

(8) **AUTHORIZATION TO HOLD A PUBLIC HEARING TO DISCUSS THE CLOSING OF MINNESOTA DRIVE BETWEEN KARR AVENUE AND LAKESHORE DRIVE IN THE PRECINCT NO. 4, AREA**

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the **Public** Hearing to discuss the closing of Minnesota Drive between Karr Avenue and Lakeshore Drive in Precinct No. 4 was opened for public comment.

Mr. Juan Bernal, County Engineer-Public Works Director, presented a request from the residents to close one end of Minnesota Drive and noted that the proper process was followed, adding that he recommended the closure.

Judge Hinojosa clarified that there was no objection to close said road.

Mr. George Geil, President of Adams Garden Mobile Estates Incorporated, presented a petition seeking abandonment of a section of Minnesota Drive within Adams Garden. He stated that the purpose of the petition was mainly for security, comfort and the well being of the community and to continue to enjoy a quiet peaceful lifestyle. Mr. Geil presented a report that included the Minutes for the Commissioners' Court meeting held on October 28, 1997, where by Karr Road and Ohio Avenue, out of Adams Gardens Mobile Estates, were not accepted into the County Road System and stated that based on said action, plus some input from the County Engineers Office, the residents spent approximately \$15,000.00, to construct a drainage system. He stated that with the exception of some advise from the County, the construction was done by the residents, and established a road limit of 25,000 pounds to protect the drainage system. Mr. Geil highlighted several exhibits to demonstrate the problems experienced by the residents, that included flooding, and excessive traffic violations.

At this time, Commissioner Valdez described the area being considered based on the map, picture and exhibits.

Judge Hinojosa clarified that the County Engineer and Commissioner Valdez recommended that the road be closed and that there was no objection from the public.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that the closure could only take place by a unanimous vote if an alternative route was not provided and that the closure was terminating public involvement in the maintenance; adding that if other private owners had acquired public access by said road they could have possible litigation against the other property owners.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the **Public** Hearing to discuss the closing of Minnesota Drive between Karr Avenue and Lakeshore Drive in Precinct No. 4 was closed.

The Petition and Exhibits are as follow:

(9) ADOPTION OF AN ORDER FOR THE CLOSING OF MINNESOTA DRIVE BETWEEN KARR AVENUE AND LAKESHORE DRIVE IN THE PRECINCT NO. 4, AREA

Commissioner Valdez moved that the Order for the closing of Minnesota Drive between Karr Avenue and Lakeshore Drive in the Precinct No. 4 area be adopted

The motion was seconded by Commissioner Cascos and carried unanimously.

Commissioner Garza clarified that Commissioners' Court Legal Counsel had reviewed and approved the Order.

The Order is as follows:

(7) **SETTING OF COMPENSATION FOR THE PORT OF HARLINGEN AUTHORITY COMMISSIONERS, PURSUANT TO ARTICLE 15, SECTION 59 OF THE TEXAS CONSTITUTION**

Mr. Jerry L. Stapleton, Attorney at Law, stated that according with Section 62.070 of the Texas Water Code, any pay increase in compensation for the Port Authority Commissioners had to be approved by Commissioners' Court, adding that the increase would be from \$100.00 to \$150.00 per meeting.

Commissioner Benavides moved that the compensation for the Port of Harlingen Authority Commissioner be set at \$150.00 per meeting, pursuant to Article 15, Section 59 of the Texas Constitution.

The motion was seconded by Commissioner Cascos.

At this time, Commissioner Cascos noted that according to Mr. Stapleton's letter, the \$100.00 compensation per meeting had been established in 1990.

Mr. Stapleton stated that although the Navigation District had the authority to tax, it operated from revenues obtained from leases and traffic income.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the compensation for the Port of Harlingen Authority Commissioner was set at \$150.00 per meeting, pursuant to Article 15, Section 59 of the Texas Constitution.

