

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 24th day of APRIL, 2001, there was conducted a SPECIAL Public 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.

THE COURT MET AT:

4:00 P.M.

PRESENT:

COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.
COMMISSIONER, PRECINCT NO. 2

DAVID GARZA
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD "TIVIE" VALENCIA
COMMISSIONER, PRECINCT NO. 4

Veronica Lara Deputy
COUNTY CLERK

ABSENT:

=====
The meeting was called to order by Judge Pro-tem Carlos H. Cascos, C.P.A., at 4:04 P. M. He then asked Constable Frank Robles Jr., Precinct No. 3, to lead the Court and the 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 April 20, 2001, at 11:48 A. M.:

(2) **APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES**

Commissioner Garza questioned the Budget Amendments regarding the Unidos Podemos Grant, and the Budget Officer responded that Grants were awarded in categories, and the amendments placed the funds in the Line Items needed for the operations.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Fiscal Year 2001 Budget Amendment No. 2001-20, was approved.

The Budget Amendment is as follows:

PRESENTATION ITEM

(1) **ACKNOWLEDGMENT OF THE DISTRICT CLERK'S JANUARY, FEBRUARY AND MARCH'S MONTHLY FEE AND FINES REPORT**

Mr. Mark Yates, County Auditor, explained that the General Fund Revenues were being reviewed and a report would be presented to the Commissioners' Court on May 1, 2001. He added that the County and District Clerks' Reports reflected gross revenues, adding that the majority of the District Clerk's revenues went to the State, whereas most of the cost for the District Courts was borne by the County.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously the District Clerk's, January, February and March's Monthly Fee and Fines Report, was approved as presented.

The Report is as follows:

ACTION ITEMS

(3) **ADOPTION OF A RESOLUTION DEDICATING THE PUBLIC WORKS BROWNSVILLE WAREHOUSE IN HONOR OF MR. ANASTACIO GUILLEN, FOR HIS 40 YEARS OF SERVICE TO CAMERON COUNTY, TEXAS**

Commissioner Benavides recommended that the new warehouse to be built on Browning Street in Precinct No. 1, be named in honor of Mr. Anastacio Guillen, Brownsville resident, in honor of his forty (40) years of service to Cameron County, on the occasion of his retirement.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously the Resolution dedicating the Public Works Brownsville Warehouse in honor of Mr. Anastacio Guillen for his 40 years of service to Cameron County, Texas, was adopted.

At this time, Judge Pro tem Cascos suggested a policy be drafted that defined the guidelines and criteria to name County buildings, or any other dedications.

(4) **IN THE MATER OF ADOPTION OF A RESOLUTION REGARDING A TEMPORARY RESTRICTION OF NEW HIRES IN CAMERON COUNTY (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, this Item was **TABLED** for one (1) week.

(5) **POSSIBLE ACTION REGARDING THE CAMERON COUNTY INDIGENT HEALTH CARE PROGRAM**

Judge Pro tem Cascos noted that he received a call from Ms. Delma Sanchez, Social Worker, regarding the case by case basis regarding the health payments, and he clarified his point, that being that he supported anyone already in the program, at any level, for continuing medical attention for the on - going treatments or for scheduled surgeries.

Ms. Yvette Salinas, Health Administrator, explained that the draft policies for the Gatekeeper Program strictly addressed individuals with an income level of twenty-one (21) percent or below, and that the UTMB Contract primarily addressed individuals with an income level between twenty-two (22) to one hundred (100) percent.

Mr. Mark Yates, County Auditor, explained that the Indigent Health Payment Plan was not to be represented as being an assistance program for medical care, because it would be migrating the health care provision. He added that any patient needing on-going treatment or surgery would be referred to the Health Authority and Gatekeepers for review.

Mr. Yates reported that 1.7 million dollars were budgeted and that the State committed \$342,020 in funds; however; UTMB bills were taking 45 to 60 days to receive. He noted that he had spoken with the Indigent Health Care Program Representative from the Texas Department of Health, and added that they had stipulated that as of May 1st, funds would be reallocated for Counties needing funds, but the amounts were not confirmed.

Commissioner Benavides stated that an indigent person drowned near the river, and questioned the status of the case.

