

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 5th day of FEBRUARY, 2002, there was conducted a **REGULAR 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:

5:30 P.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO “PETE” BENAVIDES
COMMISSIONER PRECINCT NO. 1

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

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

RICHARD VALDEZ
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

=====

The meeting was called to order by Judge Hinojosa at 5:57 P.M. He then asked Mr. Joseph O’Bell, Brownsville resident, for the invocation and led 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 February 1, 2002, at 2:12 P.M.:

[REDACTED]

(5) **ACQUISITION OF CONSULTING SERVICES
RELATING TO THE GULF INTRACOASTAL
WATERWAY REALIGNMENT PROJECT**

Judge Hinojosa explained that Ms. Pat Younger, Younger and Associates L.L.C., was highly recommended to draft legislation regarding the Gulf Intracoastal Waterway Realignment Project. He noted that she was a former employee of the Core of Engineers, Texas Department of Transportation (TxDOT) and the Port of Houston Authority, and was experienced in the drafting of legislation. Judge Hinojosa explained the time constraints, noting that if legislation changes were not presented soon, the matter would not be considered for the next three (3) years, adding that the current issues would continue.

Mr. Remi Garza, Administrative Assistant, stated that Ms. Pat Younger had quoted an estimated cost between \$12,000.00 and \$18,000.00, at \$200.00 per hour, and according to Ms. Younger, travel and lodging expenses would be minimal.

Judge Hinojosa suggested that the compensation amount be capped at \$18,000.00.

Commissioner Garza clarified that the compensation should be capped at \$18,000.00, with the commitment to perform the work required.

Commissioner Cascos noted the need to establish a spending limit or to obtain Request for Qualifications (RFQ).

Judge Hinojosa noted that the Request for Qualifications (RFQ) would conflict with the time constraints and clarified that the drafted legislation should be submitted within the deadline in late February. He suggested that the budget be limited and that if additional expenses were incurred that those be considered at a later time.

Judge Hinojosa moved that Commissioners' Court Legal Counsel be authorized to negotiate the Contract for Consulting Services relating to the Gulf Intracoastal Waterway Realignment Project, with a budget limit in the amount of \$18,000.00.

Commissioner Cascos questioned the funding source.

Mr. Xavier Villarreal, Budget Officer, stated that there was an Item on the Agenda regarding a credit to the County from the Appraisal District in the amount of \$6,900.00, but that the funding source for the balance had not been determined.

Mr. Mark Yates, County Auditor, suggested that the issue be tabled towards the end of the meeting, in order to determine an additional funding source.

Judge Hinojosa moved that Commissioners' Court Legal Counsel be authorized to negotiate the Contract for Consulting Services relating to the Gulf Intracoastal Waterway Realignment Project, with a budget limit in the amount of \$18,000.00.

The motion was seconded by Commissioner Valdez.

Mr. Doug Wright, Commissioners' Court Legal Counsel, questioned whether the Agreement Letter was satisfactory.

Judge Hinojosa noted that the "negotiations" were being approved, with the budget limit in the amount of \$18,000.00.

Commissioner Garza asked Commissioners' Court Legal Counsel whether the item could be approved without the funding source.

Mr. Wright responded that it could not be approved.

Commissioner Garza suggested that the item be tabled until a funding source was determined.

Mr. Wright stated that the Civil Division could be authorized to negotiate the Contract without the stated dollar amount.

Judge Hinojosa recommended that the Contract be negotiated with a limited amount of \$18,000.00, and that the additional funding source be determined.

Upon motion duly made by Judge Hinojosa that Commissioners' Court Legal Counsel be authorized to negotiate the Contract for Consulting Services relating to the Gulf Intracoastal Waterway Realignment Project, with a budget limit in the amount of \$18,000.00:

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

AYE: Commissioners Benavides, Cascos, Valdez and Judge Hinojosa,

NAY: Commissioner Garza.

At this time, Judge Hinojosa welcomed Mr. Mario Jorge, District Engineer with TxDOT, and noted that there would be a lot of challenges, one being associated with the Proposition Two (2) Project.

