

**THE STATE OF TEXAS                    §**

**COUNTY OF CAMERON                    §**

**BE IT REMEMBERED** on the 26<sup>th</sup> 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:**

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The meeting was called to order by Judge Hinojosa at 5:34 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and Commissioner Cascos 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 February 22, 2002, at 3:31 P.M.:

## **ACTION ITEMS**

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

Commissioner Cascos moved that the 2002 Fiscal Year Budget Amendment No. 2002-12, and the Salary Schedule for the GIS Mapping Department, Fund No. 4210, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Budget Amendments and Salary Schedule are as follow:**

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

Mr. Juan Bernal, County Engineer/Public Works Director, reported that the findings by the Texas Jail Commissioner should be corrected by Landmark Construction within one (1) week, noting that the Texas Department of License and Regulation (TDLR) Report was still pending.

Commissioner Benavides moved that the Report by the County Engineer regarding the modifications, additions and/or deletions at the Cameron County Detention Facility and Sheriff's Department, and issues related thereto, be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

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

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

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(4) **SUBMISSION OF A GRANT ACCEPTANCE NOTICE FOR \$378,671.00 AND ADOPTION OF A REVISED SUPPORTING RESOLUTION COMMITTING TO A 34% MATCH FROM THE COMMUNITY OF \$128,771.00 IN SUPPORT OF UNIDOS PODEMOS TITLE V DELINQUENCY PREVENTION PROGRAM FOR THE YEAR 2002-2003**

Commissioner Garza questioned Legal Counsel as to the language of the Agenda Item "Acceptance Notice" being considered, yet the back-up consisted of an "Application" and whether there would be a problem discussing the matter.

Mr. Doug Wright, Commissioners' Court Legal Counsel, responded that he did not know why the item was worded in that manner, and questioned why an Acceptance Notice was being considered, if a Grant Application was not previously authorized.

Dr. Roberta Dahl, Unidos Podemos, explained that the item was for the second year renewal of the grant application, and that the adoption of the supporting Resolution would indicate the Court's approval to submit the application.

Mr. Wright stated that the process consisted of approval to submit an Application prior to considering acceptance of a grant.

Dr. Dahl explained that authorization to submit a Grant Application was being requested.

Commissioner Garza stated that the language of the Agenda Item did not pertain to the submission of an application, and questioned whether the grant application could be legally discussed if the item read "Grant Acceptance Notice".

Mr. Wright stated that the original Grant was for three (3) years and that it required notification of acceptance and questioned whether the County would be committing the matching amount.

Dr. Dahl explained that if the in-kind submitted by the community agencies was not supplied, the County would be liable, noting that the grant could not be obtained without the sponsorship of the City or the County.

Mr. Wright stated that an annual commitment to match the funds was needed to obtain the grant funds, adding that the Court had to decide whether to be responsible to match the amount of \$128,000.00, in the event the community agencies did not provide the in-kind as submitted.

Commissioner Garza reiterated his concern about discussing the matter considering the wording of the Agenda Item as presented, and questioned Legal Counsel whether he was advising that questions could be asked regarding the matter.

Mr. Wright noted that he was not sure that he understood the legal question being asked.

Commissioner Garza noted that: "It says, the Agenda Item says authorization to submit a Grant Acceptance Notice. When I open up the packet, this is a Grant Application. My question is, can I discuss this package, with this Board, with the Agenda Item as written. If I can, I just need a 'yes' from you, and I will proceed with my question."

Mr. Wright responded: "I think you can ask questions with regards to the Agenda Item."

At this time, Commissioner Garza noted that grant application in the packet was different when compared to the previous week, and wondered what had transpired in the last seven (7) days.

Dr. Dahl explained that the 2001 Application was presented for the meeting held February 19, 2002, because the new Application was not complete at the time, and that the decision to table the Item had allowed time for completion of the new application, noting that the basic services remained the same.

At this time, there was discussion regarding the difference in the applications, the changes in attachments, the Executive Director of the Program, and the Program Director.