(10) **RESOLUTION AUTHORIZING THE PRECINCT NO. 5 JUSTICE OF THE PEACE AND CONSTABLE TO APPLY TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE STUDENTS-PARENTS EXTENDED EDUCATION DIVISION (SPEED) GRANT, AND DESIGNATION OF SOURCE FOR REQUIRED MATCH**

Mr. Frank Bejarano, Program Development and Management Director, stated that the match would affect next Fiscal Year's Budget and that the match was in the same amount as the previous.

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Resolution authorizing the Precinct No. 5 Justice of the Peace and Constable to apply to the Governor's Office Criminal Justice Division for the Students-Parents Extended Education Division (SPEED) Grant, and designation of source for required match was adopted.

The Resolution is as follows:

PRESENTATION

(1) **PRESENTATION BY BRIDGE SYSTEM DIRECTOR
REGARDING THE FIRST QUARTER REPORT FOR
THE INTERNATIONAL BRIDGE SYSTEM**

Mr. Pete Sepulveda, International Bridge System Director, highlighted the first Quarter Report and reported that the Veterans Bridge had a positive variance in the amount of \$16,794.00, Gateway Bridge had a negative variance in the amount of \$91,316.00, and Free Trade Bridge had a positive variance in the amount of \$6,906.00, resulting in a total negative variance in the amount of \$67,616.00. He stated that considering the events that occurred in September and October 2001, the losses were less than anticipated.

Commissioner Garza questioned what percentage of the variance was a result of the increase in toll rates.

Mr. Sepulveda stated that the traffic was decreased by four (4) percent in comparison to last year, but the revenues increased one (1) percent.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Presentation by the Bridge System Director regarding the First Quarter Report for the International Bridge System was acknowledged.

The Report is as follows:

ACTION ITEMS

(2) BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Commissioner Benavides moved that the 2002 Fiscal Year Budget Amendment No. 2002-08, and the following Salary Schedules, be approved:

Juvenile Probation Department, Fund No. 450-5742;

Tuberculosis (TB) Federal Department, Fund No. 260-6462.

The motion was seconded by Commissioner Valdez.

Commissioner Garza questioned how many new positions were being considered.

Mr. Xavier Villarreal, Budget Officer, stated that there were two (2) new positions in the Juvenile Probation Department and that the Tuberculosis (TB) Federal Department's positions were a continuation from January 1, 2002, through June 30, 2002, adding that another Salary Schedule would be presented from July 2002, through the end of the year.

Commissioner Garza asked whether the changes in salaries had occurred and the Budget Officer responded that he was unable to answer.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the 2002 Fiscal Year Budget Amendment No. 2002-08, and the following Salary Schedules were approved:

Juvenile Probation Department, Fund No. 450-5742;

Tuberculosis (TB) Federal Department, Fund No. 260-6462.

The Budget Amendments and the Salary Schedules are as follow:

(3) **IN THE MATTER REGARDING THE
MODIFICATIONS, ADDITIONS AND/OR
DELETIONS AT THE CAMERON COUNTY
DETENTION FACILITY AND SHERIFF'S
DEPARTMENT, AND ISSUES RELATED THERETO
(TABLED)**

Judge Hinojosa questioned the estimated time of completion for the New Jail Facility.

Mr. Juan Bernal, County Engineer-Public Works Director, responded that it could be in March but that it would be determined at a meeting to be held January 24, 2002.

Commissioner Garza requested that a Status Report on the project be presented during the next meeting.

Commissioner Cascos requested a Status Report regarding the impact on the revenues associated with the project.

Upon motion by Commissioner Valdez, seconded by Commissioner Cascos and carried unanimously, this Item was **TABLED**.

(4) **IN THE MATTER REGARDING THE CAMERON
COUNTY AND CITIES CHALLENGING CENSUS
2000 COUNTS AND ISSUES RELATED THERETO
(TABLED)**

Mr. Doug Wright, Commissioners' Court Legal Counsel, reported that according to a conversation with Mr. Rolando Rios, Attorney at law, they were pursuing with the discovery.

Commissioner Garza requested a Status Report or a briefing on the matter.

Commissioner Valdez questioned whether the matter should be discussed in Executive Session because of ongoing litigation.