**(9) INTERLOCAL AGREEMENT BETWEEN
CAMERON COUNTY AND THE CITY OF
BROWNSVILLE REGARDING THE WEST RAIL
BYPASS PROJECT**

Mr. Pete Sepulveda, International Bridge System Director, explained that the purpose of the Agreement was to continue with the Environmental Assessment Phase of the West Rail Bypass Project. He stated that the City of Brownsville had prioritized the West Rail Bypass Project, and that the City's Bond Counsel had approved the Bond monies, in the amount of \$492,000.00. Mr. Sepulveda noted that the Agreement was revised because the County would not be required to obtain a State Permit, according to a letter received from the Texas Department of Transportation (TxDOT) General Counsel, which would result in saving time and money.

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the revised Interlocal Agreement between Cameron County and the City of Brownsville regarding the West Rail Bypass Project was approved.

The Agreement is as follows:

(8) INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE REGARDING THE EAST LOOP PROJECT FROM US 77/83 TO FM 1419

Mr. Pete Sepulveda, International Bridge System Director, reported that the Agreement with the City would provide for the Environmental Assessment and the Right-of-Way acquisition for the next Phase of the East Loop Project from US 77/83 to FM 1419(Southmost Road). He added that an allocation from the Project Road Map Fund, in the amount of \$492,000.00, would be used for said project.

Commissioner Cascos moved that the Interlocal Agreement between Cameron County and the City of Brownsville regarding the East Loop Project from US 77/83 to FM 1419, be approved.

The motion was seconded by Commissioner Garza.

Mr. Mark Yates, County Auditor, advised the Court that all the County Project Road Map Funds from the 1995 Bond issue were encumbered, and that additional issues would have need to be sold.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Interlocal Agreement between Cameron County and the City of Brownsville regarding the East Loop Project from US 77/83 to FM 1419 was approved.

The Agreement is as follows:

PRESENTATION

(1) DISCUSSION REGARDING RECENT GRANT AWARD FROM THE TEXAS HISTORICAL COMMISSION FOR THE DANCY BUILDING INTERIOR RESTORATION AND REPORT ON GRANT ADMINISTRATION AND IMPLEMENTATION REQUIREMENTS

Mr. Frank Bejarano, Program Development and Management Director, reported that the \$3.1 million Grant, from the Texas Historical Commission (THC) was for the interior restorations of the Dancy Building Project. He stated that the Grant Application's budget was in the amount of \$6,340,370.00, of which fifty percent (50%) would be funded by THC, noting a difference between the Project Architect's Budget because of costs not allowable by THC Regulations. Mr. Bejarano stated that THC would like for the project to be completed within three (3) years, and that bids be obtained by late March 2002. He explained that the Agreement would indicate that the matching funds were available, noting the need to secured Bonds, in order to meet the time line suggested by THC.

Judge Hinojosa questioned the funding process to be used.

Mr. Mark Yates, County Auditor, explained that a commitment to borrow the funds was needed, and suggested that the issue be addressed during the May 6, 2002, Bond Elections. He stated that \$9.25 million in Project Road Map Bonds existed and suggested an additional dime increase in the toll rate for the Bridge System might be considered.

Judge Hinojosa asked whether the commitment could be done in the form of a Resolution.

Mr. Doug Wright, Commissioners' Court Legal Counsel, responded that the matter would have to be reviewed.

Mr. Bejarano reported that \$3.1 million were needed for the fifty percent (50%) match or \$3.9 million for the budget recommended by the Architect.

Commissioner Cascos questioned why the project could not be joint ventured for the May 6, 2002, Election.

Judge Hinojosa noted that there were time constraints associated with the project.

Mr. Bejarano requested direction from the Court on whether to proceed or to inform THC of the possible plans to postpone.

Judge Hinojosa stated that the appointment of the project to the referendum could jeopardize the \$3.17 million grant and suggested that a commitment be made to prevent putting the funds at risk.

Commissioner Cascos asked whether reimbursement could be obtained through the referendum if the project was placed on the Certificate of Obligations Market.

Mr. Yates noted the need to consult with Bond Counsel, and added that short term loans could be available.

Judge Hinojosa explained that the County Auditor was suggesting to finance through a private placement, as was done for the Los Tomates Project, and that the Road Map Project Bonds could be placed in the Bond Market at any time.

Mr. Yates requested time to develop a plan and to discuss with the Bond Counsel the possibility of a short term financial arrangement.

