

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of February 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 Filemon Vela.

THE COURT MET AT:

PRESENT:

9:30 A.M.

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles **Deputy Clerk**

ABSENT:

DAVID A. GARZA

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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:42 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 February 10, 2006 at 3:41 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

PRESENTATIONS

(2) **PRESENTATION OF RESOLUTION RECOGNIZING
REVEREND F. FELIBERTO PEREIRA FOR OUTSTANDING
CITIZENSHIP. (COMM. COURT)**

At this time, Judge Hinojosa recognized Reverend F. Feliberto Pereira for his outstanding citizenship upon migrating to South Texas from Cuba where he was incarcerated for opposing Communism.

Reverend F. Feliberto Pereira thanked the Court for the recognition and for the liberty that our country offers. He prayed that Cameron County be blessed.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Presentation of Resolution recognizing Reverend F. Feliberto Pereira for outstanding citizenship was acknowledged.

(10) **CONSIDERATION AND AUTHORIZATION TO PURCHASE
AND FINANCE SPORTS LIGHTS FOR THE SANTA ROSA
COMMUNITY PARK FROM MUSCO LIGHTING THROUGH
TASB BUY BOARD. (JM-PARKS SYSTEM)**

Mr. Javier Mendez, Parks & Recreations Department Director, reported that a bid was received from Musco Lighting and requested that the same type of lighting be kept since it provide for power to be remotely accessed. He stated that the cost would total \$132,150.00 and that the company provides their own financing, adding that first payment could be delayed until October 1, 2006. He reported that the equipment could be delivered in four weeks and installed in two weeks.

Commissioner Benavides expressed concern with regards to lights turning off during a game.

Mr. Mendez explained that the lights are operated with the assistance of a computer (through the internet) or by calling the park directly and providing the pass word and in the event a game exceeds the time the lights are scheduled to shut off, then someone can call and will be provided with instructions on how to turn the lights back on.

Judge Hinojosa stated that he has spoken with the city and baseball officials of Santa Rosa about their concerns with sending their kids to other cities to play sports. He stressed the importance of families being able to

support and encourage their kids at games and the isolation that traveling from city to city creates as it keeps many parents from attending games.

Mr. Mendez added that in the proposal there is a ten year warranty with regards to the lights and the poles and the controlling is included in the cost. He noted that the cost of lighting has increased from \$85,000 to \$132,150 in a year period of two years.

Commissioner Wood expresses concern as to the interest rate of 6.6%.

Mark Yates, County Auditor, added that the interest rate is a bit higher than the County normally engages in, but the promissory note is for 6 months only.

Judge Hinojosa added that Laguna Madre Enhancement Group has given a check for \$50,000, which will be used in part to purchase the lighting.

On behalf of the Mayor of Santa Rosa, Mr. Ruben Ochoa, members of the Santa Rosa Community spoke on the fact that this investment is not only to benefit Santa Rosa, but all of Cameron County. They added that there have been requests to hold more tournaments, especially in the evenings, because of the quality of the park.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously the Authorization to Purchase and Finance Sports for the Santa Rosa Community Park from Musco Lighting through TASB Buy Board was **approved**.

The Documentation is as follows:

**(3) PRESENTATION OF A 120 DAY WORKPLAN FOR THE
CAMERON COUNTY REGIONAL MOBILITY AUTHORITY.
(PS-DEPT. OF TRANSPORTATION)**

Mr. David Allex, CCRMA Chairperson, informed that the CCRMA has held monthly meetings with 100% participation by the Court's appointees. He stated that the CCRMA has much work to do and is leading other RMAs in the work it is doing.