Mr. Wright responded that if certain questions would be asked, they should be discussed in Executive Session.

At this time, Commissioners' Court Legal Counsel was directed to obtain a briefing in a memorandum format.

Upon motion by Commissioner Valdez, seconded by Commissioner Cascos and carried unanimously, this Item was **TABLED**.

(5) PLAN OF FINANCE AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE FOR THE CONSTRUCTION OF THE SARGENT JOSE LOPEZ MONUMENT AT THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES

Mr. Pete Sepulveda, International Bridge System Director, stated that the committee had negotiated a price, not to exceed \$200,000.00, with Ms. Eileen Barry, Sculptor. He stated that the committee had discussed the possibility of the County paying the money up-front and entering into an Interlocal Agreement with the City of Brownsville and that the tolls collected at the Veterans Bridge on Veterans Day and Memorial Day would be directed for the payment of the monument, noting that the County and the City of Brownsville had set aside the revenues from November 11, 2000, May 28, 2001, and November 11, 2001, in the total amount of \$31,858.80. Mr. Sepulveda stated that there were pledges from private sources, but that the amounts were not yet known, noting that they would reduce the total expenditure. He stated that the only funding source was the Bridge System's Reserves and that an Interlocal Agreement with the City of Brownsville would be needed, in order to secure the funds.

Commissioner Cascos asked how long it would take to recuperate the funds.

Mr. Sepulveda responded that without private contributions it would take eight (8) to nine (9) years to reimburse and with the possible contribution it could take three (3) to five (5) years to payback.

Mr. Jared Hockema, County Judge's Office, stated that other sources of funding were being explored and that it would be easier to acquire the money in stages rather than up-front, noting that the Interlocal Agreement would be in effect until the debt was retired.

Commissioner Garza clarified that the Interlocal Agreement would only direct said toll bridge revenues for the project and stated that the City of Brownsville had a thirty (30) day out clause.

Mr. Doug Wright, Commissioners' Court Legal Counsel, clarified that the Agreement required a Mutual Agreement of thirty (30) day notice.

Commissioner Benavides moved that the Plan of Finance and the Interlocal Agreement between Cameron County and the City of Brownsville for the construction of the Sergeant Jose Lopez Monument at the Veterans International Bridge at Los Tomates, be approved.

Mr. Mark Yates, County Auditor, stated that it would be the decision of the Bridge System's operation, adding that the City had the right to surplus proceeds but did not have a right to determine expenditures. He stated that an Agreement could be made to create a separate fund within the International Bridge System to be paid back over future revenues.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Plan of Finance and the Interlocal Agreement between Cameron County and the City of Brownsville for the construction of the Sergeant Jose Lopez Monument at the Veterans International Bridge at Los Tomates was approved.

The Agreement is as follows:

(6) **AUTHORIZATION TO ACQUIRE THE KRONOS
ENTERPRISE TIME AND ATTENDANCE SYSTEM**

Mr. Mark Yates, County Auditor, reported that employment within the County had increased steadily over the past years and that time sheets were matched to the corresponding summary sheets that were used to input information to process the payroll within a five (5) day period, in order to produce a payroll check. He stated the process was even more difficult during a four (4) day week and that on occasion, a check was made for employees who had been terminated because the Department Heads failed to provide a termination notice.

Commissioner Cascos asked how the funds were retrieved in those events.

Mr. Yates stated that there was an investigation being conducted.

Commissioner Valdez asked how the Kronos System would prevent the problem.

Mr. Yates stated that the system would alert the Accounting System when a non-exempt employee was not clocking in or out, and that as a result the matter would be reviewed.

Commissioner Cascos asked who was considered an exempt employee.

Mr. Yates stated that he preferred that Mr. Richard Burst, Commissioners' Court Legal Counsel, addressed the issue, adding that the system would provide an up to date balance of vacation and sick time to be printed on check stubs, along with a notice indicating that the employee had a thirty (30) day period to dispute any balance. He stated that the Kronos System would prevent overtime issues and that he was not proposing to adjust pay to the number of hours worked, except for part-time employees. Mr. Yates stated that when a regular employee, a non-exempt employee worked over forty (40) hours a week and/or a law enforcement employee worked over one hundred seventy one (171) hours in a twenty (28) day pay period, a liability was created for the County, adding that the time worked needed to be known and tracked.