Mr. Yates responded that Delta Home Funeral Services was handling the matter, and added that \$1,000 was authorized, adding that the amount of \$225,000 was budgeted for burial services and autopsies for indigent persons. Mr. Yates explained that several issues needed to be researched concerning the matter of funeral expense responsibilities regarding victims found on the river, and whether it was a “international-border” issue or a County issue.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the reports from Ms. Yvette Salinas, Health Administrator, and Mr. Mark Yates, County Auditor, regarding the Cameron County Indigent Health Care Program, were acknowledged.

(3) **ADOPTION OF A RESOLUTION DEDICATING
THE PUBLIC WORKS BROWNSVILLE
WAREHOUSE IN HONOR OF MR. ANASTACIO
GUILLEN, FOR HIS 40 YEARS OF SERVICE TO
CAMERON COUNTY, TEXAS**

At this time, Judge Pro tem Cascos read the Resolution dedicating the Public Works Brownsville Warehouse in honor of Mr. Anastacio Guillen, Brownsville resident, for his 40 years of service to Cameron County, Texas, on the occasion of his retirement.

At this time, Ms. Graciela Guillen Lopez, daughter, thanked the Court on behalf of her father, and expressed the family’s appreciation for the honor given to him; adding that the Resolution would be presented to him on Friday, as he celebrated his retirement and his seventy-eighth (78) birthday.

The Resolution is as follows:

████████████████████

(6) **POSSIBLE ACTION REGARDING MODIFICATION, ADDITIONS AND/OR DELETIONS AT THE CAMERON COUNTY DETENTION FACILITY AND SHERIFF'S DEPARTMENT, AND ISSUES RELATED THERETO**

At this time, Mr. Mark Yates, County Auditor, reported concerns on leakage in the building, and added that the roof had a tarp which was not completely fixed over the edge of the ceiling, noting that Landmark would repair any water damage that occurred.

COMMISSIONER VALENCIA JOINED THE MEETING

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the report regarding modifications, additions and/or deletions at the Cameron County Detention Facility and Sheriff's Department and issues related thereto, was acknowledged.

████████████████████

(7) **IN THE MATTER REGARDING CAMERON COUNTY AND CITIES CHALLENGING CENSUS 2000 COUNTS AND ISSUES RELATED THERETO (NO ACTION TAKEN)**

At this time, Commissioner Garza requested a report to be provided by Mr. Rolando Rios, Attorney-at-Law, concerning the litigation on the matter, and County Legal Counsel noted that Mr. Rios had sent a schedule for presentations, and the suggestion was made to place the Item on the Agenda next week.

████████████████████

(8) **APPROVAL OF EXTRA HELP FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT, NOT TO EXCEED \$5,800 TO CONDUCT FIELD SURVEY'S; PURSUANT TO THE COUNTY'S CENSUS 2000 CHALLENGE AND DESIGNATION OF FUNDING SOURCE**

Judge Pro tem Cascos indicated the Census count had been previously anticipated should be pursued and added that the funding source would be from lapsed salaries.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, extra help was approved for the Program Development and Management Department, to conduct field survey's, pursuant to the County's Census 2000 challenge, said funding to be allocated from lapsed salaries and that the amount of \$5,800, be placed in a Census Budget Account, in order to keep track of spending.

Mr. Mark Yates, County Auditor, noted that the Budget Officer would present a plan for funding, in order for the Court to designate the funds.

At this time, Mr. Javier Villarreal, Budget Officer, explained that the monies were budgeted for lawsuits and the Contract with Mr. Rolando Rios was part of the lawsuit and would be handled through the Civil Division.

Mr. Frank Bejarano, Program Development and Management, explained that the Census challenge consisted of a two-fold attempt by the County to increase the count, and the first part was the lawsuit. He added that additional data had to be obtained for the attorneys, consisting of counting housing units throughout the County's jurisdiction, and added that the information collected would be utilized during the Administrative Review Process in June.

Commissioner Valencia questioned whether four (4) employees for four (4) weeks would be sufficient employees and time to cover the entire County.

Mr. Bejarano responded that part of the County had been counted, and that based on current staff support and the extra assistance, the entire County should be covered. He noted that he had prepared two budgets, and recommended that the minimum amount be approved, and should they need additional assistance, they would return to the Court.

(9) **AUTHORIZATION FOR PUBLIC WORKS TO
PERFORM WORK ON MONTE CARLO AVENUE
IN DEL MAR HEIGHTS**

Judge Pro tem Cascos explained that information previously obtained on this Item indicated that the roads were not public; however, additional information was received indicating that some of those roads were public and the work could be performed, subject to approval by the Court.