At this time Mr. Pete Sepulveda, Department of Transportation Director/CCRMA Interim Executive Director, informed the Court of the progress the CCRMA has made since its inception which include adopting by-laws, procurement policies, conflict of interest policy for consultants, disadvantaged business enterprise policy statement, a drug and alcohol policy, selecting Estrada Hinojosa & Company, Inc. as the financial advisory services firm and selecting HNTB as the general engineering consultant. He spoke on different projects that the CCRMA is involved with which include the following: (1) Identifying 9 Pass Through Toll projects throughout Cameron County, (2) Negotiating identical Resolutions from the City of Port Isabel, the Town of South Padre Island and Cameron County regarding the proposed 2nd Causeway to South Padre Island and (3) working on the West Loop Environmental Assessment with TxDOT. He reported that a 120 day workplan was developed for the CCRMA; however, the Texas Department of Transportation requested that all work be done in 30 days and informed the CCRMA that weekly meetings would be needed in order to meet the deadline. He added that the reason for the time constraint is the fact that the Texas Department of Highway Commission will be holding their April monthly meeting in Brownsville on the 27th and the CCRMA would like to be on the agenda to have their Toll Equity Grant Applications considered and acted upon. Mr. Sepulveda reported that the CCRMA has the option of submitting a Toll Equity Grant Application either for both the West Loop Project and the 2nd Causeway or to submit two applications for the projects individually. He explained that the Toll Equity Grant Application for the 2nd Causeway would include a request for grant money to conduct the Environmental Impact Statement and the Toll Equity Grant Application for the West Loop Project would include 3 items: (1) design and engineering for the West Loop, (2) right of way acquisition and (3) requesting of grant money for the relocation of the rail. He let it be known that the CCRMA is in process of adopting administrative rules based on other RMAs and is in the process of completing the Level 2 Toll Feasibility Analysis.

Mr. Sepulveda informed the Court that the workshops for the CCRMA are held at the old Levi Building located in San Benito.

Commissioner Tamayo stated that she was happy and proud of the CCRMA appointees and all the work they are doing.

Commissioner Wood expressed appreciation for the work and efforts of the CCRMA Board Members.

Judge Hinojosa recognized Mr. David Allex as being a strong chairperson and expressed appreciation for his help and leadership. He suggested that the use and/or expansion of the Cameron County Airport be examined in order to use all available resources.

The Documents are as follows:

(15) CONSIDERATION AND APPROVAL OF LOAN FROM THE INTERNATIONAL BRIDGE SYSTEM TO THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director/CCRMA Interim Executive Director, informed the Court that TxDOT does not provide any administrative or grant funds to assist RMAs when they are first established. He stated that the CCRMA is requesting \$250,000 for technical studies to advance the progress of the Toll Equity Grant Applications and to develop the strategic plan and public involvement plan. He informed the Court that the loan will be reimbursed through administrative funds.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Approval of Loan from the International Bridge System to the Cameron County Regional Mobility Authority was **approved**.

(14) CONSIDERATION AND POSSIBLE ACTION REGARDING OFFICE OF RURAL COMMUNITY OF AFFAIRS AWARD OF \$1 MILLION FOR THE 2005 TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION COLONIA EDAP FUND FOR NANCY, SOLISENO, SIERRA ALTO AND LA FERIA GARDENS AS PROPOSED BY THE CITY OF LA FERIA AND APPROVAL OF INTERLOCAL AGREEMENT. (COMM. COURT)

Dylbia Jeffries Vega, Commissioners' Court Legal Counsel, clarified the terms of the agreement and they are as follows: Cameron County is considered the grantee of the monies, the County is going to contract with the City of La Feria to implement the program, the City of la Feria will handle all of the operations (i.e. bidding and negotiations with contractors, etc.), the County will submit all of the drafts for the monies to be paid out, the County will oversee the project and subsequently receive \$8,000.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the agreement was **approved**.

The Documents are as follows:

(9) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS, PROVIDING TAX ABATEMENT TO CERTAIN HISTORICAL PROPERTIES INCLUDED IN THE 2006 CITY OF BROWNSVILLE HERITAGE PLAN. (FB-PD & M)

Mr. Jose A. Gavito, City of Brownsville Heritage Officer, presented the 2006 City of Brownsville Heritage Plan which is in its 19th year. He noted that there are no changes being made from last year to this year. Mr. Gavito stated that research has been done as to the effects the Heritage Program on the neighboring buildings.