Mr. Mark Yates, County Auditor, stated that the letter presented to Commissioners' Court the previous week was based on the information presented for the Meeting of February 19, 2002, and that the present application was completely different. He noted that the community in-kind contributions, in the amount of \$128,000.00, needed verification. He explained that the required equipment list was not included, and that in order for the Court to proceed with the lease rate

rentals, and the Memorandums of Understanding between the group and the County, those items needed to be verified. Mr. Yates expressed his concern on whether certain listed equipment was needed or useful to the program on the previous submittal. He noted that his concern was heightened after the visit by the State Monitor, whose report was still pending, but based on the review there were some concerns expressed. Mr. Yates explained that two (2) to two and a half (2.5) years ago the County was approached to serve as a Fiscal Agent for the organization until their 501-C3 status was established with the Internal Revenue Service (IRS), and to begin operations. He added that the group would work on their organization, apply for funding on their own, and that at the end of the process, the community coalition would be set up, ending the County's obligation; however, that had not yet occurred.

Ms. Patricia Guillermo Williams, Title V Coordinator, stated that the equipment questioned was not included in the current budget. She stated that they had been working with the School District and that the program should begin by March 5, 2002. She noted that the State Monitors' review was conducted in late January, 2002, and that a draft report would be presented within four (4) to six (6) weeks, with a final report in six (6) months, noting that the items of concerns were being addressed, at this time.

At this time, Dr. Tony Zavaletta, P.A., M.D., spoke on behalf of the organization and stated that the coalition assured that the youth would remain in school and become productive members of the community. He stated that some of the issues presented by the County Auditor were valid, adding that during the time he had served as a Board Member of the Organization, he had not seen anything that could not be resolved. He suggested that the County Auditor and the Board Members of Unidos Podemos discuss the matter in order to reach an understanding. Dr. Zavaletta requested the support of the Court and noted that the 501-C3 issue was valid, and that it was critical that the organization become independent of the County once the grant period expired.

Commissioner Cascos noted that the major issue was the in-kind amount, and questioned what was required from Unidos Podemos in order to alleviate the concerns.

Mr. Yates responded that it was not the amount, but rather the verification of the in-kind listed in the current application, adding that the minor irregularities could be corrected. He noted that the equipment list was not provided.

At this time, the values of several items on the inventory were discussed and the method calculated to reach the values; noting that in lieu of the invoices an appraised or replacement value was provided for the inventory that was reviewed by the State Monitor.

Mr. Yates stated that the Program's goals and objectives were very worthy, but his position, as an Auditor, was his priority and that the value of the in-kind needed to be attested for, adding that the issues needed to be resolved.

At this time, Commissioner Garza noted the differences between the packet presented the week before and the current application and the questionable items listed, and noted his concerns.

Dr. Dahl stated that the original letters of in-kind were included at the request of the State, but that the listed equipment was not included in the budget.

Commissioner Valdez noted that it appeared that the equipment had been purchased, and what was being presented was equipment to be leased to continue the intervention program.

Judge Hinojosa noted that the funding agency would determine whether the in-kind matching amount was acceptable with the Application, but noted that several issues needed to be resolved. He indicated that the first issue would be to establish a time-line to address the audit findings prior to the acceptance of any Grant applications and funds. Judge Hinojosa added that the following memorandum was presented to the County Auditor from Mr. Alejandro Coronado, Unidos Podemos Board Members, expressing concerns that the Grant applications were not approved by the Board:

Dr. Dahl remarked that both applications were submitted and approved by the Unidos Podemos Board Members, except that Mr. Coronado was not present.

At this time, Mr. George Samano, Unidos Podemos, stated that Mr. Coronado attended the last Board Meeting but had not addressed none of the issues presented in the memorandum were presented to the Board, nor was the Board aware of his actions.

Mr. Yates stated that if the in-kind match issues were resolved and fulfilled, at least half way through the year, the Monitors would approve and that he would be in close contact with the reviewing agency.

Judge Hinojosa stated that similar grants were not handled by the County and that the decisions were being made by the Court, based on the recommendation from the Unidos Podemos, adding that a certain comfort level was needed for the Court. He explained that no funds would be accepted until the following three (3) issues be resolved; 1) that the matching amount be verified and acceptable to the funding agency, 2) that the audit exceptions be addressed prior to acceptance of the grant, and 3) that the proof of the application's approval from the Unidos Podemos Board Members be provided.