Mr. Bejarano reported that the renovations were ninety percent (90%) complete, but needed to be one hundred percent (100%) complete in order to proceed to bidding.

At this time, Mr. Roberto J. Ruiz, Project Architect, Inc., reported that THC had reviewed and approved the Plans and Specifications with the exception of two (2) major items. He stated that parking did not surround the building during the 1912 era; therefore, THC had requested that it be removed, adding that the Plan including the surrounding parking was accepted until a revised plan was submitted. Mr. Ruiz stated that time limits would be presented by the THC Architect, scheduled to visit the building in two (2) weeks, and added that the city required that approximately 160 parking spaces be provided, noting that the closing of Monroe Street would not help meet city requirements, but that the ongoing acquisition of additional land could. He noted that the 120 parking spaces were currently provided, and that the alternative plan provided 161 parking spaces.

Mr. Bejarano noted that the issue was not the City's requirements, but that the off-site parking was required by the State.

Mr. Juan Bernal, County Engineer-Public Works Director, suggested that the recently constructed parking lot, having 180 spaces, be assigned to the Dancy Building.

Mr. Doug Wright, Commissioners' Court Legal Counsel, questioned whether the proposed design would conflict with 11th Street parking.

Mr. Ruiz reported that the State did not approve the proposed renovations to the Emergency Operations Courtroom (EOC).

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the discussion regarding recent grant award from the Texas Historical Commission for the Interior Restoration of the Dancy Building and the Report on Grant Administration and Implementation Requirements were acknowledged.



ACTION ITEMS

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

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

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

Mr. Remi Garza, Administrative Assistant, reported that the meeting to be held February 7, 2002, was canceled, adding the postponement would permit time to obtain better indication of the Federal Government's response to the decision.

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

████████████████████

(4) **CREATION OF A PART-TIME SLOT TO ASSIST
BAIL BOND ADMINISTRATOR**

Mr. Remi Garza, Administrative Assistant, reported that the creation of a slot to assist the Bail Bond Administrator was discussed by the Bail Bond Board.

Mr. Xavier Villarreal, Budget Officer, stated that a part-time position could be funded from the Bail Security Fund, as confirmed by the District Attorney's Office.

Commissioner Cascos moved that the creation of a part-time slot to assist Bail Bond Administrator, be approved, noting that the balance of the Bail Security Fund was in the amount of over \$100,000.00.

The motion was seconded by Commissioner Garza.

Commissioner Garza questioned the fringe benefits being provided to a part-time position.

Mr. Villarreal stated that according to the Personnel Manual an employee working over 900 hours was entitled to full benefits.

Mr. Garza stated that the position was needed due to the increase of work assigned to the Department.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the creation of a part-time slot to assist the Bail Bond Administrator was approved.

████████████████████

(6) **APPROVAL OF SUPPLEMENTAL RESOURCE
LIST AND ADDITIONAL FUNDING FOR EXTRA
HELP, ADVERTISING, OVERTIME, PRINTING
AND BINDING, MAPS AND FOR THE BUDGET OF
THE DEPARTMENT OF ELECTIONS AND VOTER
REGISTRATION**

Mr. Robert Mendoza, Elections Administrator, stated that because of uncertain factors at the time the Budget requests were developed, there was now a need to review the matter.

At this time, there was discussion regarding the voter registrations to be conducted at Valle Vista Mall, Harlingen, and the Super Wal-Mart Saturday February 9, 2002, and the motivation and need to persuade individuals to register. The discussion continued with the need for extra help, the amount needed and the additional costs for advertisements.

Mr. Xavier Villarreal, Budget Officer, noted that the supplies listed on a Memorandum presented by Mr. Mendoza were not included in the Budget requests, and added that the extra-help allocation was increased from the recommendations because of additional early voting sites. Mr. Villarreal presented an optional budget reflecting the Elections Department's Fund balance in the amount of \$88,680.00, based on the Budget prepared by the Elections

Administrator for the primary voting elections and the run-off, adding that according to the number of employees, number of hours, and the rate of pay, a balance in the amount of \$39,720.00 would remain. He explained that the sharing of cost with the city had resulted in a surplus.

Commissioner Garza moved that the Supplemental Resource List and additional funding for extra help, advertising, overtime, printing and binding, maps for the Budget of the Department of Elections and Voter Registration, be approved.