Commissioner Cascos clarified that the \$150,000.00 would be financed over a twenty-four (24) month period and that it would be pro rated on an employee basis by Departments and questioned whether all funds would be included, and if grant employees were included.

Mr. Yates responded in the affirmative, and noted that it would be done to the extent permitted by the grant and that the cost would be a service cost.

Commissioner Valdez questioned when the system would be in service.

Mr. Yates stated that the funding was needed, and suggested that the system be financed internally and that each Department share the cost.

Commissioner Garza asked whether the Kronos System was the only system considered.

Mr. Yates responded that four (4) or five (5) systems were reviewed and that the Kronos System was first considered in the early 1990 but was not obtained because it did not have the features of an enterprise wide approach that would work for the County at the time, adding that the company was a national corporation with local representation.

Judge Hinojosa clarified that system would be acquired through the Texas Procurement Center and that the County Auditor recommended the Kronos System, and questioned whether it would be a financial burden on the County.

Mr. Yates responded that it would prevent liabilities on the County that were incurred in the past.

Commissioner Garza moved that acquire the Kronos Enterprise Time and Attendance System be acquired.

The motion was seconded by Commissioner Benavides and carried unanimously.

[REDACTED]

**(11) APPROVAL OF EARLY VOTING SITES FOR THE
MARCH 12, 2002, PRIMARY ELECTIONS IN
CAMERON COUNTY**

Judge Hinojosa suggested that the temporary HEB location be full-time and that the Cameron County Annex Building be closed during March 2 -3, 2002, noting that the changes would comply with the two (2) to one (1) ratio. He explained that the two (2) to one (1) ratio was based on the law that stated that a Precinct could not exceed another by two (2) to one (1) Voting Sites.

Commissioner Benavides clarified that the residents of the Town of South Padre Island would use the HEB location in the City of Port Isabel.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Early Voting Sites for the March 12, 2002, Primary Elections in Cameron County were approved, with the temporary HEB location changed to be open full-time, and the Cameron County Annex Building to be closed on March 2 -3, 2002 subject to being in compliance with the two (2) to one (1) ratio.

The Early Voting Sites are as follows:

[REDACTED]

(12) **IN THE MATTER REGARDING THE INDIGENT BURIAL FUNERAL COMPENSATION TO FUNERAL DIRECTORS (TABLED)**

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

[REDACTED]

(13) **APPOINTMENT OF MR. JOSE A GONZALEZ AS A RESERVE DEPUTY CONSTABLE PRECINCT NO. 3, IN COMPLIANCE WITH THE STATE OF TEXAS LOCAL GOVERNMENT CODE 86.011 AND 86.012**

Commissioner Benavides moved that Mr. Jose A Gonzalez be appointed as a Reserve Deputy Constable Precinct No. 3, in compliance with the State of Texas Local Government Code 86.011 and 86.012, based on the finding of need and for the duration of the fiscal year.

The motion was seconded by Commissioner Cascos and carried unanimously.

[REDACTED]

(14) **APPOINTMENT OF MR. JACOB L. BORJAS AS A DEPUTY CONSTABLE PRECINCT NO. 7, IN COMPLIANCE WITH THE STATE OF TEXAS LOCAL GOVERNMENT CODE 86.011 AND 86.012**

Mr. Manny Villarreal, Personnel Director, noted that Item No. 15 should read Reserve Deputy.

Upon motion by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, Mr. Jacob L. Borjas was appointed as a Deputy Constable Precinct No. 7, in Compliance with the State of Texas Local Government Code 86.011 and 86.012, based on the finding of need and for the duration of the fiscal year.