At this time, there was discussion regarding the use of the equipment by the Boot Camp, and it was noted that the prior year grant program was "intervention", and the current year program was "prevention" and the equipment could not be used, but that the matter would be considered.

Commissioner Cascos remarked that if the in-kind amount in the grant application were to be audited, the County would be ultimately responsible.

Judge Hinojosa noted that the County Auditor would have to approve the in-kind amount.

Mr. Yates stated that it was not unusual that an item be disqualified by the funding agency.

Commissioner Benavides moved that the submission of a Grant Acceptance Notice for \$378,671.00 and with a revised supporting Resolution committing to a thirty-four (34) percent match from the Community of \$128,771.00 in support of Unidos Podemos Title V Delinquency Prevention Program for the Year 2002-2003, be approved.

At this time, there was discussion regarding the wording of the Agenda Item and the motion to approve the item with the three (3) caveats.

Mr. Wright noted that the motion had to be consistent with the wording of the Agenda Item.

Commissioner Garza noted that the wording of the Agenda Item had been the reason why he had questioned the item initially.

Mr. Wright noted that the confusion was related to the government forms not being totally consistent with what was being considered, and suggested that the motion be formed in the language of the agenda item, with the understanding that the application was for the continuation of the grant.

Commissioner Cascos questioned whether there would be a problem tabling the matter for a week, and presenting it at the next meeting with the proper wording, but it was determined that a meeting would be held prior to the deadline for the application.

The motion was seconded by Commissioner Valdez.

Mrs. JuaNita Brodecky, Rio Hondo resident, stated that it was her understanding that the Court had decided that the individuals must identify themselves when addressing the Court, subsequently the members mentioned in the item proceeded to identify themselves..

Upon motion duly made by Commissioner Benavides that the submission of a Grant Acceptance Notice for \$378,671.00, with a revised supporting Resolution committing to a thirty-four (34) percent match from the Community of \$128,771.00 in support of Unidos Podemos Title V Delinquency Prevention Program for the Year 2002-2003, be approved, with the restrictions previously made [ the caveats being: 1) that the matching amount be verified and acceptable to the funding agency; 2) that the audit findings be addressed prior to the acceptance of the funds, and; 3) that the proof of the application's approval from the Unidos Podemos Board Members be provided].

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

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

NAY: None,

ABSTAIN: Commissioner Garza.

**The Application is as follows:**



# CONSENT ITEMS

**ALL ITEMS UNDER THE CONSENT AGENDA AND TRAVEL ITEMS 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. 7:** Mr. Remi Garza, Assistant County Administrator, noted that the Item should read “Cesar Costa”, rather than “Jorge Muñiz”.
- ITEM NO. 5:** Mr. Mark Yates, County Auditor, presented the following additional claims, and noted that Warrant No. 00071173 would not be released:
- 1) as to International Medical Supply, Warrant No. 00071177, in the amount of \$19,995.00;
  - 2) as to Computer Supplies, Warrant No. 00071174, in the amount of \$62,935.61;
  - 3) as to Jury Fund, Warrant No. 00071175, in the amount of \$5,030.00; and
  - 4) as to General Fund, Warrant No. 00071176, in the amount of \$64,000.00.
- ITEM NO. 8:** Commissioner Garza questioned whether the two (2) vehicles would be purchased locally.  
Mr. Mike Forbes, Purchasing Agent, noted that customarily bids were solicited; however, the Department requested vehicles in-stock for immediate delivery.
- ITEM NO. 23 “a”:** Mr. Mark Yates, County Auditor, noted that the Sheriff’s Office would be engaging in Horseback Patrol, and that the Worker’s Compensation rates need to be analyzed for any differences.  
Commissioner Cascos questioned the differences in the original invoices and the suggestion was made that the Items be tabled.
- ITEM NO. 17:** The correction was made that the Fiscal Year should read: 2002.
- ITEM NO. 20 “a”:** Mr. Juan Bernal, County Engineer, requested that a Committee be appointed to help evaluate the Request for Qualifications received; and the following individuals were suggested: Mr. Mike Forbes, Purchasing Agent; Mr. Juan Bernal, County Engineer; and Mr. Lee Lozano, Vehicle Maintenance.