Commissioner Cascos clarified that there would be a balance in the amount of \$9,545.00 after the proposed budget.

Mr. Villarreal suggested that the \$20,000.00 advertisement allocation be reduced to \$10,000.00 by limiting the advertisement and that the following items listed under supplies be included in the Equipment List: 1) one Computer; 2) one Portable Divider; 3) two Laser Printers, and; 4) one Display Screen.

Mr. Mendoza noted that the Budget request did not include the reimbursement from the City, the increase of the November Early Voting sites, the expenses associated with the November election, nor the compensation increase for poll workers for Early Voting.

Upon motion duly made by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, the Supplemental Resource List and additional funding for extra help, advertising, overtime, printing and binding, maps and for the Budget of the Department of Elections and Voter Registration, was approved based on the recommendation from the Budget Officer.

The Memo and the Budget are as follow:

**(7) ACTION REGARDING OPENING TIMES FOR THE
POLLS FOR EARLY VOTING**

Judge Hinojosa recommended that the opening time be changed from 11:00 A.M. to 8:00 A.M. for the Early Voting H.E.B. location in Harlingen, Texas, for February 23, 2002 and March 2, 2002.

Commissioner Garza moved that the opening time be changed from 11:00 A.M. to 8:00 A.M. for the Early Voting H.E.B. location in Harlingen, Texas, for February 23, 2002 and March 2, 2002.

The motion was seconded by Commissioner Valdez and carried unanimously.

The list is as follows:

(10) **IN THE MATTER TO HOLD A PUBLIC HEARING TO CONSIDER ADDING NEW COLONIAS TO THE CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP CENTER (TABLED)**

(11) **IN THE MATTER OF RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS, ADDING NEW COLONIA AREAS TO THE CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP CENTER AND DEALING WITH RELATED MATTERS (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, these Items were **TABLED**.

(12) **AUTHORIZATION TO HOLD A PUBLIC HEARING TO DISCUSS THE CLOSING OF A PORTION OF MADISON STREET UP TO THE EDGE OF THE LAGUNA MADRE AND NORTH OF MICHIGAN AVENUE IN THE PRECINCT NO. 3 AREA**

Commissioner Benavides moved that the Public Hearing to discuss the closing of a portion of Madison Street up to the edge of the Laguna Madre and north of Michigan Avenue, in the Precinct No. 3 area, be opened for public comment.

The motion was seconded by Commissioner Valdez and carried unanimously.

Mr. Juan Bernal, County Engineer-Public Works Director, requested the closing of the road due to trash dumping problems, noting that the proper process was followed.

NOTE: JUDGE HINOJOSA STEPPED OUT AT THIS TIME.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Public Hearing to discuss the closing of a portion of Madison Street up to the edge of the Laguna Madre and north of Michigan Avenue, in the Precinct No. 3 area, was closed.

(13) **ADOPTION OF AN ORDER FOR THE CLOSING OF MADISON STREET IN THE PRECINCT NO. 3 AREA**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the adoption of an Order for the closing of Madison Street in the Precinct No. 3 area was adopted.

The Order is as follows:

(14) **AUTHORIZATION TO AWARD CONTRACT TO RIO VALLEY CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE DARRELL HESTER BUILDING EXPANSION**

Mr. Juan Bernal, County Engineer-Public Works Director, reported that the low bid of Rio Valley Construction was being recommended.

Commissioner Benavides moved that the Contract be awarded to Rio Valley Construction, Inc., for the construction of the Darrell Hester Building Expansion.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Contract is as follows:

- (15) **IN THE MATTER REGARDING THE CONTRACT WITH MS. EILEEN BARRY, SCULPTOR FOR DESIGN, CONSTRUCTION, AND INSTALLATION OF SGT. JOSE M. LOPEZ STATUE AT THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES (TABLED)**

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

- (16) **ADOPTION OF MINUTE ORDER DECLARING A VACANCY ON THE BOARD OF THE CAMERON COUNTY DRAINAGE DISTRICT NO. 4 AND CALLING FOR AN ELECTION TO FILL THE VACANCY AT THE EARLIEST POSSIBLE DATE**

Commissioner Garza moved that the Minute Order be adopted declaring a vacancy on the Board of the Cameron County Drainage District No. 4 and calling for an election to fill the vacancy at the earliest possible date.

