

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 26th 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:

The meeting was called to order by Judge Pro-tem Carlos H. Cascos, C.P.A., at 5:35 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and Commissioner Valdez 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 March 22, 2002, at 4:16 P.M.:

ACTION ITEMS

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

Commissioner Benavides moved that the 2002 Fiscal Year Budget Amendment No. 2002-15 be approved.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Budget Amendments are as follow:

- ████████████████████
- (2) **APPROVAL OF MINUTES:**
A) **FEBRUARY 26, 2002-REGULAR MEETING;**
AND
B) **MARCH 14, 2002 - SPECIAL MEETING.**

Upon motion by Commissioner Valdez, seconded by Commissioner Benavides and carried unanimously, the following Minutes were approved:

- A) February 26, 2002 - Regular Meeting; and
B) March 14, 2002 - Special Meeting.
- ████████████████████

- (3) **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 Benavides, seconded by Commissioner Valdez and carried unanimously, this Item was **TABLED**.

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- (5) **CONSIDERATION AND ADOPTION OF THE RESOLUTION ACKNOWLEDGING THE THIRD ANNUAL OBSERVANCE OF CESAR CHAVEZ DAY IN CAMERON COUNTY**

Commissioner Benavides moved that the Resolution acknowledging the Third Annual Observance of Cesar Chavez Day in Cameron County be adopted.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Resolution is as follows:

[REDACTED]

(7) **CONSIDERATION AND DISCUSSION REGARDING
THE COUNTY RECORDS WAREHOUSE**

At this time, Mr. Juan Bernal, County Engineer/ Public Works Director, requested that this Item be considered upon Judge Hinojosa's arrival.

[REDACTED]

(9) **CONSIDERATION AND AUTHORIZATION TO
PERFORM MAINTENANCE WORK ON A PUBLIC
ROAD**

Mr. Juan Bernal, County Engineer/ Public Works Director, reported that complaint letters were received from the School District and the Post Office, in addition to complaints from area residents, regarding the conditions of the road. He proposed that similar action be taken, as was done with Del Mar Heights.

At this time, Commissioner Valdez stated that the School District and the Post Office had addressed the issue to his office, adding that the Post Office had threatened to stop mail delivery to area residents.

NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.

Mr. Bernal stated that he would like to perform maintenance, provide caliche and compact the gravel, noting that it would be a one time event.

Commissioner Cascos noted that there was a Policy to be followed when bringing a road up to County Standards, and asked what would be done to implement a Plan to enter roads into the County Road System.

Mr. Bernal stated that it was the direction of the Court to serve on a first come first serve basis.

Commissioner Valdez questioned whether maintenance to a road identified it as part of the County Road System.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that if the road continued to be maintained and controlled over a period of time it could be said that the right-of-way was part of the County System, and that the Public Roads could be worked on a random basis.

Mr. Bernal clarified that the work was to a Public Road that had never been maintained.

Commissioner Valdez moved that the work on a Public Road be approved.

The motion was seconded by Commissioner Benavides.

At this time, Mrs. JuaNita Brodecky, Rio Hondo resident, questioned the location of the road within the Road System's priority list.

Mr. Bernal responded that it was not included in the priority list, since it consisted of only maintenance, rather than construction.

Mrs. Brodecky stated that County Roads in dire need of repair were not being taken care of, and that under the County Road System there was supposed to be a priority list.

Mr. Bernal noted that the priority list pertained to construction and not to maintenance.

Commissioner Valdez moved that the one time maintenance work on a Public Road be approved.

The motion was seconded by Commissioner Benavides.

Commissioner Cascos stated that the work was a one time maintenance work that could be presented again in the future. He suggested that a maintenance plan or a set of criteria be developed for the maintenance of Public Roads, and that a letter from the Postmaster and the School District be included.

Mr. Bernal stated that criteria, already in place, required letters from the Postmaster and School Districts.