He described several renovation projects that have been initiated because of their proximity to historic sites and they are: (1) A Mr. Yturria has completed 2 expansions across from a historic site; one is now valued at \$110,000 and the other at \$315,361, (2) Near the corner of 12th and Adams, there is a project under renovation that was valued at \$84,479 and is now valued at \$111,665, (3) On 12th and Washington, an apartment complex is under renovation that was valued at \$180,000 and is now at over \$200,000, (4) On the corner of 11th and Washington, a gentleman has renovated 4 apartment buildings that have increased in value from \$107,000 to \$135,000, (5) A young man purchased a small house for \$54,000 next door to the Gomez House on Levee St. and after a complete renovation he plans to sell it for over \$300,000, (6) A gentleman, who is retired from the Smithsonian Institute, bought a house across from The Gem that used to be a confederate post office for (2) years during the Civil War and is transforming the house into an art gallery. Mr. Gavito added that these types of renovations are only to the benefit of Brownsville and Cameron County.

Commissioner Tamayo moved that the resolution be approved. The motion was seconded by Commissioner Benavides and carried as follows:

AYE: Commissioner Tamayo, Commissioner Benavides and Commissioner Wood.

NAY: None

ABSTAIN: Judge Hinojosa

The Resolution is as follows:

(4) **PRESENTATION BY DEPARTMENT OF TRANSPORTATION
ON FUNDING REQUESTS FOR PROJECTS THROUGHOUT
CAMERON COUNTY. (PS-DEPT. OF TRANSPORTATION)**

Mr. David Garcia, Department of Transportation, asked if the Commissioners had any questions on the FY 2007 Cameron County Requests for Federal Funding.

Judge Hinojosa suggested scheduling a workshop on the West Rail Relocation Project and North Rail Relocation Project to update all of the Commissioners on the progress of the projects..

Mr. Garcia added that there will be a meeting on February 22nd, 2006 in regards to the projects and suggested to have the workshop on that same day, if not sooner.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the presentation was **acknowledged**.

The Documents are as follows:

(13) **CONSIDERATION AND APPROVAL OF RESOLUTION
REGARDING THE RIO GRANDE FLOOD CONTROL SYSTEM
REHABILITATION PROGRAM. (PS-DEPT. OF
TRANSPORTATION)**

Mr. David Garcia, Department of Transportation, stated that the resolution is currently being worked on.

Commissioner Wood questioned the sentence “Whereas, the \$2.6 million is less than a quarter of the \$10 million the USIBWC need to fund...” noting that \$2.6 million is actually a little more than a quarter of \$10 million.

Commissioner Benavides moved to approve the resolution with the change proposed by Commissioner Wood in regards to the mathematical error. The motion was seconded by Commissioner Tamayo and carried unanimously.

The Resolution is as follows:

(20) CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A, LOCAL GOVERNMENT CODE, SECTION 262.024 (A)(4) FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY FOR PROFESSIONAL SERVICES FOR ASSISTANCE IN OBTAINING MONIES FOR THE LEVEE REHABILITATION PROGRAM AND AUTHORIZATION FOR DIRECT NEGOTIATION FOR SUCH SERVICES. (DJV-LEGAL)

Pete Sepulveda, Department of Transportation Director, clarified the exemption is to negotiate an agreement or contract with Dos Logistics, Inc. to help secure funding for the Levee Rehabilitation Program

Commissioner Tamayo moved to approve the exemption. The motion was seconded by Commissioner Benavides and carried unanimously.

The Exemption and Documentation are as follows:

**(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 was **approved**.

The Documentation is as follows:

**(6) APPROVAL OF MINUTES FOR:
(A) December 8, 2005-Special Meeting**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the minutes for December 8, 2005-Special Meeting was **approved**.

(7) APPROVAL OF CLAIMS.

Mark Yates, County Auditor, presented the following late claim:

Warrant No. 153791, payable to Bank of America Leasing & Capital, in the amount of \$13,541.59.

Commissioner Wood motion to approve the Claims, inclusive of the late claim. The motion was seconded by Commissioner Tamayo and carried unanimously.

The Claims are as follows:

**(8) CONSIDERATION AND AUTHORIZATION TO ADD
COMPUTER EQUIPMENT FOR THE DISTRICT
ATTORNEYS OFFICE TO THE 2005-2006 EQUIPMENT
LIST. (XV-BUDGET OFFICER)**

Xavier Villarreal, Budget Officer, stated that the original 2005-2006 Equipment List was not complete as the District Attorney's Office list was not sent to him directly, but was forwarded to the computer center.

Commissioner Tamayo wanted clarification as to who was at fault for not correctly forwarding the District Attorney's Office list.