The motion was seconded by Commissioner Valdez and carried unanimously.

NOTE: JUDGE HINOJOSA RETURNED TO THE MEETING AT THIS TIME.

Ms. JuaNita Brodecky, Rio Hondo resident, clarified that the resignation was due to health problems.

The Order is as follows:

(17) **ADOPTION OF THE RACIAL BASED PROFILING POLICY FOR THE CAMERON COUNTY SHERIFF'S DEPARTMENT**

(18) **ACKNOWLEDGMENT OF THE CARRIZALES-RUCKER DETENTION CENTER POLICY AND PROCEDURE MANUAL**

Mr. Frank Martinez, District Attorney's Office, reported that there were changes and suggestions as to the Policy and Procedure Manual.

Judge Hinojosa suggested that the Racial Based Profiling Policy for the Cameron County Sheriff's Department be approved with the recommended changes, and that the Carrizales-Rucker Detention Center Policy and Procedure Manual be amended, if needed and added that if the Sheriff's Department agreed to an amendment it would be presented to the Court for approval.

Mr. Doug Wright, Commissioners' Court Legal Counsel, explained that the Court could not have two (2) legal advisors and that the changes needed to be reviewed by the Court's Legal Counsel.

Mr. Martinez noted that the issue was to protect the County.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Racial Based Profiling Policy for the Cameron County Sheriff's Department was adopted, with the recommended changes and the Carrizales-Rucker Detention Center Policy and the Procedure Manual was adopted.

The Policies and Manuals are as follow:

(19) **CLAIM BY BENTLEY LAW OFFICE REGARDING SPECIAL TEMPORARY AUTHORITY FROM THE FEDERAL COMMUNICATIONS COMMISSION FOR CAMERON COUNTY TO CONSTRUCT AND OPERATE A LOW POWER FM RADIO STATION DURING THE EMERGENCY OCCASIONED BY THE COLLAPSE OF THE QUEEN ISABELLA CAUSEWAY**

Mr. Javier Mendez, Parks System Director, explained that the County had contracted with Mr. Ron Woodlock, Shepard Group and not with Mr. Jeff Bentley, Federal Communication Commissions' Attorney at Law.

Mr. Remi Garza, Administrative Assistant, explained that two (2) different procedures were approved, one the allocation of funds and the request for an emergency station due to the partial collapse of the causeway.

Commissioner Garza clarified that the station was not yet operational.

There was some discussion concerning the fact that the Contract did not include the services being invoiced, and whether the invoice could be reimbursed by Texas Transportation of Transportation (TxDOT) as an emergency expense.

Upon motion by Judge Hinojosa, seconded by Commissioner Garza and carried unanimously, the claim by the Bentley Law Office regarding Special Temporary Authority from the Federal Communications Commission for Cameron County to construct and operate a Low Power FM Radio Station during the emergency occasioned by the collapse of the Queen Isabella Causeway was approved, said allocation to be funded through the Parks System Department Fund.

The letter is as follows:

**(20) REQUEST FROM THE CAMERON COUNTY
APPRAISAL DISTRICT TO UTILIZE A PORTION
OF THE 2001 SURPLUS FUNDS**

Commissioner Valdez moved that the request from the Cameron County Appraisal District to utilize a portion of the 2001 Surplus Funds, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The letter is as follows:

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. 21:

Judge Hinojosa clarified that Warrant No. 069967 pertained to seized funds.

Commissioner Garza questioned an expense for carpets for two (2) rooms in the amount of \$3,640.00.

Mr. Mark Yates, County Auditor, explained that the claim was presented for record purposes, and budgeted from the Hot Check Fee Fund, at the discretion of the District Attorney's Office.

Commissioner Garza asked whether large expenses were reviewed.

Mr. Yates responded in the affirmative and that a detail of the claim could be provided, and he presented the following late claims:

- a) As to Isaac A. G. Ruiz and A. C. Nelson, Warrant No. 00070104, in the amount of \$7,500.00; and
- b) As to J. L. Special Risk Insurance Inc., Warrant No. 00070105, in the amount of \$3,800.42.

