH-EMERGENCY MANAGEMENT) (Order No. 2006O11017)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, Acceptance Of 2006 State Homeland Security Program (SHSP) Grant Award was denied.

(3) PRESENTATION BY DELINQUENT TAX ATTORNEY ON STATUS OF FORECLOSED PROPERTIES THAT HAVE BEEN SOLD AT PUBLIC AUCTION. (DG-COMM. PCT. 3)

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

(4) PRESENTATION ON STATUS OF BORDER COLONIA ACCESS PROGRAM. (PS-DEPT. OF TRANSPORTATION)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Presentation Status of Border Colonia Access Program was acknowledged.

The Documentation is as follows:

ACTION ITEMS

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

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Budget Amendments, Line Item Transfers and/or Salary Schedules were approved, excluding the Budget Amendment for the Bootcamp Revenue Fee Account.

The Budget Amendments, Line Item Transfers and/or Salary Schedules are as follows:

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- (6) **APPROVAL OF MINUTES FOR:**
(A) **SEPTEMBER 18, 2006-SPECIAL MEETING**
(B) **SEPTEMBER 19, 2006-REGULAR MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the minutes for the September 18, 2006-Special Meeting and September 19, 2006- Regular Meeting were approved.

(7) **APPROVAL OF CLAIMS.**

Commissioner Wood moved that the all of the Claims be approved.

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

AYE: Commissioner Wood and Commissioner Garza

NAY: None

ABSTAIN: Commissioner Tamayo as to Warrant No. 00168703, made payable to Red River Service Corp., in the amount of \$189.45 and Judge Hinojosa as to Warrant No. 00168641, made payable to the Laguna Madre Water District, in the amount of \$431.90, Warrant No. 00168754, made payable to Southwest Key Program La Esperanza, in the amount of \$28,521.18, Warrant No. 00169028, made payable to the Laguna Madre Water District, in the amount of \$8,327.06, and Warrant No. 00169190, made payable to Southwest Key Program La Esperanza, in the amount of \$10,638.

The Claims and Affidavit are as follows:

(8) CONSIDERATION AND AUTHORIZATION TO RECOGNIZE THE BUILDING DEPARTMENT FOR THEIR HARD WORK IN PREPARATION FOR THE REDEDICATION OF THE DANCY BUILDING. (JW- COMM. PCT. 2) (NO ACTION TAKEN)

(9) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE AND WILLACY COUNTY DISTRICT ATTORNEY'S OFFICE FOR JOINT COOPERATION, INVESTIGATION, AND ASSISTANCE IN WILLACY COUNTY INVESTIGATIONS AND LAW ENFORCEMENT. (AV-DISTRICT ATTORNEY) (Contract No. 2006C08002)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Interlocal Agreement between Cameron County District Attorney's Office and Willacy County District Attorney's Office for Joint Cooperation, Investigation, And Assistance in Willacy County Investigations and Law Enforcement was approved.

The Contract is as follows:

**(12) CONSIDERATION AND POSSIBLE ACTION REGARDING
PARKING ASSIGNMENTS FOR ELECTED, APPOINTED
OFFICIALS AND DEPARTMENT HEADS AT PARKING LOT
BEHIND CAMERON COUNTY ADMINISTRATIVE ANNEX IN
BROWNSVILLE. (GH-COUNTY JUDGE)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Parking Assignments for Elected, Appointed Officials and Department Heads at Parking Lot behind Cameron County Administrative Annex in Brownsville was approved.

The Documentation is as follows:

(14) **CONSIDERATION AND POSSIBLE ACTION ON RISING
COST OF INSURANCE ON COUNTY PROPERTIES. (MY-
AUDITOR)**

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

The Documentation is as follows:

(17) **CONSIDERATION AND POSSIBLE APPROVAL OF CHANGE ORDER TO THE CAMERON COUNTY HARLINGEN ANNEX BUILDING FOR VARIOUS SITE MODIFICATIONS WITHIN BUDGETED ALLOWANCES AND BETTERMENT FUNDS. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Change Order to the Cameron County Harlingen Annex Building for Various Site Modifications within Budgeted Allowances and Betterment Funds was approved.