Mr. Villarreal stated that he sent out a memo and a copy of the request form to all departments and gave them 2-3 weeks to turn in their requests. At that time, the request should have been sent to him directly, but the District Attorney's Office sent their request to the computer center.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Authorization to Add Computer Equipment for the District Attorney's Office to the 2005-2006 Equipment List was **approved.**

The Documentation is as follows:

(11) **CONSIDERATION AND SELECTION OF FIRM TO PREPARE
A STORM WEATHER PREVENTION PLAN FOR CAMERON
COUNTY. (PS-DEPT. OF TRANSPORTATION)**

Pete Sepulveda, Department of Transportation Director, requested to begin negotiations with TEDSI to prepare a storm weather prevention plan for Cameron County based on the recommendation of the committee which includes Remi Garza, Xavier Villarreal and Mike Forbes .

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Selection of a Firm to Prepare a Storm Weather Prevention Plan for Cameron County was **approved**.

The Documentation is as follows:

(12) **CONSIDERATION AND APPROVAL OF AMENDING THE SALARY SCHEDULES FOR PLANNING & INSPECTIONS AND ENGINEERING DIVISIONS OF THE DEPARTMENT OF TRANSPORTATION AND CREATING A POSITION FOR AN ADMINISTRATIVE ASSISTANT WITHIN CONSTRUCTION MANAGEMENT DIVISION. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the amendment was **approved**.

(21) **CONSIDERATION AND POSSIBLE APPROVAL OF MEMORANDUM OF UNDERSTANDING AGREEMENT WITH THE CITY OF BROWNSVILLE/BROWNSVILLE URBAN SYSTEM. (DJV-LEGAL)**

Dylbia Jeffries Vega, Commissioners' Court Legal Counsel, asked to clarify the agreement made between Cameron County and the City of Brownsville/Brownsville Urban System with regards to the monies (\$21,177) and the implication that the County agreed to provide funding for more than one year and to fund more routes in the future.

Judge Hinojosa stated that the agreement was to fund the route in Cameron Park for one year only and if more funding was needed, the Commissioners' Court would evaluate the situation at that time.

Xavier Villarreal, Budget Officer, added that there are funds available for allocation, if the monies were needed at once.

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the agreement was **approved**.

The Agreement 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 AGENDA ITEMS:

Pete Sepulveda, Department of Transportation Director, added that Item No. 35, was subject to TxDOT approval and asked to omit Item No. 40 "K".

Commissioner Benavides moved that the "Travel and Consent Items" be approved, excluding Item No. 20, Item No. 21, Item No. 40 "K" and Item No. 35 be subject to TxDOT approval.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (16) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING PASTOR VICTOR ALVAREZ FOR OUTSTANDING COMMUNITY SERVICE. (COMM. COURT)**
- (17) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. SERGIO HERNANDEZ FOR COMMUNITY SERVICE. (COMM. COURT)**
- (18) CONSIDERATION AND APPOINTMENT OF MS. ADELA GARZA TO THE TROPICAL TEXAS MENTAL HEALTH AND MENTAL RETARDATION BOARD OF DIRECTORS. (COMM. COURT)**
The Documentation is as follows:
- (19) CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A, LOCAL GOVERNMENT CODE, SECTION 262.024 (A)(4) FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY FOR ENGINEERING SERVICES FOR AN ENVIRONMENTAL ASSESSMENT AND SCHEMATIC DESIGN OF THE SOUTH CORRIDOR ALIGNMENT BETWEEN THE CITY OF HARLINGEN AND THE CITY OF SAN BENITO AND AUTHORIZATION FOR DIRECT NEGOTIATIONS WITH L&G ENGINEERING. (DJV-LEGAL)**
The Exemption is as follows:
- (22) CONSIDERATION AND AUTHORIZATION TO ALLOW THE DISTRICT CLERK'S OFFICE TO USE THE EZNETPAY CREDIT CARD PROCESSING SERVICES PROVIDED BY HAMER ENTERPRISES. (ADLG-DISTRICT CLERK)**
The Documentation is as follows:
- (23) CONSIDERATION AND AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 25.25 © OF THE TEXAS PROPERTY TAX CODE TO: (TY-TAX ASSESSOR-COLLECTOR)**
 - A. VALLEY RAINBOW LTD., \$3,071.23, DELETE ACCOUNT**
 - B. JP MORGAN CHASE BANK, \$3,548.60, CHANGE VALUE****The Documentation is as follows:**
- (24) CONSIDERATION AND RATIFICATION OF LETTERS TERMINATING BILLING AND COLLECTION CONTRACTS WITH CITY OF PRIMERA, CITY OF SAN BENITO, MILITARY HIGHWAY WATER SUPPLY CORPORATION, OLMITO WATER SUPPLY CORPORATION, EL JARDIN WATER SUPPLY CORPORATION, CITY OF LA FERIA, BROWNSVILLE PUBLIC UTILITIES BOARD AND CITY OF SANTA ROSA. (RB-LEGAL)**
- (25) CONSIDERATION AND AUTHORIZATION TO PURCHASE APC SYMMETRA AND CISCO SWITCHES WITH INSTALLATION AND CONFIGURATION, UTILIZING STATE OF TEXAS QUALIFIED INFORMATION SERVICES VENDOR (QISV) (PRESIDIO). (RJ-COMPUTER CENTER)**