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

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

AYE: Commissioners Benavides, Garza and Valdez,

NAY: None

ABSTAIN: Judge Hinojosa as to Laguna Madre Water District, Warrant No. 00069958, in the amount of \$3,204.09; as to Mr. Juan A. Magallanes, Warrant No. 00069967, in the amount of \$500.00; as to Southwest Key Program La Esperanza, Warrant No. 00070040, in the amount of \$24,4047.50; and Commissioner Cascos as to Item No. 22 "a" and 22 "b".

(21) APPROVAL OF CLAIMS;

- a) **Late claim as to Isaac AG. Ruiz and AC. Nelson, Warrant No. 00070104, in the amount of \$7,500.00; and**
- b) **Late claim as to J. L. Special Risk Insurance Inc., Warrant No. 00070105, in the amount of \$3,800.42.**

The affidavits follow:

(22) APPROVAL OF MINUTES:

- a) **January 15, 2002- Special Meeting; and**
- b) **January 23, 2002- Special Meeting.**

- (23) **RESOLUTION REMEMBERING MR. ROBERT “BOBBY” GONZALEZ FOR HIS LIFETIME OF SERVICE TO CAMERON COUNTY;**
The Resolution follows:
- (24) **SERVICE AGREEMENT BETWEEN CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1) AND CAMERON COUNTY;**
The Agreement follows:
- (25) **LICENSE AGREEMENT INVOLVING THE USE OF THE CAMERON COUNTY AIRPORT FOR A DRIVING COURSE BY THE UT-BROWNSVILLE POLICE ACADEMY;**
The Agreement follows:
- (26) **RESOLUTION HONORING MRS. DOLORES GARCIA GARZA FOR HER LIFETIME OF SERVICE TO HER COMMUNITY;**
The Resolution follows:
- (27) **PRELIMINARY APPROVAL:**
- a) **PRECINCT NO. 4 - RIV’R SUBDIVISION- BEING A 5.50 ACRE TRACT OF LAND OUT OF BLOCK NO. 41, BRIGGS AND COLEMAN SUBDIVISION IN SURVEYS NOS. 271-272 CAMERON COUNTY, TEXAS; AND**
 - b) **PRECINCT NO. 4 - GAITAN SUBDIVISION - BEING A 17.369 ACRE TRACT, OUT OF BLOCK NO. 11, OF THE S.A. THOMPSON SUBDIVISION.**
- (28) **FINAL APPROVAL:**
- a) **LA TINA COUNTY ESTATES PHASE I- 523.03 ACRES OUT OF A 1,268.63 ACRE TRACT CONSISTING OF “LA TINA” TRACT, A 1,010.55 ACRE TRACT OF LAND AND “MARSHAL” TRACT A 258.07 ACRE TRACT OF LAND SITUATED IN AND A PART OF TRACT NO. 50 OF THE PAREDES TRACT SUBDIVISION “G”, OF ESPIRITU SANTO GRANT; AND**
 - b) **WEST LA PALOMA SUBDIVISION PHASE II - A 21.527 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCK NO. 12, SUBDIVISION NO. 1 OF HICKS RESERVE.**
- (29) **PARTICIPATION IN THE STATE OF TEXAS-GENERAL SERVICES COMMISSION TEX-AN 2000 STATE CONTRACT FOR ANNUAL PAGING SERVICES UTILIZING METRO CALL WIRELESS;**
- (30) **AWARDING THE FOLLOWING BID/PROPOSALS:**
- a) **PHILLPOT MOTORS, Port Neches, Texas**
 - 1) **Pick-up Truck - \$16,879.00;**
 - 2) **Pick-ups 4x4 - \$22,376.00;**
 - 3) **Pick-up - \$14,020.00;**
 - 4) **Pick-up 4x4 - \$17, 120.00; and**
 - 5) **Pick-up (2) - \$32,438.00.**
 - b) **TIP-O-TEX CHEVROLET, Raymondville, Texas**
 - 1) **Pick-up 4x4 - \$26,055.75; and**
 - 2) **Pick-up 4x4 - \$64,542.72.**
 - c) **TIPTON FORD, Brownsville, Texas**
 - 1) **Pick-up (2) 4x4 Crew - \$48,688.00.**
 - d) **CARDENAS MOTORS, Brownsville, Texas**

- 1) Pick-up Crew - \$20,639.00; and
- 2) Pick-up Crew - \$19,995.00.

