

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 14<sup>th</sup> day of FEBRUARY, 2002, 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:**

**2:30 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:**

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The meeting was called to order by Judge Hinojosa at 2:32 P.M.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on February 8, 2002, at 5:03 P.M.:

## **ACTION ITEMS**

**(1) SUBMISSION OF APPLICATIONS FOR PROPOSITION TWO, COLONIA ACCESS FUNDING FROM TEXAS DEPARTMENT OF TRANSPORTATION**

Mr. Juan Bernal, County Engineer/ Public Works Director, reported that S&B Infrastructure had compiled the following information and cost estimates for the colonias:

Mr. Mike Riojas, S&B Infrastructure, highlighted the Reports which identified the colonias in the County and cost estimates for the application for the Colonia Access Funding Project. He explained that the “Project Ratings Score Sheet” applied the ranking criteria to be used by the State for the selection of projects for the competitive funding process, with the exception of the “population per mile” criteria because the statewide range was not known. He noted that allowable points assigned for the criteria and added that the score of eighty (80) points was considered a good comparison for local projects. Mr. Riojas reviewed the Colonia Projects List which identified the Colonias by name, bus routes, population, total points, cost estimates and the funding category, whether it was an “Appropriation Projects” or a “Competitive Project.”

Judge Hinojosa expressed his concerns regarding whether the Texas Department of Transportation (TxDOT) would be hesitant to fund a high cost projects, such as the Los Laureles Project, identified as “appropriation” instead of funding it in the “competitive” projects. He suggested that a series of roads be submitted instead of a big project that might not be funded.

Commissioner Cascos questioned whether bids were obtained and the basis for the cost estimates.

Mr. Riojas explained that the costs estimates were based on engineering estimates for a turn-key project, and would include curb and gutter.

Commissioner Benavides questioned why Sunny Skies was estimated in the amount of \$352,000.00 if the County had done repairs.

Mr. Riojas stated that a road within Sunny Skies was in need of improvements, repairs and drainage.

At this time, there was discussion regarding the availability of right-of-ways, different options to address drainage issues, and the suggestion was made to include curb and gutter on the main Colonia roads.

Commissioner Garza noted that the “funds were intended to provide the people in the Colonia ingress and egress to their residences, and not to pave every road in the Colonia.” He noted that the whole Colonia Project would not be funded and should not be bid out.

Mr. Riojas stated that according to the TxDOT’s District Engineer, the Colonia roads and Colonia access road could be submitted as a whole project.

Commissioner Garza stated that Mr. Craig Peterson, Texas Water Development Board Executive Director, had informed him that the Laguna Heights area met the criteria to be designated as a Colonia. He suggested that Mr. Neil Hammen, Texas Water Development Board, be contacted to consider the designation of the colonias that have not been recognized as Colonias.

Judge Hinojosa suggested that the Entitlement Funds be divided between Precinct No. 3 and Precinct No. 4, and that the standard projects for Precincts No. 1 and No. 2 continue as scheduled.

Mr. Bernal suggested that colonias of between four hundred (400) to five hundred (500) population and above, be submitted for the competitive projects.

There was a lengthy discussion concerning the merits of the different projects identified and Mr. Riojas recommended to submit the highest ranking projects for the entitlement funds, and that Los Laureles and Las Palmas Colonias be categorized as competitive, and to prioritize the streets within the colonias.

Judge Hinojosa suggested that projects that scored above thirty-five (35) points be submitted as competitive and that alternative proposals be submitted for the large projects. He recommended that the colonias within the city limits be removed from the competitive funds and that the colonias within the Extra Territorial Jurisdiction (ETJ) be included.

Mr. Bernal noted that the only problem would be whether TxDOT would accept two (2) different packages for one (1) project.

Judge Hinojosa moved that an application for “competitive funding” for all colonias be submitted, not including the Colonias within city limits that have ranked pursuant to the scoring of thirty-five (35) points or above; to include colonias within the Extra Territorial Jurisdiction (ETJ) of a City, and that as part of the application, any project in excess of \$1.5 be broken down as Alternative Projects, at the discretion of the County Engineer.

The motion was seconded by Commissioner Garza and carried unanimously.

Commissioner Garza moved to instruct the County Engineer to submit for the \$3 million Entitlement Funding, Colonias located within Precincts No. 3 and No. 4 in a roughly equal amount for each Precinct, pursuant to the instruction given by Commissioner Garza, Precinct No. 3, and Commissioner Valdez, Precinct No. 4.

The motion was seconded by Commissioner Valdez.

Commissioner Cascos noted that the Court was voting on projects that were not identified and noted his abstention.

At this time, Mr. Richard Burst, Commissioners' Court Legal Counsel, stated that there were no legal issues unless the motion was not in accordance to the application process.

Judge Hinojosa noted that the Projects selected by the County Engineer must be from the colonias listed.

At this time, Commissioner Cascos withdrew his abstention.

Upon motion duly made by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the County Engineer was instructed to submit for the \$3 million Entitlement Funding, Colonias within Precincts No. 3 and No. 4, pursuant to the instruction given by Commissioners from Precinct No. 3 and No. 4.

**The Reports are as follow:**

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There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 3:31 P.M.

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**APPROVED** this **12th** day of **March 2002**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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