The Documentation is as follows:

(18) CONSIDERATION AND AUTHORIZATION FOR A REPORT FROM CAMERON COUNTY SOLID WASTE ENFORCEMENT DIVISION REGARDING THE COLLECTION SCHEDULE FOR HOUSEHOLD TRASH AND BRUSH PICKUP BY RED RIVER SERVICE CORPORATION. (DG-COMM. PCT. 3)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Report From Cameron County Solid Waste Enforcement Division Regarding The Collection Schedule For Household Trash And Brush Pickup By Red River Service Corporation was acknowledged.

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. 21:

Judge Hinojosa recommended that this item be approved subject to review by Legal Counsel.

Item No. 40 (A) and (B):

Mr. Mike Forbes, Purchasing Agent, asked the Court for recommendations in order to form an evaluation committee.

Judge Hinojosa instructed Mr. Forbes to present the Court with recommendations without the assistance of an evaluation committee.

Item No. 20:

Commissioner Garza asked for clarification as to who the firm in question is.

Mr. Javier Mendez, Parks Director, replied that the material testing firm is PSI.

Item No. 19:

Commissioner Garza moved to approve the Legal Services Contract with Alfredo Padilla for the 138th Judicial District Court.

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

AYE: Commissioner Garza and Commissioner Tamayo

NAY: Commissioner Wood

Commissioner Garza moved to approve the "Consent and Travel Items", excluding Consent Item No. 19 and approving Consent Item No. 21 subject to review by Legal Counsel.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (19) **CONSIDERATION AND POSSIBLE APPROVAL OF LEGAL SERVICES CONTRACT WITH ALFREDO PADILLA FOR THE 138TH JUDICIAL DISTRICT COURT. (RO-DISTRICT JUDGE) (Contract No. 2006C10061)**
The Contract is as follows:
- (20) **CONSIDERATION AND SELECTION OF MATERIALS TESTING FIRM FOR SERVICES RELATED TO THE SOUTH PADRE ISLAND PUBLIC SAFETY HELIPAD PROJECT. (COMM. COURT)**
- (21) **CONSIDERATION AND POSSIBLE APPROVAL OF A LEASE AGREEMENT FOR OFFICE SPACE AT THE BROWNSVILLE/SOUTH PADRE ISLAND AIRPORT FOR THE ADULT PROBATION RESTITUTION CENTER. (DJV-LEGAL) (Contract No. 2006C11102)**
The Contract is as follows:
- (22) **CONSIDERATION AND APPROVAL TO ACCEPT GRANT AWARD FROM THE GOVERNORS' OFFICE CRIMINAL JUSTICE DIVISION FOR THE DISTRICT ATTORNEY'S SPECIAL OPERATION'S GROUP. (FB-PD&M) (Order No. 2006O10012)**
The Order is as follows:
- (23) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 TO CONSTRUCTION CONTRACT WITH RICO CONSTRUCTION, LTD., FOR THE EL SALADO SOUTHMOST ROAD AREA SANITARY SEWER PROJECT (TCDP CONTRACT NO. 724185). (FB-PD & M) (Order No. 2006O10011)**
The Order is as follows:
- (24) **CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING NOVEMBER 2006 AS "HOME CARE MONTH" IN CAMERON COUNTY. (COMM. COURT)**
The Documentation is as follows:
- (25) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CAMERON COUNTY AND BROWNSVILLE COMMUNITY HEALTH CENTER FOR THE DELIVERY OF PRIMARY HEALTH CARE SERVICES AT THE FATHER JOSEPH O'BRIEN HEALTH CLINIC IN PORT ISABEL AND MARY P. LUCIO HEALTH CENTER IN BROWNSVILLE. (YS-HEALTH) (Contract No. 2006C10065)**
The Contract is as follows:
- (26) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF CRYSTAL FLORES RESERVE DEPUTY CONSTABLE FOR PCT. #2 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT. (MV-HUMAN RESOURCES)**
The Documentation is as follows:
- (27) **CONSIDERATION AND APPOINTMENT OF JOSE G. MALDONADO RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 4 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT. (MV-HUMAN RESOURCES)**
The Documentation is as follows:
- (28) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY PARKS AND RECREATION TO PURCHASE A CELLULAR PHONE AND SERVICE FROM SPRINT PCS, INC., FOR THE ADOLPH THOMAE PARK MANAGER, ANDY BOWIE PARK MANAGER. (JM-PARKS)**
- (29) **CONSIDERATION AND AUTHORIZATION TO SOLICIT BIDS FOR THE CONSTRUCTION OF THE ISLA BLANCA PARK BOAT RAMP AND RESTROOMS. (JM-PARK SYSTEM)**
The Documentation is as follows:
- (30) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND RECL, LIMITED TO ACQUIRE PROPERTY OWNED BY RECL FOR A COLLECTOR STREET FOR WEST RAIL RELOCATION PROJECT. (PS-DEPT. OF TRANSPORTATION) (Contract No. 2006C10066)**
The Memorandum of Understanding is as follows:

- (31) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR NORTH POMELO ROAD SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT WATER WELLS AN SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (32) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VERDE ESTATES SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT WATER SERVICES AND SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (33) **CONSIDERATION AND ACCEPTANCE OF A RIGHT OF ENTRY AND POSSESSION FOR PRIMERA ROAD, PARCELS 159, 148, 147, 139, 57, 49, 46, 37, 27, 144, 143, 161 AND 130 IN THE PRIMERA, PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION) (Parcel 159-Contract No. 2006C11092) (Parcel 148-Contract No. 2006C1093) (Parcel 147-Contract No. 2006C11094) (Parcel 139-Contract No. 2006C11095) (Parcel 57-Contract No. 2006C11096) (Parcel 49-Contract No. 2006C11097) (Parcel 46-Contract No. 2006C11098) (Parcel 37-Contract No. 2006C11099) (Parcel 27-Contract No. 2006C11100) (Parcel 130-Contract No. 2006C11101)**
The Contracts are as follows:
- (34) **CONSIDERATION AND APPROVAL OF AGREEMENTS WITH PSI, INC., L&G ENGINEERS AND COBBLESTONE ENGINEERING FOR GEO-TECHNICAL AND ENVIRONMENTAL SERVICES. (PS-DEPT OF TRANSPORTATION)**
- (35) **CONSIDERATION AND AUTHORIZATION OF SUPPLEMENTAL WORK AUTHORIZATION NO. 1 TO WORK AUTHORIZATION NO. 2, WITH S&B INFRASTRUCTURE FOR THE VETERANS BRIDGE EXPANSION PROJECT. (PS-DEPT OF TRANSPORTATION)**
The Documentation is as follows:
- (36) **CONSIDERATION AND APPROVAL OF WORK AUTHORIZATION WITH TEDSI INFRASTRUCTURE FOR THE DEVELOPMENT OF AN ENVIRONMENTAL ASSESSMENT FOR OLD ALICE ROAD BETWEEN FM/511 AND HWY 100. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (37) **CONSIDERATION AND APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER FOR SEM MATERIALS IN THE AMOUNT OF \$7,322.29. (PS-DEPT OF TRANSPORTATION)**
The Documentation is as follows:
- (38) **CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
(A) **PRECINCT NO. 4-VALLE DEL CIPRESS SUBDIVISION NO. 3-A – BEING A 61.482 ACRE TRACT OF LAND OUT ALL OUT BLOCKS 17 AND 20, 0.666 ACRE OUT BLOCK 18, 0.672 ACRE OUT OF BLOCK19, 13.026 ACRES OUT OF BLOCK LABELED “F.L. HICKS, AND 0128 ACRE OUT OF THE ABANDONED RAILROAD RIGHT OF WAY ADJACENT ON THE EAST SIDE OF SAID BLOCK LABELED “F.L. HICKS” AS SHOWN ON SUBDIVISION ONO. 1 OF THE HICKS RESERVE, CAMERON COUNTY, TEXAS.**
(B) **PRECINCT NO. 4 -RESACA VIEW ESTATES PHASE I SUBDIVISION – BEING A 40.714 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCKS FIFTY-TWO (52), FIFTY-FOUR (54), AND FIFTY-FIVE (55), RICE TRACT SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 9, PAGE 3 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**
The Documentation is as follows:
- (39) **CONSIDERATION AND APPROVAL OF ADDENDUM ON CONTRACT WITH CHEMICAL RESPONSE & REMEDIATION CONTRACTORS, INC. (CRRC) IN THE AMOUNT OF \$1610 TO PROVIDE ASBESTOS ABATEMENT CONSULTING SERVICES FOR THE DEL MAR HEIGHTS FEMA BUYOUT PROJECT. (GS-COUNTY JUDGE) (Contract No. 2006C11091)**
The Contract is as follows:
- (40) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING RFP’S FOR: (MF-PURCHASING)**
(A) **TELEVISION BROADCASTING OF COMMISSIONERS’ MEETINGS – ANNUAL RFP #1830**
(B) **AUDIT, ANALYSIS OF TELEPHONE BILLS AND RATES –ANNUAL RFP #1221-3.**