The Documentation is as follows:

- (26) **CONSIDERATION AND AUTHORIZATION OF CONTRACT FOR CRIME ANALYST FOR THE SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (AV-DA)**
The Contract is as follows:
- (27) **CONSIDERATION AND AUTHORIZATION TO HOLD A CAMERON COUNTY ANNUAL SURPLUS EQUIPMENT AUCTION ON JULY 15, 2006. (MY-AUDITOR)**
- (28) **CONSIDERATION AND APPROVAL TO AMEND CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL SERVICES SECTION TO PROVIDE ESSENTIAL PUBLIC HEALTH SERVICES IN CAMERON COUNTY. (YS-HEALTH)**
The Contract is as follows:
- (29) **CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)**
A. TRACTOR & MOWER (QTY. 1) PUBLIC WORKS-BID #060105 TO HARLINGEN IMPLEMENT
B. SWEEPER (QTY. 1) PUBLIC WORKS-BID #060103 TO NUECES POWER EQUIPMENT
C. VANS (QTY. 2) AUTO (QTY. 1)-BID #060104 TO CHAMPION FORD AND TIP-O-TEX CHEVROLET
The Tabulation is as follows:
- (30) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS FOR: (MF-PURCHASING)**
A. ROLLERS (QTY. 4)-BID #060106
- (31) **CONSIDERATION AND APPROVAL TO CLOSE GATEWAY BRIDGE TO SOUTHBOUND TRAFFIC ON FEBRUARU 23, 2006 BETWEEN 9:00 A.M. AND 10:00 A.M., 2:30 P.M. AND 5:00 P.M., ON FEBRUARY 24, 2006 BETWEEN 7:00 P.M. AND 9:00 P.M. AND ON FEBRUARY 25, 2006 BETWEEN 12:00 NOON AND 5:00 P.M. FOR CHARRO DAYS FESTIVITIES. (PS-DEPT. OF TRANSPORTATION)**
- (32) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND TEMPLO SHEKINA TO SET UP A BOOTH TO SELL FOOD AND SOFT DRINKS DURING CHARRO DAYS IN THE OSCAR DANCY PARK. (PS-DEPT. OF TRANSPORTATION)**
The Agreement is as follows:
- (33) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE BROWNSVILLE FIFTY AND OVER GOLF CLUB TO SET UP A BOOTH TO SELL FOOD AND SOFT DRINKS DURING CHARRO DAYS IN THE OSCAR DANCY PARK. (PS-DEPT. OF TRANSPORTATION)**
The Agreement is as follows:
- (34) **CONSIDERATION AND APPROVAL FOR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO ANAYLZE THE POSSIBILITY OF INTERGRATING TOLL COLLECTION SYSTEMS AT ISLA BLANCA PARK AND ADOLPH THOMAE PARK INTO THE INTERNATIONAL BRIDGE SYSTEM TOLL SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (35) **CONSIDERATION AND APPROVAL OF RESOLUTION REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION TRANSFER FUNDS IN THE AMOUNT OF \$340,000 FROM THE GRACIA BRIDGE PROJECT TO THE NELSON ROAD BRIDGE PROJECT. (PS-DEPT. OF TRANSPORTATION)**
- (36) **CONSIDERATION AND AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE A CONTRACT WITH THE TEDSI INFRASTRUCTURE INC. TO DEVELOP APPLICATIONS FOR THE HAZARD ELIMINATION SAFETY PROGRAM CALL THROUGH THE EXISTING EVERGREEN CONTRACT. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (37) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE A CONTRACT WITH L&G ENGINEERING TO DEVELOP AN**