Mr. Douglas Wright, Court Legal Counsel, indicated that the legal opinion given previously was based on the information that was received that the roads were not public; however, a copy of the subdivision was received and reviewed, and it clearly indicated the roads were dedicated for public purpose. He explained that as a policy, the Court tended not to work on public roads, unless the roads were taken into the County System and made part of the County Roads; however, when public roads and private roads were involved, there were exceptions. He explained that roads had to be up to County's minimal standards, in order for work to be authorized, except when the public safety was an issue. He noted that according to the documents, the public safety involved the children and the difficulty of the school buses and emergency vehicles to operate on said roads, in order to protect the public interests.

Mr. Wright emphasized that the Court had to make the finding, from a policy standpoint, that there was a public safety issue, and that the Court finds that it is appropriate to spend County monies on the public road, in order to bring them to County minimum standards, in order to protect the public interest.

Commissioner Valencia requested that the Public Works Director/County Engineer be present before continuing with the matter.

[REDACTED]

(10) **IN THE MATTER TO PAY THE LICENSING FEE TO THE TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY, ANY PENDING LATE FEE ON BEHALF OF COUNTY COURT AT LAW JUDGE ELIA CORNEJO-LOPEZ (TABLED)**

Commissioner Benavides moved that this Item be **TABLED**.

The motion was seconded by Commissioner Valencia.

At this time, Commissioner Garza questioned if the payment of the license fee was directly related to the job duties of a Judge, and if there was a policy regarding paying licenses for any employee.

Mr. Mark Yates, County Auditor, explained that Judge Elia Cornejo Lopez, County Court at Law No. 2, had originally placed the matter to be paid as a claim, but that he made a determination not to pay the claim as a County fee. He noted that at one time, the Court did not authorize the payment of license fees; but subsequently some certifications were paid for individuals that performed their professions on behalf of the County.

At this time, Mr. Douglas Wright, Court Legal Counsel, explained that maintaining a C.P.A. license was not required for the position of County Court at Law Judge.

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

[REDACTED]

(11) **ACTION RELATIVE TO THE SEASONAL MAINTENANCE AND OPERATION OF BEACH ACCESS NO. 6, SOUTH PADRE ISLAND, FROM MAY 1, 2001 THROUGH SEPTEMBER 30, 2001**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the request for seasonal maintenance and operation of Beach Access No. 6, South Padre Island from May 1, 2001 through September 30, 2001, was approved.

(12) AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE A WAIVER OF RETROACTIVITY FOR THE 115 ACRES OF PARK LAND FOR THE PROPOSED PRECINCT NO. 1

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the County Judge was authorized to execute a Waiver of Retroactivity for the 115 acres of park land for the proposed Precinct No. 1 Park.

The Waiver is as follows:

████████████████████

(13) **POSSIBLE ACTION REGARDING PART-TIME
POSITION FOR CONSTABLE PRECINCT NO. 3**

At this time, Constable Frank Robles Jr., Precinct No. 3, explained that he had requested extra assistance for the solid waste enforcement, but had not received any help as of yet.

Mr. Mark Yates, County Auditor, explained that the positions of secretary were not budgeted for the Constables, and reported that Constable Precinct No. 2 was also requesting a secretary.

Judge Pro tem Cascos explained that any new position would be reviewed on a case by case basis, and it would be difficult to decline requests for additional assistance when previous requests were approved. He added that there were no discretionary monies for new positions and funds would be obtained from lapsed salaries. He reminded the Court that these problems were discussed during the budget process last year, and that at that time they were advised that there would be a half (½) million dollars shortfall for the health insurance and the Indigent Health Care Program. He questioned what “was going to be done next Fiscal Year to meet the obligations of filling positions and giving raises, because when one thing was taken at a time, it was not a big deal, but when putting them together and annualizing it was a big deal”.

Mr. Yates reported that seven (7) new secretaries for Constables, fourteen (14) jailers, three (3) maintenance personnel, and computer personnel would have to be hired when the new Jail opened January 2002.

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the part-time position for Constable Precinct No. 3, was approved.