[REDACTED]

(15) **APPOINTMENT OF MS. ISYS C. CHAMBERLAIN AS A RESERVE DEPUTY CONSTABLE PRECINCT NO. 6, IN COMPLIANCE WITH THE STATE OF TEXAS LOCAL GOVERNMENT CODE 86.011 AND 86.012**

Commissioner Cascos questioned how a background check was conducted with a wrong date of birth.

Commissioner Valdez explained that the names and social security numbers were also utilized.

Commissioner Benavides moved that Ms. Isys C. Chamberlain be appointed as Reserve Deputy Constable Precinct No. 6, in compliance with the State of Texas Local Government Code 86.011 and 86.012, based on the finding of need and for the duration of the fiscal year.

The motion was seconded by Commissioner Valdez, and carried unanimously.

[REDACTED]

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA WERE HEARD COLLECTIVELY UNLESS OPPOSITION WAS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WAS CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

ITEM NO. 16 - Mr. Mark Yates, County Auditor, presented an additional claim as to Texas Department of Criminal Justice, Warrant No. 00069339 in the amount of \$403,876.25.

Commissioner Garza moved that the following "Consent and Travel Items", be approved.

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

AYE: Commissioners Benavides, Garza, Cascos and Commissioner Valdez,

NAY: None,

ABSTAIN: Judge Hinojosa as to Southwest Key Program La Esperanza, Warrant No.00069282 in the amount of \$67,499.00.

**(16) APPROVAL OF CLAIMS;
The Affidavit follows:**

**(17) APPROVAL OF MINUTES:
a) Regular Meeting - January 8, 2002.**

**(18) RESOLUTION RECOGNIZING MARSHAL BENIGNO "BEN" G. REYNA ON THE OCCASION OF HIS SWEARING IN AS DIRECTOR OF THE UNITED STATES MARSHALS OFFICE;
The Resolution follows:**

**(19) CONTRACT WITH FOREMOST CONSTRUCTION TO CONSTRUCT THE CAMERON PARK SHERIFF'S SUBSTATION;
The Contract follows:**

(20) PURCHASE FIFTY-SEVEN (57) .40 CALIBER HANDGUNS FOR THE SHERIFF'S DEPARTMENT AND FIVE (5) FOR THE TATPA;

(21) REALLOCATION IN THE AMOUNT OF \$859.00, OF THE 2001 LOCAL LAW ENFORCEMENT BLOCK GRANT FROM PERSONNEL TO EQUIPMENT;

**(22) RESOLUTION (S) NEEDED TO OPEN THE FOLLOWING ACCOUNT FOR THE CAMERON COUNTY TAX ASSESSOR WITH LONE STAR NATIONAL BANK;
The Resolution follows:**

**(23) RESOLUTION (S) NEEDED TO AMEND THE SIGNATURE REQUIREMENTS ON THE FOLLOWING THREE (3) CAMERON COUNTY SHERIFF'S ACCOUNTS WITH LONE STAR NATIONAL BANK;
The Resolution follows:**

**(24) LEGAL SERVICES AGREEMENT WITH ATTORNEY'S RUBEN HERRERA, DANIEL A. SANCHEZ AND JOE GONZALEZ, TO PROVIDE LEGAL REPRESENTATION FOR THE INDIGENT DEFENDANTS OF THE COUNTY COURT AT LAW NO. 2;
The Agreement follows:**