Upon motion duly made by Commissioner Valdez, seconded by Commissioner Benavides, and carried unanimously, the one time maintenance work on a Public Road was approved.

[REDACTED]

(6) IN THE MATTER REGARDING AUTHORIZATION TO ISSUE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE CARRIZALEZ-RUCKER CAMERON COUNTY DETENTION CENTER (NO ACTION TAKEN)

Mr. Juan Bernal, County Engineer/Public Works Director, reported that the details of the findings were discussed, with Landmark Construction and that it was agreed to pay fifty percent (50%) of the retainage, adding that \$450,000.00 would remain to address issues that could arise.

Judge Hinojosa stated that it would allow more funds than anticipated to address the issues raised by Texas Department of License and Regulations (TDLR).

Commissioner Cascos questioned the date for the relocation.

Mr. Bernal responded that the date to move was at the discretion of the Sheriff's Department, adding that the relocation could take place at this time.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that Landmark Construction had agreed to provide the list of items pending completion, and that an Agenda Item would be placed for approval of partial payment based on said information.

Mr. Bernal stated that it was agreed that if a letter, regarding the cost estimate, was obtained from the Architect the total retainage could be released, except the amount needed for construction of issues raised by TDLR. He added that the letter of Substantial Completion required payment of the total retainage amount within thirty (30) days and requested

that fifty percent (50%) of the retainage be paid at this time, adding that the remaining amount could be paid once the information from the Architect was received.

Judge Hinojosa noted that there was no specific authority on the Agenda Item to authorize the payment.

(27) EXECUTIVE SESSION

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

- (c) Confer with Commissioners' Court Legal Counsel concerning the possible litigation involving the Father Joseph O'Brien Clinic in Port Isabel; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);

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

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

- (c) **Confer with Commissioners' Court Legal Counsel concerning the possible litigation involving the Father Joseph O'Brien Clinic in Port Isabel.**

Commissioner Valdez moved that the Status Reports by Halff & Associates and Commissioners' Court Legal Counsel concerning the possible litigation involving the Father Joseph O'Brien Clinic in Port Isabel be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

(8) CONSIDERATION AND POSSIBLE ACTION REGARDING THE POSSIBLE FUNDING OF PHASE I OF THE DEVELOPMENT OF THE NEW PARK AT LAGUNA HEIGHTS

Judge Hinojosa explained that the County was deeded half (½) an acre, adjacent to Highway 100, in Laguna Heights, and that the property was previously considered for the construction of a park. He stated that the grant application submitted to the General Land Office was denied and that the funds requested by the Parks System for the purchase of a vehicle, in the amount of \$11,000.00, would be best used for the duplication of the Cameron Park Playground in Laguna Heights and in other areas of the County, but that the land issues were not resolved.

Mr. Remi Garza, County Administrative Assistant, explained that the area subdivision plat, recorded in 1931, indicated that the property was reserved out, but that according to Commissioners' Court Legal Counsel there would not be a deed to the property, because the property was reserved within the subdivision.

Judge Hinojosa questioned if said process was sufficient for the County to obtain the title to the property.

Mr. Doug Wright, Commissioners' Court Legal Counsel, explained that the Court would not necessarily have title to the property, and that the governmental entity that had jurisdiction could exercise control over the property.

Mr. Joseph Ardito, Property Manager, stated that a plat map indicated that the property was dedicated for park purposes.

Mr. Wright recommended that a title commitment be obtained prior to investing on the property.

Mr. Refugio Redford, Santa Rosa City Alderman, commented that the Cameron Park Playground was outstanding and requested that a similar park be built in the City of Santa Rosa.

Judge Hinojosa suggested that the park, with a cost value in the amount of \$18,000.00, be constructed in other areas of the County, adding that \$36,000.00 were needed to purchase the material to construct two (2) parks; one (1) in Laguna Heights, and one (1) in Santa Rosa. He stated that the construction of the parks would be a good use of the Carpenters time gap.