████████████████████

(9) **AUTHORIZATION FOR PUBLIC WORKS TO
PERFORM WORK ON MONTE CARLO AVENUE
IN DEL MAR HEIGHTS**

At this time, Mr. Juan Bernal, Public Works Director/County Engineer, referred to the attached revised copy of Road Policies, adopted by Commissioners’ Court in September 1997, and suggested to utilize the policy to work on roads in Del Mar Heights, especially on Monte Carlo Avenue:

Judge Pro tem Cascos noted that the attached memorandum dealt with private roads and questioned if an amendment to the existing Road Policy would be made, noting “private roads”, should be replaced with “public roads”.

Mr. Douglas Wright, Court Legal Counsel, read an excerpt from the Road Policy that “private roads in recorded subdivisions, which do not meet current County standards, can be considered for maintenance by the County, provided the landowners donate additional right-of-way”, noting that the landowners would not donate right-of-way, unless it was made a public road.” He added that in order to apply the amended Road Policy, the private roads had to become public roads and that, from a policy standpoint and a public safety issue, it had to be recognized by the Court. He added that the County Engineer had to suggest that minimal maintenance was needed for these roads, because they were not safe for the operation of school buses and emergency vehicles access.

Mr. Bernal explained that the roads were in very bad condition, and recommended grading to be done with recycled material donated to the County by the Texas Department of Transportation (TxDot), noting a safety hazard was present for school buses and emergency vehicles, in order to access the community for the public safety.

Commissioner Garza moved that Public Works be authorized to perform work on Monte Carlo Avenue in Del Mar Height, on the Court findings that safety hazards existed for school buses and emergency vehicles, in order to obtain access to these roads, as recommended by the Public Works Director/County Engineer.

The motion was seconded by Commissioner Valencia and carried unanimously.

COMMISSIONER VALENCIA LEFT THE MEETING



(14) AUTHORIZATION OF A BLANKET EASEMENT TO SOUTHERN UNION GAS COMPANY FOR THE INSTALLATION OF GAS LINES TO SERVE THE SHERIFF FACILITY AND THE DETENTION CENTER AT THE NEW JAIL SITE

At this time, Mr. Douglas Wright, Court Legal Counsel, questioned if the matter concerned a blanket easement, noting the County had a policy against blanket easements, because that would allow the company the right to place lines at their discretion, and the County needed the specific descriptions, in writing.

Mr. Juan Bernal, Public Works Director/County Engineer, replied that the alignments for the blanket easement were drawn for the Southern Union Gas to place the gas lines, noting that the metes and bounds would be established and presented to the Commissioners’ Court, in order to officially accept it as an easement.

Mr. Wright recommended that approval be given, subject to the Gas Company providing the specific description of the gas lines.

Commissioner Benavides moved that a Blanket Easement to Southern Union Gas Company for the installation of gas lines be approved, in order to serve the Sheriff Facility and the Detention Center at the new jail site, subject to Legal review prior to final Court approval.

The motion was seconded by Commissioner Garza.

AT THIS TIME, COMMISSIONER VALENCIA JOINED THE MEETING

Commissioner Garza questioned whether the requirement of the metes and bounds would delay the delivery of gas to that facility, and the County Engineer responded in the affirmative, noting that in order to obtain the metes and bounds, the County would need to hire a surveyor to detail the metes and bounds and seal the drawings, thus the reason for the blanket easement.

Mr. Wright suggested that the motion allow a blanket easement for construction only, and that upon completion of construction, that the metes and bounds description be provided for the actual easement.

Commissioner Benavides amended the motion that a Blanket Easement for construction purposes only be approved for Southern Union Gas Company, for the installation of gas lines to serve the Sheriff Facility and the Detention Center at the new jail site, subject to providing the metes and bounds description for the actual easement upon completion of the construction.

The motion was seconded by Commissioner Valencia.

Mr. Wright explained that a legal description could not be provided concerning the location of the lines and suggested a blanket easement be given, in order to construct the line, noting that once the lines were constructed a legal description would be provided as to the limits of access, the placement of lines, and maintenance of the lines.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, a Blanket Easement to Southern Union Gas Company was approved for construction purposes only, for the installation of gas lines to serve the Sheriff's Facility and the Detention Center at the new jail site, subject to providing the metes and bounds description for the actual easement upon completion of the construction.