TRAVEL ITEMS

- (41) **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) **DEPARTMENT OF TRANSPORTATION DIRECTOR, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 10/23/06, TO ATTEND THE TEXAS BORDER COALITION MEETING.**
 - (B) **JUSTICE OF THE PEACE PCT. 2-1, TO TRAVEL TO AUSTIN, TEXAS, ON 12/3-5/06, TO ATTEND THE 52ND ANNUAL TEXAS VITAL STATISTICS CONFERENCE.**
 - (C) **107TH COURT, COUNTY COURT AT LAW NO. 1,2 AND 3 INTERPRETERS, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 11/15-17/06, TO THE LICENSED COURT INTERPRETER CONTINUING EDUCATION PROGRAM.**
 - (D) **SHERIFF'S DEPARTMENT EMPLOYEES (2), TO TRAVEL TO UVALDE, TEXAS, ON 10/16-19/2006, TO PARTICIPATE IN THE PHASE II OPERATION RIO GRANDE CONFERENCE.**
 - (E) **HEALTH DEPARTMENT EMPLOYEES (3), TO TRAVEL TO CORSICANA, TEXAS, ON 10/25-27/06, TO ATTEND THE KIRK ENTERPRISES INC. DBA, NATIONAL INCINERATOR TRAINING.**
 - (F) **HEALTH DEPARTMENT EMPLOYEES (2), TO TRAVEL TO AUSTIN, TEXAS, ON 11/1-2/06, TO ATTEND THE "TEXAS IMMUNIZATION STAKEHOLDER WORKING GROUP MEETING" WORKSHOP.**
 - (G) **SHERIFF'S DEPARTMENT EMPLOYEES (2), TO TRAVEL LAS CRUCES, NEW MEXICO, ON 10/22-24/06, TO ATTEND THE TEXAS AND SOUTHWEST BORDER SHERIFF'S COALITION MEETING.**
 - (H) **CONSTABLE PRECINCT NO. 6 DEPUTY, TO TRAVEL TO SUGAR LAND, TX, ON 11/26-12/1/06, TO ATTEND TRAINING SEMINAR, 5 DAY BASIC CRIMINAL INVESTIGATION AND NEW DETECTIVE TRAINING.**
 - (I) **EXTENSION AGENTS (4), TO TRAVEL TO WESLACO, TX, ON 11/13-15/06, TO ATTEND THE ANNUAL FALL FACULTY CONFERENCE.**
 - (J) **DISTRICT ATTORNEY, TO TRAVEL TO SAN ANTONIO, TX, ON 11/8-9/06, TO ATTEND SOUTH TEXAS HIDTA EXECUTIVE COMMITTEE MEETING.**
 - (K) **ASSISTANT TO THE DISTRICT ATTORNEY AND OFFICE MANAGER, TO TRAVEL TO ARLINGTON, TX, ON 11/15-17/06, TO ATTEND TDCAA 2006 KEY PERSONNEL SEMINAR.**
 - (L) **DRUG ENFORCEMENT TASK FORCE SECRETARY AND INVESTIGATOR, TO TRAVEL TO AUSTIN, TX, ON 11/1/06, TO ATTEND COMPTROLLER'S TOBACCO COMPLIANCE GRANTS WORKSHOP FOR LOCAL LAW ENFORCEMENT.**
 - (M) **WIC CLINIC SUPERVISOR, TO TRAVEL TO AUSTIN, TX, ON 11/28-30/06, TO ATTEND A PRINCIPLES OF LACTATION MANAGEMENT COURSE.**
 - (N) **ASSISTANT HEALTH ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 11/14-16/06, TO ATTEND A TOWARD 2010-ELIMINATING CHILD LEAD POISONING MEETING.**
 - (O) **HEALTH ADMINISTRATOR, TO TRAVEL TO SAN ANTONIO, TX, ON 11/27-12/1/06, TO ATTEND THE 2006 TEXAS HOMELAND SECURITY CONFERENCE.**
 - (P) **JUSTICE OF THE PEACE PRECINCT 5, PLACE 1, TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 11/14-15/06, TO ATTEND PROPERTY CODE WORKSHOP.**