Commissioner Cascos questioned the schedule of projects for the Maintenance Department.

Mr. Roger Ortiz, Maintenance Department Supervisor, stated that it was easier to construct the parks at this time, while the idea remained fresh, and that additional funds would be needed for minor things.

Commissioner Cascos questioned the time for completion of the playground.

Mr. Mendez stated that the work was completed in two and a half (2.5) months, and added that some of the projects funded through the capital improvements would not be done. He suggested that the monies be shifted and clarified that \$12,500.00 remained from the allocated amount.

Judge Hinojosa suggested that the title on the Laguna Heights property be cleared, that the Parks Systems Director be instructed to develop a funding plan for the construction of the two (2) parks; one (1) in Laguna Heights and the one (1) in Santa Rosa, and that the Parks System Director, the Maintenance Department Supervisor and the County Carpenter meet to schedule the work for both parks, adding that there was a need to install lights at the parks.

Commissioner Benavides requested a report concerning the work and completion of the Browne Road Park.

Judge Hinojosa stated that the information would be known once an Architect was hired.

Mr. Mendez reported that lights had been ordered and should arrive soon.

Commissioner Garza moved that the title on the Laguna Heights property be cleared, that the Parks Systems Director be instructed to develop a funding plan for the construction of the two (2) parks, one (1) in Laguna Heights and the one (1) in Santa Rosa, and that the Parks System Director, the Maintenance Department Supervisor and the County Carpenter meet to schedule the work for both parks.

The motion was seconded by Commissioner Valdez and carried unanimously.

[REDACTED]

**(4) CONSIDERATION AND POSSIBLE ACTION
REGARDING THE TELEVISIONING OF THE COUNTY
COMMISSIONERS' COURT MEETINGS**

Mr. Remi Garza, County Administrative Assistant, reported that the proposal from KMBH-TV 60 was in the amount of \$1,000.00 per meeting, which included cameras, personnel, production staff for editing purposes, and air time.

Commissioner Cascos questioned whether Workshops would be included.

Mr. Garza stated that it would include any meetings held.

Judge Hinojosa stated that air time would be for two (2) hour.

Mr. Garza stated that the Purchasing Agent had recommended the use of the proposals process, rather than bids because of the need for specifications.

Judge Hinojosa stated that the meetings would be condensed within the two (2) hours, and questioned the funding source.

Mr. Xavier Villarreal, Budget Officer, recommended that the Request for Proposals (RFP) be obtained to base the final price on the highest amount, and that the reimbursement from the Texas Historical Commission (THC) be used for the remainder of the current Fiscal Year, adding that if the services were to be continued that they be budgeted for the next Fiscal Year.

Commissioner Cascos noted that the amount of \$20,000.00 was needed for the current Fiscal Year, and that the amount was available within the Budget for Commissioners' Precinct No. 2. He suggested that the funds be enterprised by percentage within the County Departments.

At this time, there was a brief discussion regarding the funding source.

Commissioner Garza moved that the Request for Proposals (RFP) for televising the County Commissioners' Court Meetings be approved.

The motion was seconded by Commissioner Valdez and carried unanimously

[REDACTED]

**(6) IN THE MATTER OF AUTHORIZATION TO ISSUE
CERTIFICATE OF SUBSTANTIAL COMPLETION
FOR THE CARRIZALEZ-RUCKER CAMERON
COUNTY DETENTION CENTER (TABLED)**

Mr. Juan Bernal, County Engineer/Public Works Director, reported that the contractor was requesting that their obligations be released, with exception of the findings by Texas Department License & Regulations (TDLR) and the list attached, as well as payment on the five percent (5%) retainage. He requested authorization to release a payment in the amount of \$490,000.00, equaling half of the five percent (5%) retainage.

Judge Hinojosa noted that it needed to be determined if payment could be approved since the Agenda Item differed.