ENVIRONMENTAL ASSESSMENT FOR THE SOUTH CORRIDOR IN THE HARLINGEN SAN BENITO AREA. (PS-DEPT. OF TRANSPORTATION)

The Documentation is as follows:

- (38) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 10, 2006 TO FEBRUARY 28, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA DE CARRICITOS SUBDIVISION PHASE III, PRECINCT NO. 3. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

- (39) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**

- A. PRECINCT NO. 4- PELLICAN'S LANDING ESTATES SUBDIVISION, BEING ALL OF BLOCK 100 AND 3.50 ACRES OF BLOCK 99, WILSON TRACT SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 9, PAGE 28 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

The Documentation is as follows:

TRAVEL ITEMS

- (40) 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) COUNTY EXTENSION AGENT, TO TRAVEL TO SAN ANTONIO, TX, ON 2/16-19/06, TO ACCOMPANY AND SUPPORT THE CAMERON COUNTY 4-H PARTICIPANTS AT THE SAN ANTONIO STOCK SHOW AND RODEO.**
- (B) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO AUSTIN, TX ON 1/31-2/2/06, TO ATTEND 2006 COURTS & LOCAL GOVERNMENT TECHNOLOGY CONFERENCE.**
- (C) COUNTY DRUG ENFORCEMENT TASK INVESTIGATORS (6), TO TRAVEL TO KENNEDY, TX, ON 2/17/06, TO TAKE APPROXIMATELY 5-7 CARS TO AUCTION AT KENNEDY COUNTY S.O. AUCTION.**
- (D) CONSTABLE PRECINCT NO. 7, TO TRAVEL TO SAN ANTONIO, TX, ON 2/21-22/06, TO ATTEND PUBLIC TRAINING COUNCIL "MANAGING CRIMINAL INVESTIGATIONS TRAINING."**
- (E) PUBLIC HEALTH RESPONSE PROGRAM SUPERVISOR AND SNS COORDINATOR, TO TRAVEL TO FALFURRIAS, TX, ON 2/10/06, TO ATTEND THE DEPARTMENT OF STATE HEALTH SERVICES REGIONAL STRATEGIC NATIONAL STOCKPILE (SNS) REVIEW MEETING.**
- (F) HEALTH ADMINISTRATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 2/13/06, TO PARTICIPATE IN ONE OF FIFTEEN FOCUS GROUPS TO BE HELD THROUGHOUT TEXAS.**
- (G) JUSTICE OF THE PEACE PRECINCT 3, PLACE 1, TO TRAVEL TO BOERNE, TX, ON 2/27/06M TO ATTEND ONE DAY WORKSHOP.**
- (H) JUSTICE OF THE PEACE PRECINCT 2, PLACE 2 COURT CLERK, TO TRAVEL TO SAN ANTONIO, TXM IN 3/5-8/06, TO ATTEND TEXAS JUSTICE COURT TRAINING CENTER- EXPERIENCED CLERK SEMINAR.**
- (I) JUVENILE PROBATION BOOT CAMP CAPTAIN AND LIEUTENANT, TO TRAVEL TO AUSTIN, TX, ON 2/23-24/06, 3/16-17/06, 4/20-21/06, 5/25-26/06, 6/4-5/06 AND 6/29-30/06, TO ATTEND "DRILL INSTRUCTORS CONTINUATION DEVELOPMENT.**

- (J) DIRECTOR OF DEPARTMENT OF TRANSPORTATION AND MEMBERS OF THE COMMISSIONERS' COURT, TO TRAVEL TO PLANO, TX, ON 2/27-28/06, TO ATTEND A HOUSE TRANSPORTATION COMMITTEE MEETING.**
- (K) DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO SAN ANTONIO, TX, ON 2/13/06, TO MEET WITH HNTB REGARDING THE WEST RAIL PROJECT.**
- (L) PD&M CD COORDINATOR, TO TRAVEL TO MERCEDES, TX, ON 2/16/06, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.**
- (M) HUMAN RESOURCES ASSISTANT ADMINISTRATOR, TO TRAVEL TO EDINBURG, TX, ON 2/18/06, TO ATTEND SOCIETY FOR HUMAN RESOURCES TRAINING COURSE.**