At this time, Commissioner Benavides moved that the following “Consent and Travel Items” be approved, and that Item No. 23 be **TABLED**.

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

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

NAY: None,

ABSTAIN: Judge Hinojosa as to Laguna Madre Water District, Warrant No. 00070972, in the amount of \$9,396.56.

**(5) APPROVAL OF COUNTY CLAIMS;  
The Affidavit follows:**

**(6) AGREEMENT BETWEEN CAMERON COUNTY PARKS SYSTEM AND BLUE  
APPLE PUBLISHING, INC;  
The Agreement follows:**

- (7) **RESOLUTION HONORING MR. CESAR COSTA AS MR. AMIGO 2001, FOR HIS MANY ACCOMPLISHMENTS IN THE WORLD OF ENTERTAINMENT, CONFIRMATION OF STATUS OF HONORARY CITIZEN OF CAMERON COUNTY AND PROCLAIMING FEBRUARY 25<sup>TH</sup> THROUGH MARCH 1<sup>ST</sup> 2001 AS “CESAR COSTA WEEK” IN CAMERON COUNTY;**  
**The Resolution follows:**
- (8) **UTILIZATION OF THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS (HCAG), INTERLOCAL PURCHASING AGREEMENT FOR THE PURCHASE OF TWO (2) 2002-2003 PICK-UP TRUCKS, EXTENDED CAB-1/2 TON SHORT BED, FOR THE GIS DEPARTMENT;**
- (9) **CONTRACT WITH GUZMAN AND MUÑOZ ENGINEERING AND SURVEYING TO PREPARE AND COORDINATE THE LOCATION OF UTILITY EASEMENTS FOR THE COLONIA LA TORRE WATER LINE PROJECT;**  
**The Contract follows:**
- (10) **RESOLUTION AUTHORIZING CAMERON COUNTY TO SUBMIT A CONTINUATION GRANT APPLICATION TO LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE SOLID WASTE LOCAL ENFORCEMENT PROGRAM;**  
**The Resolution follows:**
- (11) **RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT, AND CONTINUING CAMERON COUNTY’S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL;**  
**The Resolution follows:**
- (12) **PURCHASE OF A MOBILE PHONE AND SERVICE FOR THE CHIEF DEPUTY CONSTABLE PRECINCT NO. 6;**
- (13) **UTILIZATION OF THE STATE OF TEXAS COOPERATIVE PURCHASING NETWORK REGION IV INTERLOCAL PURCHASING AGREEMENT FOR THE PURCHASE OF EIGHTEEN (18) COMPUTERS;**
- (14) **APPOINTMENT OF RESERVE DEPUTY ISYS C. CHAMBERLAIN TO THE POSITION OF DEPUTY CONSTABLE PRECINCT NO. 6, IN COMPLIANCE WITH THE STATE OF TEXAS LOCAL GOVERNMENT CODE 86.011 AND 86.012;**
- (15) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY’S OFFICE FOR THE CAMERON COUNTY UNIFIED NARCOTIC INTELLIGENCE TASK;**  
**The Application follows:**
- (16) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY’S OFFICE;**  
**The Application follows:**
- (17) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY**

**DISTRICT ATTORNEY'S OFFICE FOR THE SOUTH TEXAS HIDTA DIRECTOR  
ADMINISTRATIVE SUPPORT ELEMENT IN THE SOUTHWEST BORDER;**