- (25) **REFUND TAXES AS AUTHORIZED BY THE CAMERON COUNTY APPRAISAL DISTRICT AND AS PER SECTION 25.25C AND SECTION 31.11 OF THE STATE PROPERTY TAX CODE TO:**
- | | | | |
|-----|-----------------------------|-------------|-------------------|
| (1) | Alma Stella Gonzales Zarate | \$10,079.92 | Change Value; |
| (2) | Countrywide Home Mortgage | \$ 650.71 | Payment in error; |
| (3) | Francisco J. Hinojosa | \$ 560.63 | Change Value; |
| (4) | Francisco J. Hinojosa | \$ 595.41 | Change Value; |
| (5) | Francisco J. Hinojosa | \$ 645.32 | Change Value; |
| (6) | Francisco J. Hinojosa | \$ 682.64 | Change Value; |
| (7) | Jeffrey Baker | \$ 722.64 | Change Value; |
| (8) | Jeffrey Baker | \$ 669.34 | Change Value; and |
| (9) | Jeffrey Baker | \$ 957.48 | Change Value. |
- (26) **RESOLUTION DECLARING FEBRUARY 2002 AS “ARBOR MONTH” IN CAMERON COUNTY, TEXAS;**
The Resolution follows:
- (27) **THE FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT COMPLIANCE SURVEILLANCE PROGRAM SPONSOR SELF-CERTIFICATE REPORT;**
The Report follows:
- (28) **LICENSE AGREEMENT BETWEEN COASTAL BEND REGION OF THE PORSCHE CLUB OF AMERICA, INC., AND CAMERON COUNTY FOR THE USE OF MUTUALLY AGREEABLE AREA AT THE PORT ISABEL-CAMERON COUNTY AIRPORT; AND**
The Agreement follows:
- (29) **PURCHASE ONE OFFSET PRESS WITH ACCESSORIES AND SUPPLIES UTILIZING THE STATE OF TEXAS-GENERAL SERVICES COMMISSION INTERLOCAL PURCHASING AGREEMENT CONTRACT NO. 700-A.**

TRAVEL ITEMS

- (30) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (a) Unit Tactical Intelligence Agent to attend the “INIA Skynarc Conference”, in Reno, Nevada, June 26-31, 2002;
- (b) Juvenile Probation Officers (2) to attend the “Mandatory Training to apply for funds for Fiscal Year 2002 Weed and Seed Funds”, in Indianapolis, Indiana, February 25- March 1, 2002;
- (c) Unit Director to attend the “Investigative Support Center Manager’s Meeting”, in Orlando, Florida, March 18-21, 2002;
- (d) Unit Tactical Intelligence Agent to attend the “Federal Law Enforcement Analysis Training (FLEAT) Conference”, in Quantico, Virginia, February 11- March 8, 2002;
- (e) Juvenile Probation Chief and assistant to attend the “Texas Juvenile Probation Commission’s Chief’s Summit”, in Corpus Christi, Texas, February 17-20, 2002;
- (f) County Court at Law No. 2 to attend the “2002 Winter Regional Conference”, in Galveston, Texas, February 24-26, 2002;
- (g) Eight (8) Drug Enforcement Task Force Agents to take approximately eight (8) vehicles to the Kleberg County Sheriff’s to be auctioned, in Kingsville, Texas, February 7-9, 2002;

(16) APPROVAL OF CLAIMS.
The Affidavit is as follows:

- (18) **RESOLUTION RECOGNIZING MARSHAL BENIGNO “BEN” G. REYNA ON THE OCCASION OF HIS SWEARING IN AS DIRECTOR OF THE UNITED STATES MARSHALS OFFICE.**
The Resolution is as follows:

- (19) CONTRACT WITH FOREMOST CONSTRUCTION TO CONSTRUCT THE CAMERON PARK SHERIFF'S SUBSTATION.
The Contract is as follows:**

- (22) **RESOLUTION (S) NEEDED TO OPEN THE FOLLOWING ACCOUNT FOR THE CAMERON COUNTY TAX ASSESSOR WITH LONE STAR NATIONAL BANK.
The Resolution is as follows:**

- (23) RESOLUTION (S) NEEDED TO AMEND THE SIGNATURE REQUIREMENTS ON THE FOLLOWING THREE (3) CAMERON COUNTY SHERIFF'S ACCOUNTS WITH LONE STAR NATIONAL BANK;
The Resolution is as follows:**

- (24) **LEGAL SERVICES AGREEMENT WITH ATTORNEY'S RUBEN HERRERA, DANIEL A. SANCHEZ AND JOE GONZALEZ, TO PROVIDE LEGAL REPRESENTATION FOR THE INDIGENT DEFENDANTS OF THE COUNTY COURT AT LAW NO. 2.**
The Agreement is as follows:

- (26) **RESOLUTION DECLARING FEBRUARY 2002 AS “ARBOR MONTH” IN CAMERON COUNTY, TEXAS.**
The Resolution is as follows:

- (27) **THE FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT COMPLIANCE SURVEILLANCE PROGRAM SPONSOR SELF-CERTIFICATE REPORT.**
The Report is as follows:

- (28) **LICENSE AGREEMENT BETWEEN COASTAL BEND REGION OF THE PORSCHE CLUB OF AMERICA, INC., AND CAMERON COUNTY FOR THE USE OF MUTUALLY AGREEABLE AREA AT THE PORT ISABEL-CAMERON COUNTY AIRPORT.**

The Agreement is as follows:

[REDACTED]

(31) EXECUTIVE SESSION

Commissioner Benavides moved that the Court meet in Executive Session.

At this time, Commissioner Benavides withdrew his motion.

[REDACTED]

(1) AGREEMENT BETWEEN CAMERON COUNTY AND HIDALGO COUNTIES RELATING TO CARLOS DE LA FUENTE ROAD, IN PRECINCT NO. 4

Mr. Juan Bernal, County Engineer-Public Works Director, reported that the Agreement had been approved June 22, 1999, but that no work had been conducted, and requested that the Agreement be renewed.

Commissioner Valdez explained that the Agreement would be a three (3) part Agreement and that the involvement of the City of Mercedes had caused delays, noting that Hidalgo County was ready to commence work.

Commissioner Valdez moved that the Agreement between Cameron County and Hidalgo Counties relating to Carlos De La Fuente Road in Precinct No. 4, be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

The Agreement is as follows:

EXECUTIVE SESSION

(31) EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 5:50 P.M. to discuss the following matters:

- a) Deliberation regarding real property concerning the lease with the Rio Grande Marine Institute located at the Port Isabel Cameron County Airport in Bayview, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding real property concerning the possible temporary Lease of office space for the Cameron County WIC Department in Port Isabel with Lorda Corporation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with Commissioners' Court Legal Counsel on legal issues regarding the TNRCC Compliance, involving matters 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 the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- d) Confer with Commissioners' Court Legal Counsel regarding the possible litigation relating to the Father Joseph O'Brien Clinic; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1).

Upon motion by Commissioner Valdez, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 6:25 P.M.

(32) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) Deliberation regarding real property concerning the lease with the Rio Grande Marine Institute located at the Port Isabel Cameron County Airport in Bayview, Texas.**

Judge Pro-tem Cascos reported that Judge Hinojosa did not participate in the discussion.

Commissioner Cascos moved that Mr. Joseph Ardito, Property Manager, be authorized to speak to the Rio Grande Marine Institute located at the Port Isabel Cameron County Airport in Bayview, Texas, and to ask that they be in compliance with the Agreement.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (b) Deliberation regarding real property concerning the possible temporary lease of office space for the Cameron County Women and Infant and Children (WIC) Department in Port Isabel with Lorda Corporation.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the temporary lease of office space for the Cameron County WIC Department in Port Isabel with Lorda Corporation was approved, for 810 square feet, in the amount of \$1,000.00 per month.

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- (c) **Confer with Commissioners' Court Legal Counsel on legal issues regarding the Texas National Resource Conservation Committee (TNRCC) compliance, involving matters 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 the Open Meetings Act.**

Commissioner Valdez moved that the Status Report by Mr. Frank Bejarano, Program Development and Management Director, regarding the Texas National Resource Conservation Committee (TNRCC) compliance was acknowledged, involving matters 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 the Open Meetings Act.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (d) **Confer with Commissioners' Court Legal Counsel regarding the possible litigation relating to the Father Joseph O'Brien Clinic and authorization to issue demand letter to all interested parties.**

Upon motion by Commissioner Cascos seconded by Commissioner Benavides, and carried unanimously, the Status Report by Commissioners' Court Legal Counsel was acknowledged regarding the possible litigation relating to the Father Joseph O'Brien Clinic.

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There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the meeting was **ADJOURNED** at 6:30 P.M.

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APPROVED this 5th day of **February 2002**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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