- (18) **CONSIDERATION AND APPOINTMENT OF MS. ADELA GARZA TO THE TROPICAL TEXAS MENTAL HEALTH AND MENTAL RETARDATION BOARD OF DIRECTORS. (COMM. COURT)**
The Documentation is as follows:

- (19) **CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A, LOCAL GOVERNMENT CODE, SECTION 262.024 (A)(4) FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY FOR ENGINEERING SERVICES FOR AN ENVIRONMENTAL ASSESSMENT AND SCHEMATIC DESIGN OF THE SOUTH CORRIDOR ALIGNMENT BETWEEN THE CITY OF HARLINGEN AND THE CITY OF SAN BENITO AND AUTHORIZATION FOR DIRECT NEGOTIATIONS WITH L&G ENGINEERING. (DJV-LEGAL)**
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SECTION 25.25 © OF THE TEXAS PROPERTY TAX CODE TO: (TY-TAX ASSESSOR-COLLECTOR)**
- A. VALLEY RAINBOW LTD., \$3,071.23, DELETE ACCOUNT**
 - B. JP MORGAN CHASE BANK, \$3,548.60, CHANGE VALUE**
- The Documentation is as follows:**

- (25) CONSIDERATION AND AUTHORIZATION TO PURCHASE APC SYMMETRA AND CISCO SWITCHES WITH INSTALLATION AND CONFIGURATION, UTILIZING STATE OF TEXAS QUALIFIED INFORMATION SERVICES VENDOR (QISV) (PRESIDIO). (RJ-COMPUTER CENTER)**
The Documentation is as follows:

- (26) CONSIDERATION AND AUTHORIZATION OF CONTRACT FOR CRIME ANALYST FOR THE SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (AV-DA)**
The Contract is as follows:

- (28) CONSIDERATION AND APPROVAL TO AMEND CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL SERVICES SECTION TO PROVIDE ESSENTIAL PUBLIC HEALTH SERVICES IN CAMERON COUNTY. (YS-HEALTH)**
The Contract is as follows:

- (29) **CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)**
- A. TRACTOR & MOWER (QTY. 1) PUBLIC WORKS-BID #060105 TO HARLINGEN IMPLEMENT**
 - B. SWEEPER (QTY. 1) PUBLIC WORKS-BID #060103 TO NUECES POWER EQUIPMENT**
 - C. VANS (QTY. 2) AUTO (QTY. 1)-BID #060104 TO CHAMPION FORD AND TIP-O-TEX
CHEVROLET**

The Tabulation is as follows:

- (32) CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND TEMPLO SHEKINA TO SET UP A BOOTH TO SELL FOOD AND SOFT DRINKS DURING CHARRO DAYS IN THE OSCAR DANCY PARK. (PS-DEPT. OF TRANSPORTATION)**
The Agreement is as follows:

- (33) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE BROWNSVILLE FIFTY AND OVER GOLF CLUB TO SET UP A BOOTH TO SELL FOOD AND SOFT DRINKS DURING CHARRO DAYS IN THE OSCAR DANCY PARK. (PS-DEPT. OF TRANSPORTATION)**
The Agreement is as follows:

- (36) CONSIDERATION AND AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE A CONTRACT WITH THE TEDSI INFRASTRUCTURE INC. TO DEVELOP APPLICATIONS FOR THE HAZARD ELIMINATION SAFETY PROGRAM CALL THROUGH THE EXISTING EVERGREEN CONTRACT. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

- (37) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE A CONTRACT WITH L&G ENGINEERING TO DEVELOP AN ENVIRONMENTAL ASSESSMENT FOR THE SOUTH CORRIDOR IN THE HARLINGEN SAN BENITO AREA. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

- (38) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 10, 2006 TO FEBRUARY 28, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA DE CARRICITOS SUBDIVISION PHASE III, PRECINCT NO. 3. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