**The Application follows:**

- (18) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE SOUTH TEXAS HIDTA INTELLIGENCE CENTER IN THE SOUTHWEST BORDER;**  
**The Application follows:**
- (19) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE SOUTH TEXAS HIDTA DIRECTOR ADMINISTRATIVE SUPPORT ELEMENT IN THE SOUTHWEST BORDER;**  
**The Application follows:**
- (20) **OPENING OF THE FOLLOWING BIDS/PROPOSALS:**  
A) **SOIL MATERIALS TESTING - ANNUAL REQUEST FOR QUALIFICATION (RFQ) NO. 1724;**  
B) **LUBES, OILS, GREASE, ANTI-FREEZE - ANNUAL BID NO. 1993;**  
C) **TWO (2) DUMP TRUCKS - SIX (6) AND EIGHT(8) CYLINDER;**  
D) **ONE (1) WATER TRUCK; AND**  
E) **NINE (9) SPORT UTILITY VEHICLES AND VANS.**
- (21) **FINAL APPROVAL:**  
A) **PRECINCT NO. 2 - RIO BRAVO SUBDIVISION SECTION NO, 8 - LOT NO. 1, BLOCK NO. 15.**
- (22) **PRELIMINARY APPROVAL:**  
A) **PRECINCT NO. 4 - MAGNOLIA ESTATES NO. II - BEING A SUBDIVISION OF THE WEST 10.08 ACRES OF LOT NO. 33, ADAMS GARDENS SUBDIVISION "B", LA FERIA GRANT.**
- (23) **IN THE MATTER OF PURCHASE WITHOUT PURCHASE ORDER: (TABLED)**  
A) **UNISOURCE WORLDWIDE INC. - \$772.30; SHERIFF'S DEPARTMENT**  
B) **SUPERIOR ALARMS - \$787.50; "**  
C) **PRODUCTIVITY CENTER - \$1,565.00; AND "**  
D) **U.S. PATROL HORSE - \$600.00. "**
- (24) **AWARDING OF THE FOLLOWING BID:**  
A) **MOSQUITO INSECTICIDE - ANNUAL BID NO. 2430:**  
1) **SCOURGE 5 gallon - B&G CHEMICALS, Houston, Texas- \$300.00**  
2) **BIO MIST 2.5 gallon - PUBLIC HEALTH EQUIPMENT, San Antonio, Texas, \$70.77;**  
3) **BIO MIST 5 gallon - PUBLIC HEALTH EQUIPMENT, San Antonio, Texas, \$200.00;**  
4) **KONTROL 4 /5 gallon - VOPAK USA, Houston, Texas, \$29.98;**  
5) **KONTROL 30 /5 gallon - VOPAK USA, Houston, Texas, \$210.00;**  
6) **ENVIROTECH 13T - B&G CHEMICALS, Houston, Texas, \$3.60;**  
7) **ALTOSID BRIQUETS (220 count.) - VOPAK USA, Houston, Texas, \$586.53;**  
8) **ALTOSID BRIQUETS (400 count.) - VOPAK USA, Houston, Texas, \$360.40;**  
9) **PERMANONE 31 - VOPAK USA, Houston, Texas, \$307.69;**  
10) **PERMANONE READY TO USE - VOPAK USA, Houston, Texas, \$35.40; And**  
11) **SUPAR 107 - VOPAK USA, Houston, Texas, \$4.00.**

- (25) **ACCEPTANCE OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AWARD, IN THE AMOUNT OF \$22,012.00, FOR THE FISCAL YEAR 2002 FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY DIVISION OF EMERGENCY MANAGEMENT.**

## **TRAVEL ITEMS**

- (26) **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 employee to attend the “Texas District and Counties Association Board Member Meeting”, in Austin, Texas, March 8, 2002;
  - (b) Justice of the Peace Precinct No. 5, Place No. 1 Clerk to attend the “Court Personnel Seminar”, in San Antonio, Texas, March 3-6, 2002;
  - (c) County Extension Agent to participate in the “Safe Kids Conference”, in Corpus Christi, Texas, February 15-16, 2002;
  - (d) Three (3) Tax Assessor Collector employees to attend the “2002 Texas Automobile Theft Prevention Authority Annual Conference”, in Dallas, Texas, April 5-10, 2002;
  - (e) Ten (10) Health Department employees to attend the “Continuing Education Credits in Breastfeeding for Peer Counselors and Competent Professional Authority”, in Harlingen, Texas, March 6-8, 2002;
  - (f) Four (4) Sheriff’s Department employees to attend the “Detective and New Criminal Investigator Training Course”, in South Padre Island, Texas, February 25 - March 1, 2002;
  - (g) Sheriff and Chief Deputy to attend the “16<sup>th</sup> Annual Texas Jail Association Conference”, in San Antonio, Texas, June 20-24, 2002;
  - (h) 357<sup>th</sup> District Judge to attend the “Judicial Continuing Education”, in Reno, Nevada, April 7-20, 2002; and
  - (i) Emergency Management Coordinator to attend the “National Hurricane Conference”, in Orlando, Florida, March 30 - April 7, 2002.