- (31) **RENEWAL OF THE FOLLOWING ANNUAL BIDS FOR ONE ADDITIONAL YEAR:**
- a) **FINANCING FOR EQUIPMENT - ANNUAL REQUEST FOR PROPOSAL (RFP) No. 4120-000102; and**
 - b) **ARMORED CAR SERVICES - ANNUAL BID NO. 1180.**

TRAVEL ITEMS

- (32) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (a) Three (3) Health Department employees to attend the “10th Annual on-site Wastewater Treatment Research Council Conference”, in Waco, Texas, March 4-7, 2002;
 - (b) 197th District Judge to attend the “2002 Winter Regional Conference”, in Galveston, Texas, February 24-26, 2002;
 - (c) Two (2) County Court at Law No. 1 Bailiffs to attend the “Public Agency Training Seminar For TCLEOSE Credits”, in South Padre Island, Texas, February 25-March 1, 2002;
 - (d) Three (3) Sheriff’s Department employees to attend the NCIC/TCIC Training Seminar”, in McAllen, Texas, February 11-15, 2002;
 - (e) County Extension Agent to attend the “Rio Grande Nutrition Conference On Folic Acid for the Prevention of Birth Defects”, in Weslaco, Texas, January 23, 2002;
 - (f) County Extension Agent to attend the “State Clothing Master Volunteer Training and The Creative Inspiration”, in San Antonio, Texas, February 13-16, 2002; and
 - (g) Two (2) Deputies Constable Precinct No. 1 to attend the “State Mandated 20 Hour Civil Process Seminar”, in San Antonio, Texas, February 10-13, 2002.

- (21) **APPROVAL OF CLAIMS;**
- a) **Late claim as to Isaac AG. Ruiz and AC. Nelson, Warrant No. 00070104, in the amount of \$7,500.00; and**
 - b) **Late claim as to J. L. Special Risk Insurance Inc., Warrant No. 00070105, in the amount of \$3,800.42.**
- The affidavits are as follow:**

- (23) **RESOLUTION REMEMBERING MR. ROBERT “BOBBY” GONZALEZ FOR HIS LIFETIME OF SERVICE TO CAMERON COUNTY;**
The Resolution is as follows:

- (24) **SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1);**
The Agreement is as follows:

- (25) **LICENSE AGREEMENT INVOLVING THE USE OF THE CAMERON COUNTY AIRPORT FOR A DRIVING COURSE BY THE UT-BROWNSVILLE POLICE ACADEMY;**
The Agreement is as follows:

- (26) **RESOLUTION HONORING MRS. DOLORES GARCIA GARZA FOR HER LIFETIME OF SERVICE TO HER COMMUNITY;**
The Resolution is as follows:

EXECUTIVE SESSION

(33) EXECUTIVE SESSION

Upon motion by Commissioner Garza seconded by Commissioner Valdez and carried unanimously, the Court met in Executive Session at 7:25 P.M. to discuss the following matters:

- a) Confer with Commissioners' Court Legal Counsel on matters relating to Mutual of Omaha Contract 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);
- b) Confer with Commissioners' Court Legal Counsel regarding possible litigation on the operations and maintenance of the boat ramp at Isla Blanca Park Marina; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 7:38 P.M.

(34) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) **Confer with Commissioners' Court Legal Counsel on matters relating to Mutual of Omaha Contract 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 amendment to the Administrative Services Contract with Mutual of Omaha, be approved as submitted.

The motion was seconded by Commissioner Garza and carried unanimously.

The Amendment is as follows:

- [REDACTED]
- b) **Confer with Commissioners' Court Legal Counsel regarding possible litigation on the operations and maintenance of the boat ramp at Isla Blanca Park Marina.**

Upon motion by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, Commissioners' Court Legal Counsel was authorized to prepare a "No Wake Policy" regarding the operations and maintenance of the boat ramp at Isla Blanca Park Marina, and to direct that the Park Rangers be certified by the Marine Safety Enforcement Officers School.

[REDACTED]

There being no further business to come before the Court, upon motion by Commissioner Valdez seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 7:41 P.M.

=====

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

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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