- (39) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4- PELLICAN'S LANDING ESTATES SUBDIVISION, BEING ALL OF BLOCK 100 AND 3.50 ACRES OF BLOCK 99, WILSON TRACT SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 9, PAGE 28 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**
- The Documentation is as follows:**

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously,

the Court met in Executive Session at 10:54 A.M. to discuss the following matters:

(41) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (B) & (2).**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.071 (2).**
- (C) 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.**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING PROPERTY AT THE SAN BENITO ANNEX, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) DISCUSSION AND AUTHORIZATION TO INITIATE LITIGATION AGAINST BROWN, VENCE & ASSOCIATES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A).**
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING VICENTA CANTU; FELIX R. MUNOZ, RUTH WEAVER AND DIAMANTINA ALVARADO VS. CAMERON COUNTY AND TONY YZAGUIRRE, JR.; CIVIL ACTION NO. B-03-096 IN THE UNITED STATE DISTRICT COURT, OFR DISCUSSION ON STATUS OF CASE AND AUTHORITY FOR CAMERON COUNTY LEGAL DIVISION TO TAKE OVER THE LEGAL REPRESENTATION OF CAMERON COUNTY FROM WILLETTE & GUERRA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).**
- (G) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.072.**
- (H) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN THE COMMUNITY OF LA PALOMA PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.072.**
- (I) DELIBERATION REGARDING THE SALE OF REAL PROPERTY FOR FM 511 EXPANSION PROJECT, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.072.**
- (J) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE SOLID WASTE DISPOSAL SITTING ORDINANCE CAMERON COUNTY 2005-ORDER 1-A, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.071 (2).**
- (K) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING SUB-LEASE AGREEMENT WITH LAGUNA MADRE ENHANCEMENT GROUP REGARDING PROPERTY AT ISLA BLANCA PARK, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.071 (2) & 551.087.**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried

unanimously, the Court reconvened into Regular Session at 11:34 A.M. to discuss the following matters:

(42) ACTION RELATIVE TO EXECUTIVE SESSION

- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (B) & (2).**

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

- B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.071 (2).**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Status Report by County Judge was acknowledged.

- C. 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 Tamayo, seconded by Commissioner Wood and carried unanimously, the Status Report by Frank Bejarano was acknowledged.

- D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING PROPERTY AT THE SAN BENITO ANNEX, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

- E. DISCUSSION AND AUTHORIZATION TO INITIATE LITIGATION AGAINST BROWN, VENCE & ASSOCIATES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A).**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Legal Counsel was acknowledged and authorization for the Cameron County Legal Division to proceed as discussed in Executive Session was approved.

- F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING VICENTA CANTU; FELIX R. MUNOZ, RUTH WEAVER AND DIAMANTINA ALVARADO VS. CAMERON COUNTY AND TONY YZAGUIRRE, JR.; CIVIL ACTION NO. B-03-096 IN THE UNITED STATE DISTRICT COURT, FOR DISCUSSION ON STATUS OF CASE AND**

AUTHORITY FOR CAMERON COUNTY LEGAL DIVISION TO TAKE OVER THE LEGAL REPRESENTATION OF CAMERON COUNTY FROM WILLETTE & GUERRA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Status Report by Legal Counsel was acknowledged and authorization for the Cameron County Legal Division to take over Legal Representation from Willette & Guerra was approved.

G. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND 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 was acknowledged.

H. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN THE COMMUNITY OF LA PALOMA 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, the Status Report by Pete Sepulveda was acknowledged.

I. DELIBERATION REGARDING THE SALE OF REAL PROPERTY FOR FM 511 EXPANSION PROJECT, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Pete Sepulveda was acknowledged.

J. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE SOLID WASTE DISPOSAL SITTING ORDINANCE CAMERON COUNTY 2005-ORDER 1-A, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.071 (2).

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

K. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING SUB-LEASE AGREEMENT WITH LAGUNA MADRE ENHANCEMENT GROUP REGARDING PROPERTY AT ISLA BLANCA PARK, PURSUANT TO V.T.C.A.GOVERNMENT CODE, SECTION 551.071 (2) & 551.087.

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

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 11:37 A.M.

APPROVED this 11th day of **April 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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