- ( 5) APPROVAL OF COUNTY CLAIMS.  
The Affidavit is as follows:**

- (6) **AGREEMENT BETWEEN CAMERON COUNTY PARKS SYSTEM AND BLUE APPLE PUBLISHING, INC.**  
**The Agreement is as follows:**

- (7) **RESOLUTION HONORING MR. CESAR COSTA AS MR. AMIGO 2001, FOR HIS MANY ACCOMPLISHMENTS IN THE WORLD OF ENTERTAINMENT, CONFIRMATION OF STATUS OF HONORARY CITIZEN OF CAMERON COUNTY AND PROCLAIMING FEBRUARY 25<sup>TH</sup> THROUGH MARCH 1<sup>ST</sup> 2002 AS “CESAR COSTA WEEK” IN CAMERON COUNTY.**  
**The Resolution is as follows:**

- (9) **CONTRACT WITH GUZMAN AND MUÑOZ ENGINEERING AND SURVEYING TO PREPARE AND COORDINATE THE LOCATION OF UTILITY EASEMENTS FOR THE COLONIA LA TORRE WATER LINE PROJECT.**  
**The Contract is as follows:**



- (21) **RESOLUTION AUTHORIZING CAMERON COUNTY TO SUBMIT A CONTINUATION GRANT APPLICATION TO LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE SOLID WASTE LOCAL ENFORCEMENT PROGRAM.**

**The Resolution is as follows:**

- (11) **RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT, AND CONTINUING CAMERON COUNTY'S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL.**

**The Resolution is as follows:**

- (15) ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE CAMERON COUNTY UNIFIED NARCOTIC INTELLIGENCE TASK.  
The Application is as follows:

- (16) ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE.**  
**The Application is as follows:**

- (17) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE SOUTH TEXAS HIDTA DIRECTOR ADMINISTRATIVE SUPPORT ELEMENT IN THE SOUTHWEST BORDER.**  
**The Application is as follows:**

- (18) ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE SOUTH TEXAS HIDTA INTELLIGENCE CENTER IN THE SOUTHWEST BORDER.  
The Application is as follows:**

- (19) **ACCEPTANCE OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR FISCAL YEAR 2002 BUDGET TO THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE SOUTH TEXAS HIDTA DIRECTOR ADMINISTRATIVE SUPPORT ELEMENT IN THE SOUTHWEST BORDER.**  
**The Application is as follows:**

## **EXECUTIVE SESSION**

### **(27) EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 6:44 P.M. to discuss the following matters:

- (a) Deliberation regarding real property concerning the possible sale of the remainder of Cameron County owned property known as: San Benito - Commercial Lots No. 7 through No. 11, Block No. 2, Account No. 57-7850-0020-0070-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (b) Deliberation regarding real property concerning the possible sale of the remainder of Cameron County owned property known as: San Benito - Commercial Fraction Lots No. 3 through No. 7, Block No. 5, Account No. 57-7850-0050-0030-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (c) Deliberation regarding real property concerning the possible donation of 4.646 miles of Railroad Right-of-Way starting at mile Post 2.644,(823.7 feet south of the centerline of FM/345 north of San Benito) and head northward to mile post No. 7.29 ( which is the centerline of Lake View Road at the south edge of Lake View Road at the south edge of Rio Hondo and about 1.3 miles south of FM 106, to Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (d) To discuss Tax Abatement incentives for company or companies located or locating at the Brownsville Navigation District; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (e) Deliberation regarding real property concerning the possible Agreement of the Wetlands area located immediately south of the South Padre Island Convention Centre, to be developed by the South Padre Development Corporation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (f) Confer with Commissioners' Court Legal Counsel regarding the possible litigation to the Father Joseph O'Brien Clinic; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- (g) Confer with Commissioners' Court Legal Counsel regarding the possible litigation relating to the Health Women Infant Children (WIC) Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A); and
- (h) Deliberation regarding real property concerning the possible Lease between Niños Inc., and Cameron County for the Southmost Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 7:27 P.M.