- (19) **CONSIDERATION AND POSSIBLE APPROVAL OF LEGAL SERVICES CONTRACT WITH ALFREDO PADILLA FOR THE 138TH JUDICIAL DISTRICT COURT. (RO-DISTRICT JUDGE) (Contract No. 2006C10061)**
The Contract is as follows:

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The Contract is as follows:

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The Contracts are as follows:

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The Documentation is as follows:**

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- (A) **PRECINCT NO. 4-VALLE DEL CIPRESS SUBDIVISION NO. 3-A – BEING A 61.482 ACRE TRACT OF LAND OUT ALL OUT BLOCKS 17 AND 20, 0.666 ACRE OUT BLOCK 18, 0.672 ACRE OUT OF BLOCK19, 13.026 ACRES OUT OF BLOCK LABELED “F.L. HICKS, AND 0128 ACRE OUT OF THE ABANDONED RAILROAD RIGHT OF WAY ADJACENT ON THE EAST SIDE OF SAID BLOCK LABELED “F.L. HICKS” AS SHOWN ON SUBDIVISION ONO. 1 OF THE HICKS RESERVE, CAMERON COUNTY, TEXAS.**
- (B) **PRECINCT NO. 4 -RESACA VIEW ESTATES PHASE I SUBDIVISION – BEING A 40.714 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCKS FIFTY-TWO (52), FIFTY-FOUR (54), AND FIFTY-FIVE (55), RICE TRACT SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 9, PAGE 3 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

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The Contract is as follows:

EXECUTIVE SESSION

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

Court met in Executive Session at 11:53 A.M. to discuss the following matters:

(42) 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) DELIBERATION REGARDING LEASE OF LAND FOR A RIGHT OF WAY EASEMENT ON PROPERTY OWNED BY CAMERON COUNTY AT THE FREE TRADE BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING RIGHT OF WAY FOR FLOR DE MAYO ROAD, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1674, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 24, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (G) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 4, FOR FM 106 (GENERAL BRANT ROAD) IN THE PRECINCT NO. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (H) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 166, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA , PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (I) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT ISSUE OF NONCOMPLIANCE OR OF DEFAULT 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(2).**
- (J) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CONVEYANCE OF LAND TO CAMERON COUNTY DRAINAGE DISTRICT NO. 3 FOR PURPOSES OF DRAINAGE AT LOS INDIOS BRIDGE SITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (K) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CONVEYANCE OF LAND TO HAR-VEST FOR PURPOSES OF DRAINAGE AT LOS INDIOS BRIDGE SITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