The Blanket Easement is as follows:

████████████████████

(15) **AUTHORIZATION TO ALLOW THE COUNTY ENGINEERING DEPARTMENT TO PROCEED WITH OBTAINING STATEMENTS OF QUALIFICATION FROM APPRAISERS TO DO APPRAISAL REPORT AND REVIEW APPRAISAL REPORTS FOR FM 106 FROM FM 2925 TO FM 803**

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the County Engineering Department was authorized to proceed to obtain statements of qualifications from appraisers to do appraisal report and review appraisal reports for FM 106 from FM 2925 to FM 803.

████████████████████

(16) **AUTHORIZATION TO NEGOTIATE AN AGREEMENT BETWEEN CAMERON COUNTY AND A TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR FM 106 FROM 2925 TO FM 803, AS NEEDED ON A PARCEL BY PARCEL BASIS**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, authorization was given to negotiate an Agreement between Cameron County and a title company to do Title Commitments and Title Policies for FM 106 from FM 2925 to FM 803.

████████████████████

(17) **POSSIBLE ACTION REGARDING REVIEW COMMENTS PROVIDED BY THE TEXAS HISTORICAL COMMISSION AND THE CITY OF BROWNSVILLE; PURSUANT TO THE DANCY BUILDING INTERIOR RESTORATION**

At this time, Mr. Frank Bejarano, Program Development and Management, noted that in March, Mr. Roberto J. Ruiz, Architect, presented the Design Development Plans for the interior restoration for the Dancy Building, and that the design reflected the proposed parking scheme which was presented to the Court and subsequently submitted to the State for review. He reported that the State and the City of Brownsville had provided the review comments, and noted that he wanted to concentrate on several of the comments, in order to give the Architect the direction as to the restoration. He noted that the City of Brownsville would prefer no on-site parking, and that existing parking around the Courtyard Square on County property be eliminated. He explained that staff was under the impression that existing parking was “grandfathered” through City Regulations; however, the City of Brownsville suggested that the County would have to go before the Board of Adjustment and obtain a variance. He noted that the State had the power to review the restoration due to a Preservation Easement which was issued by the County. He added that there were parking issues to be discussed in Executive Session pertaining to possible land acquisitions.

At this time, Mr. Robert Ruiz, Architect, explained that the City of Brownsville adopted a City Ordinance that did not allow “head-in” parking due to the safety issues. He added that the existing parking around the Courtyard Square was “grand-fathered”, and if it would be restrained and redone without a new parking design, the City of Brownsville would not have a problem. He explained that the State would prefer to return to the beautiful landscape area which existed before, because of the historical significance of the site, but the decision had to be made by the County regarding the location of the parking.

Mr. Bejarano indicated that the City of Brownsville requested a dedicated access lane for a fire truck, noting that Mr. Ruiz had met with the Fire Marshall and the Fire Chief, and reached a compromise regarding the access lane.

Mr. Bejarano noted that plans previously presented to the Court included full restoration of the primary areas such as the rotunda, corridors and Courtrooms, which were accessible to the public, and the secondary areas consisting of offices, with new walls and partitions to accommodate individual needs of the Departments. He explained that the State was not only concerned with the exterior portion of the restoration, but with the interior design, and wanted as many walls eliminated from the secondary areas as possible to revert back to the 1912 design. He added that Mr. Ruiz needed specific direction from the Court, whether to proceed with the original schematic design, or follow the States recommendations.

Judge Pro tem Cascos questioned the amount of disruption if the County abided to the State’s requests, concerning the designs and the offices.

Mr. Bejarano responded that the Design Development Process was three (3) weeks behind and added that space would be lost once areas were opened that were dedicated for office space and would affect a number of Departments and space would have to be provided somewhere else.

Commissioner Garza noted that the whole intent of complying with the States Standards consisted of obtaining grant monies, in order for the job to be done instead of the County fully funding the job.

Mr. Ruiz explained that the purpose of submitting the drawings by September 1, 2001, was in order to obtain ten (10) additional points which were assigned by the Texas Historical Commission and be considered one of the Counties in the top point categories; however, that would not guarantee funding.

Mr. Mark Yates, County Auditor, noted that the County would comply with the Texas Historical Commission guidelines; however, the State Legislature would decide whether monies would be appropriated for that purpose by September, noting that the County could reassess the direction it would take, at that time.

Mr. Ruiz suggested meeting with Ms. Sharon Fleming, Texas Historical Commission, on May 8, 2001, to review the comments and restrictions that would be imposed on the County, in order to comply with the Texas Historical Commission Guidelines.