**(28) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (a) Deliberation regarding real property concerning the possible sale of the remainder of Cameron County owned property known as, San Benito - Commercial Lots No. 7 through No. 11, Block No. 2, Account No. 57-7850-0020-0070-00.**
- (b) Deliberation regarding real property concerning the possible sale of the remainder of Cameron County owned property known as, San Benito - Commercial Fraction Lots No. 3 through No. 7, Block No. 5, Account No. 57-7850-0050-0030-00.**

Commissioner Valdez moved that Mr. Joseph Ardito, Property Manager, be authorized to begin the process of declaring the remainder of Cameron County owned properties as surplus, that being the San Benito - Commercial Lots No. 7 through No. 11, Block No. 2, Account No. 57-7850-0020-0070-00 and Commercial Fraction Lots No. 3 through No. 7, Block No. 5, Account No. 57-7850-0050-0030-00, and that Commissioner Garza be appointed as the Commissioner for the surplus determination.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (c) Deliberation regarding real property concerning the possible donation of 4.646 miles of Railroad Right-of-Way, starting at mile Post 2.644, that being 823.7 feet south of the centerline of FM/345 north of San Benito, northward to mile Post No. 7.29, that being the centerline of Lake View Road at the south edge of Lake View Road at the south edge of Rio Hondo and about 1.3 miles south of FM 106, to Cameron County.**

Commissioner Garza moved that the donation of 4.646 miles of Railroad Right-of-Way, starting at mile Post 2.644, that being 823.7 feet south of the centerline of FM/345 north of San Benito, northward to mile Post No. 7.29, that being the centerline of Lake View Road at the south edge of Lake View Road at the South Edge of Rio Hondo and about 1.3 miles south of FM 106, to Cameron County be accepted.

The motion was seconded by Commissioner Valdez and carried unanimously.

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- (d) To discuss Tax Abatement incentives for company or companies located or locating at the Brownsville Navigation District.**

Commissioner Garza moved that the Status Reports by Commissioners' Court Legal Counsel and Project Development and Management Director, be acknowledged, regarding the Tax Abatement incentives for the company or companies located or locating at the Brownsville Navigation District, and that a legal opinion as to the legalities of the Tax Abatement incentives be obtained.

The motion was seconded by Commissioner Valdez and carried unanimously.

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- (e) **Deliberation regarding real property concerning the possible Agreement of the Wetlands area located immediately south of the South Padre Island Convention Centre to be developed by the South Padre Development Corporation.**

Commissioner Garza moved that the Property Manager be authorized to begin the process to enter into a Concessionaire Agreement of the Wet Lands area located immediately south of the South Padre Island Convention Centre, to be developed by the South Padre Development Corporation Deliberation, and that the negotiations of the lease be negotiated, pursuant to the terms as discussed in Executive Session.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (f) **Confer with Commissioners' Court Legal Counsel regarding the possible litigation to the Father Joseph O'Brien Clinic.**

Commissioner Garza moved that Assured Indoor Air Quality be hired to conduct complete testing at the Father Joseph O'Brien Clinic and that the County Engineer and the Construction Manager be instructed to recommend the hiring of a Consulting Architect for the project.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (g) **Confer with Commissioners' Court Legal Counsel regarding the possible litigation relating to the Health Women, Infant and Children (WIC) Building.**

Commissioner Valdez moved that Assured Indoor Air Quality be hired to conduct complete testing at the Health Women, Infant and Children (WIC) Building.

The motion was seconded by Commissioner Garza and carried unanimously.

- (h) **In the matter regarding the deliberation regarding real property concerning the possible lease between Niños Inc., and Cameron County for the Southmost Park. (TABLED)**

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

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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 7:32 P.M.

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**APPROVED** this 26<sup>th</sup> 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.**