

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 5th day of MARCH, 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 5:32 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and he 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 March 1, 2002, at 1:18 P.M., and the Supplemental Agenda on March 1, 2002, at 3:59 P.M.:

PRESENTATION

(1) **RESOLUTION HONORING THE OUTSTANDING
CAMERON COUNTY SHERIFF DEPUTIES WHO
RESPONDED TO THE QUEEN ISABELLA CAUSEWAY
COLLAPSE**

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Resolution honoring the outstanding Cameron County Sheriff Deputies who responded to the Queen Isabella Causeway Collapse was adopted.

ACTION ITEMS

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

Commissioner Cascos moved that the 2002 Fiscal Year Budget Amendments No. 2002-13 be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Budget Amendments are as follow:

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 AND TRAVEL AGENDA ITEMS:

SUPPLEMENTAL ITEM NO. 3: Mr. Joseph Ardito, Property Management, clarified that the deposit was being requested and that the property was in order.

ITEM NO. 13: Mr. Frank Martinez, District Attorney Representative, requested that the recommended 2002 vehicle be changed to a 2003 vehicle because of future value.
Mr. Mike Forbes, Purchasing Agent, stated that the Bidding Process instructed to go with the lowest bid that met the bid requirements, noting that the bids were for a 2002 vehicle. He stated that he would not recommend anything other than the lowest bid that met specification because of the comparison of different fields.
Commissioner Garza asked whether the difference in numbers justified not awarding the bid to local merchants.
Mr. Forbes explained that the bid specifications were not met by the local merchant.

ITEM NO. 6: Mr. Mike Forbes, Purchasing Agent, presented an additional claim as to Mrs. Eileen Barry, Sculptor, Warrant No. 00071943, in the amount of \$45,000.00, adding that the County Auditor requested that the check be released contingent upon receipt of the Contract signed by both parties.

ITEM NO. 15 "F": Mr. Joe E. Vega, Parks System Deputy Director, requested that the date be changed from March 5, 2002, to March 7, 2002.

Commissioner Cascos moved that the following "Consent, Travel, and Supplemental Consent Items" be approved with the change to Item No. 15 "F" as to the date change from March 5, 2002, to March 7, 2002.

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

AYE: Commissioners Benavides, Cascos and Garza,

NAY: None,

ABSTAIN: Judge Hinojosa as to Southwest Key Program La Esperanza, Warrant No. 00071539, in the amount of \$1,860.00.

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

**(7) APPROVAL OF MINUTES:
(A) FEBRUARY 5, 2002 - REGULAR; AND
(B) FEBRUARY 12, 2002 - REGULAR**

(8) RELEASE OF A SECURITY TO LONE STAR NATIONAL BANK FOR A TOTAL OF \$1,000,000.00, AT PAR, FROM THE COLLATERAL PACKAGE SECURING THE DEPOSITS OF THE COUNTY;

TRAVEL ITEMS

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

- (a) Two (2) Parks Systems employees to attend the "Mosquito Control Workshop", in Weslaco, Texas, March 18, 2002;
- (b) Justice of the Peace Precinct No. 6, to attend the "Twenty Hour Justice of the Peace Seminar", in San Antonio, Texas, March 24, 2002;
- (c) County Extension Agent to attend and participate in the "4-H and Livestock Contest at the Houston Livestock Show and Rodeo", in Houston, Texas, February 25-26, 2002;
- (d) Three (3) Health Department employees to attend the "2002 Indigent Health Care Program Regional Meeting", in McAllen, Texas, February 27, 2002;
- (e) Juvenile Probation employee to attend the "Texas Department of Public Safety Sex Offender Registration Conference", in Galveston, Texas, April 1-4, 2002;
- (f) Parks Director, Chief Ranger and Vehicle Maintenance to travel to view Surplus Property, in San Antonio, Texas, March 4, 2002; and
- (g) Unit Tactical Intelligence Agent to attend the "TLEIUA Conference in San Antonio, Texas, February 19-22, 2002.

SUPPLEMENTAL CONSENT ITEMS

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

- (1) **ADVERTISING CAMERON COUNTY PARKS SYSTEM LAND, LOCATED ON BROWNIE ROAD FOR POSSIBLE CONCESSION LEASES;**
- (2) **PROPERTY MANAGER TO ENROLL IN LAND AND BUILDING APPRAISAL COURSES;**
- (3) **REFUND DEPOSIT TO THE COASTAL BEND REGION PORSCHE CLUB OF AMERICA;**
- (4) **SOLICIT BIDS FOR ROOF REPAIRS FOR THE CAMERON COUNTY AIRPORT HANGER; AND**
- (5) **NEGOTIATION OF CONTRACT BETWEEN THE CITY OF SAN BENITO AND CAMERON COUNTY TO DEVELOP ADDITIONAL PARKING SPACES FOR THE CAMERON COUNTY HEALTH DEPARTMENT.**

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

- (12) RENEWAL OF THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR:**
(A) VEHICLE LEASE - ANNUAL BID NO. 1480.
The Tabulation is as follows:

EXECUTIVE SESSION

(16) EXECUTIVE SESSION

Upon motion by Commissioner Garza seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 5:48 P.M. to discuss the following matters:

- (a) Deliberation regarding real property concerning the possible lease of Cameron County Property (ies) in the Southmost Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- (b) Confer with Commissioners' Court Legal Counsel concerning the Texas Natural Resource Conservation Commission (TNRCC) on 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).

NOTE: COMMISSIONER VALDEZ JOINED THE MEETING AT THIS TIME.

Upon motion by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 6:00 P.M.

(17) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) **In the matter regarding real property concerning the possible lease of Cameron County Property (ies) in the Southmost Park. (TABLED)**

Judge Hinojosa reported that this item was not discussed during Executive Session.

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

- (b) **Confer with Commissioners' Court Legal Counsel concerning the Texas Natural Resource Conservation Commission (TNRCC) on 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 to designate Mr. Juan Bernal, County Engineer/ Public Works Director, as the "point" person, and to direct Commissioners' Court Legal Counsel to arrange a meeting with the Texas Natural Resource Conservation Commission (TNRCC) for conference concerning the TNRCC on 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 Cascos and carried unanimously.

[REDACTED]

(1) **RESOLUTION HONORING THE OUTSTANDING
CAMERON COUNTY SHERIFF DEPUTIES WHO
RESPONDED TO THE QUEEN ISABELLA
CAUSEWAY COLLAPSE**

Judge Hinojosa presented a Resolution to the following Cameron County Sheriff Deputies who responded courageously to the Queen Isabella Causeway collapse:

Sergeant Sam Montemayor;

Sheriff Deputy Leroy Rincones;

Sheriff Deputy Gilbert Briones;

Sheriff Deputy Jorge Peña;

Sheriff Deputy Eric Lopez; and

Sheriff Deputy Carlos Martinez.

At this time, Cameron County Sheriff Conrado Cantu thanked the Court for the recognition and added that he was proud of the job done by the Deputies.

The Resolution is as follows:

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There being no further business to come before the Court, upon motion by Commissioner Benavides seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 6:10 P.M.

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APPROVED this 19th 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.