Judge Pro tem Cascos suggested a Workshop to be scheduled on May 8, 2001, prior to the Regular Meeting.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Status Report by Mr. Frank Bejarano, Program Development and Management, and Mr. Roberto J. Ruiz, Architect, was acknowledged, concerning comments provided by the Texas Historical Commission and the City of Brownsville; pursuant to the Dancy Building interior restoration.

The Report is as follows:

[REDACTED]

(18) **APPROVAL OF TRAVEL REQUEST FOR SIX (6) COUNTY AUDITORS TO TRAVEL TO AUSTIN, TEXAS, ON MAY 15-18, 2001, TO ATTEND THE ANNUAL COUNTY AUDITORS INSTITUTE**

At this time, Mr. Mark Yates, County Auditor, explained that educational requirements, for non certified auditors, responsible for planning, directing, conducting and reporting governmental audits, mandated that they complete at least 80 hours of continuing education and training every two (2) years, in order to enhance the auditors professional proficiency, and at least 20 hours had to be completed within a two (2) year time period.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the request for six (6) County Auditors to attend the Annual County Auditors Institute, in Austin, Texas, on May 15-18, 2001, was approved.

[REDACTED]

(19) **APPROVAL OF A 1-800 TELEPHONE LINE FOR USE BY CAMERON COUNTY RESIDENTS**

At this time Mr. Jarred Hakama, County Judge's Office, explained that the 1-800 number was to receive complaint and comments concerning the Census 2000 count and would aid towards the Census 2000 challenge.

Judge Pro tem Cascos suggested that upon the installation of the 1-800 number, it should have the ability to transfer to any Department within the Courthouse.

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the 1-800 telephone line for use by Cameron County residents was approved.

[REDACTED]

CONSENT ITEMS

Judge Pro tem Cascos indicated that a change in the Agenda had taken place whereas the approval of County Claims was part of the Consent Items.

At this time, Mr. Mark Yates, County Auditor, presented the following late claim for approval: Warrant No. 54693, payable to the Reserve Account, in the amount of \$8,000.

Commissioner Garza questioned whether Contracts were on file concerning current locations that were being leased and the suggestion was made to hold the payments if the Contracts were not on file.

Mr. Douglas Wright, Court Legal Counsel, noted that several Contracts had been prepared and tendered to the person, but were not followed through, and he suggested that the Court direct the County Auditor not to issue any Warrants.

Commissioner Garza questioned if any Warrant had been issued prior to approval, and the County Auditor responded that “not to his knowledge”, adding that the Treasurer was responsible for the release.

Mr. Eddie Gonzalez, County Treasurer, suggested that the Court specify the Warrants that were going to be held and be read into the record.

Commissioner Garza stipulated that any person without a Lease Agreement should not receive a Warrant, beginning next month.

Judge Pro tem Cascos suggested that all persons be advised in writing by the Legal Department, that if an appropriate Lease was not on file and approved by the Court, a Warrant would not be issued.

Commissioner Benavides moved that the “Consent” Agenda Items be approved as presented, inclusive of the late claim as to Warrant No. 54693, in the amount of \$8,000.

The motion was seconded by Commissioner Valencia and carried unanimously.

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.

- (20) **APPROVAL OF COUNTY CLAIMS;**
- (21) **APPROVAL OF TERMINATION DATE FOR TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NUMBER 718045, FROM MARCH 22, 2001 TO MAY 31, 2001;**
The Contract is as follows:
- (22) **AUTHORIZATION TO RENEW AND INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY (PARK SYSTEM) AND THE TOWN OF SOUTH PADRE ISLAND FOR THE USE OF JAIL FACILITIES;**
The Agreement is as follows:
- (23) **AUTHORIZATION TO OPEN BIDS/PROPOSALS FOR THE FOLLOWING;**
 - A) **SEA RANCH MARINA - CONCESSIONS PROPOSAL NO. 010102;**
 - B) **VEHICLES LEASE - ANNUAL BID NO. 1480; and**
 - C) **SOLID WASTE DISPOSAL - PARKS DEPARTMENT - ANNUAL BID NO. 1970.**
- (24) **AUTHORIZATION TO ADVERTISE FOR BIDS/PROPOSALS FOR THE FOLLOWING:**
 - A) **AUTOMOTIVE: AFTER MARKET PARTS - ANNUAL BID NO. 1995;**
 - B) **POLICE SUPPLIES: GEAR - ANNUAL BID NO. 2505.**