- (L) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 17, FOR FM 106 (GENERAL BRANT ROAD) IN THE PRECINCT NO. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (M) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE CIVIL SERVICE COMMISSION APPEAL OF ISABEL CASTILLO, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**
- (N) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROEL GONZALEZ AND SONIA GONZALEZ VS. CAMERON COUNTY AND JESUS VILLANUEVA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY CIVIL ACTION NO. 05-278, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (2).**
- (O) **DELIBERATION REGARDING REAL PROPERTY CONCERNING A REQUEST FROM LAGUNA MADRE WATER DISTRICT TO TEMPORARILY USE COUNTY PROPERTY AT ANDY BOWIE PARK FOR A SEAWATER DESALINATION PILOT PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 12:27 P.M. to discuss the following matters:

(43) 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.**

Commissioner Wood motioned to authorize Mr. Pete Sepulveda's Office to begin discussions with the Brownsville Independent School District to acquire certain properties close to the Dancy Building.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, Executive Session Items No. 43 (B) and (C) were **TABLED**.

- (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING RIGHT OF WAY FOR FLOR DE MAYO ROAD, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza moved to authorize Pete Sepulveda to make a proposal to the Commissioners' Court for a counterproposal on the acquisition of a certain tract of land owned by Mr. Horn.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (E) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1674, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, authorization to acquire the property for \$1,487 was approved.

- (F) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 24, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, authorization to acquire the property for \$909 was approved.

- (G) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 4, 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 Garza and carried unanimously, authorization to acquire the property for \$3,185 was approved.

- (H) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 166, PRIMERA ROAD IN THE PRECINCT NO. 4 AREA , PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, authorization to acquire the property for \$2,738 was approved.

- (I) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT ISSUE OF NONCOMPLIANCE OR OF DEFAULT 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(2).**

Commissioner Garza motioned to acknowledge the Status Report by Legal Counsel and to authorize Legal Counsel to proceed as discussed in Executive Session.

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

AYE: Commissioner Garza and Commissioner Wood

NAY: None

ABSTAIN: Commissioner Tamayo

The Affidavit is as follows:

- (J) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CONVEYANCE OF LAND TO CAMERON COUNTY DRAINAGE DISTRICT NO. 3 FOR PURPOSES OF DRAINAGE AT LOS INDIOS BRIDGE SITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Wood motioned to allow for the conveyance of land to Cameron County Drainage District No. 3.

The motion was seconded by Commissioner Garza and carried unanimously.

- (K) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CONVEYANCE OF LAND TO HAR-VEST FOR PURPOSES OF DRAINAGE AT LOS INDIOS BRIDGE SITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the conveyance of land to Har-Vest for purposes of Drainage at Los Indios Bridge Site was approved.

- (L) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 17, 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 acquire the property for \$3,130 was approved.

- (M) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE CIVIL SERVICE COMMISSION APPEAL OF ISABEL CASTILLO, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**

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

- (N) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROEL GONZALEZ AND SONIA GONZALEZ VS. CAMERON COUNTY AND JESUS VILLANUEVA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY CIVIL ACTION NO. 05-278, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (2).**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, authorization for Legal Counsel to retain an expert on the issue of causation was approved.

- (O) DELIBERATION REGARDING REAL PROPERTY CONCERNING A REQUEST FROM LAGUNA MADRE WATER DISTRICT TO TEMPORARILY USE COUNTY PROPERTY AT ANDY BOWIE PARK FOR A SEAWATER DESALINATION PILOT PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza motioned to proceed with a license agreement to be presented to the Court at a later date for approval.

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

AYE: Commissioner Garza, Commissioner Tamayo and Commissioner Wood

NAY: None

ABSTAIN: Judge Hinojosa

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 12:35 P.M.

APPROVED this 21st 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