- (21) **APPROVAL OF TERMINATION DATE FOR TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NUMBER 718045, FROM MARCH 22, 2001 TO MAY 31, 2001;**
The Contract is as follows:

- (22) **AUTHORIZATION TO RENEW AND INTERLOCAL AGREEMENT
BETWEEN CAMERON COUNTY (PARK SYSTEM) AND THE TOWN OF
SOUTH PADRE ISLAND FOR THE USE OF JAIL FACILITIES.
The Agreement is as follows:**

TRAVEL ITEMS

At this time Mr. Javier Villarreal, Budget Officer, noted that Item 25 "d" should read "April 29, 2001 to May 2, 2001" instead of "April 29, 2001 to May 29, 2001".

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the "Travel" Agenda Items were approved as follows:

25) AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):

- A) District Attorney to attend the "Southwest Border HIRTA Executive Committee Meeting", in Cloudcroft, New Mexico, on May 7 - 9, 2001;
- B) Two (2) Deputy Constables, Precinct No. 4, to attend the "TJCTC 20 Hour Civil Process Training Course for Deputy Constables", in Galveston, Texas, on May 22-24, 2001;
- C) Law Library employee to attend the required "TIFTECH Training", in Corpus Christi, Texas, on May 1-3, 2001;
- D) Juvenile Probation employee to attend the "Texas Juvenile Detention Association Line Officer's Conference", in Corpus Christi, Texas, on April 29, 2001, through May 2, 2001;
- E) 197th District Court employee to attend the "PDP Trial Court Coordination Course", in Huntsville, Texas, on June 25-29, 2001;
- F) Sheriff's Department Captain and investigator to attend the "Law Enforcement and Security Training", in Bryan, Texas, on May 6-12, 2001;
- G) Emergency Management Coordinator to attend the "Emergency Management Performance Grant Training", in Corpus Christi, Texas, on May 7-11, 2001; and
- H) Maintenance Supervisor and two (2) employees to attend the "Indoor Air/Model Seminar", in McAllen, Texas, on April 26, 2001.

EXECUTIVE SESSION

(26) EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 5:52 P. M. to discuss the following matters:

- a) In the matter of Commissioners' Court Legal Counsel on possible authorization to make an offer for settlement in Cause No. 98-08-3210-E, Syndicated Office Systems versus Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A). **TABLED**
- b) Deliberation regarding possible acquisition of Real Property in and around the Dancy Building, being Blocks No. 121 and No. 144 of the Brownsville Original

Townsite; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;

- c) Confer with Commissioners' Court Legal Counsel concerning the Alpine Insurance Claims Administration; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.07 (A); and
- d) Confer with Commissioners' Court Legal Counsel concerning possible litigation involving jail death; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.07(1)(A) and (2).

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court reconvened in Regular Session at 6:30 P. M.

(27) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **In the matter of Commissioners' Court Legal Counsel on possible authorization to make an offer for settlement in Cause No. 98-08-3210-E, Syndicated Office Systems versus Cameron County, Texas. (TABLED-NOT DISCUSSED)**
- b) **Deliberation regarding possible acquisition of Real Property in and around the Dancy Building, being Blocks No. 121 and 144 of the Brownsville Original Townsite.**

Commissioner Benavides moved that the Status Reports by Mr. Frank Bejarano, Program Development and Management Director, and Mr. Roberto J. Ruiz, Architect, be acknowledged and they were asked to work with Mr. Douglas Wright, Court Legal Counsel, and Mr. Joseph Ardito, Property Manager, regarding the possible acquisition and appraisals of Real Property in and around the Dancy Building, that being Blocks No. 121 and No. 144 of the Brownsville Original Townsite.

The motion was seconded by Commissioner Garza and carried unanimously.

- c) **Confer with Commissioners's Court Legal Counsel concerning the Alpine Insurance Claims Administration.**

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the Status Report from Court Legal Counsel concerning the Alpine Insurance Claims Administration was acknowledged.

- d) **Confer with Commissioners' Court Legal Counsel concerning possible litigation involving jail death.**

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the Status Report of Court Legal Counsel concerning litigation involving jail death was acknowledged.

There being no further business to come before the Court, upon motion by Commissioner Valencia , seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at :6:32 P. M.

APPROVED this **15th** day of **May, 2001**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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