Mr. Doug Wright, Commissioners' Court Legal Counsel, noted that the contract stated that once there was substantial completion the entire payment was to be made within thirty (30) days. He stated that it was discussed during a meeting that Landmark Construction would provide an outline of items to be completed and the time involved, and that an Agenda Item would be placed in order to provide assistance, from a stand point that substantial work was performed, but that due to conflict between substantial completion and the Contract something could be negotiated, noting that the outline was not received as of yet. Mr. Wright noted that the Agenda Item was in reference to issuance of a Certificate of Substantial Completion and not as to payment.

Judge Hinojosa noted the need to negotiate convenient arrangements with Landmark Construction and to place an Agenda Item with proper language.

Mr. Wright stated that negotiations had taken place and that arrangements were made.

Mr. Remi Garza, County Administrative Assistant, reported that there was a delay in obtaining the letter from the Architects that would indicate the cost estimate associated with the issues raised by TDLR, adding that the estimated amount would be held and the remainder would be released.

Mr. Wright stated that said process would modify the Certificate of Substantial Completion and allow a longer than thirty (30) day time period from date of issuance to release the entire retainage.

Judge Hinojosa explained that the problem was that the keys for the Jail Facility had been provided to commence the housing of inmates in order to obtain revenues, and that the delay of the letter was due to pending State determination of which issues could or could not be waived and basing the cost on said information. He added that the County Engineer had concluded that the delay was not a problem if it was determined to release half (1/2) of the retainage because the entire cost for the issue to be corrected, without any waiver, would equal less than half (1/2) of the retainage. Judge Hinojosa added that the County Engineer was suggesting releasing half of the retainage, as a quit pro quo, to allow the County to commence operations in the facility and to hold the retainage amount equaling the amount stated in the letter pending from the Architect, noting that the Agenda Item's language was the issue.

Mr. Wright stated that the Agenda Item was placed in accordance to what was agreed during the meeting held with Landmark Construction, and that the item did not allow modification of the Agreement.

Commissioner Cascos suggested that the Agenda Item to be placed include language that permitted amendment of the Contract.

Mr. Wright stated that the Certificate of Substantial Completion could have been issued and modified as suggested during the meeting, but the modifications were not available.

Judge Hinojosa suggested that the County Engineer and Commissioners' Court Legal Counsel meet to word the Agenda Item needed, and that the letter might be available to possibly release more than the fifty percent (50%) of the retainage.

Commissioner Cascos questioned if the County Engineer would review the associated cost of the listed items pending completion and Mr. Bernal responded in the affirmative.

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



**(7) CONSIDERATION AND DISCUSSION REGARDING
THE COUNTY RECORDS WAREHOUSE**

Mr. Juan Bernal, County Engineer/Public Works Director, reported that in applying for a permit from the City of Brownsville for the pre-fabricated metal building, to be placed next to the Sheriff's Department, one of the requirements was to surround the 200' x 140' metal building with brick, with a cost estimate of \$100,000.00.

Judge Hinojosa noted that a waiver of the requirement was requested from the City of Brownsville.

Commissioner Cascos questioned if the requirement was known, and whether the city had waived it.

Mr. David Gomez, Assistant County Engineer, stated that the City of Brownsville's Permit Department was approached in regards to the metal building, prior to obtaining Request for Proposals (RFP) and that it was indicated by a City Official that the installation could be done if the side facing Old Port Isabel Road was bricked and the Fire Sprinkler System was in place. He added that after receiving the Request for Proposals the City modified the requirements and that the Planning and Zoning Department had classified the building as a "Class L Permit".

Judge Hinojosa stated that the City had indicated that the waiver would not be an issue.

Mr. Pete Sepulveda, International Bridge System Director, stated that the Planning and Zoning Department could determine whether the item could be presented to the Board of Adjustment Department, adding that said department was the only department that could grant the waiver.

Judge Hinojosa stated that there was a proposed alternative site adjacent to the Public Works Warehouse at the Browne Park, rather than dealing with the issue.

Mr. Bernal suggested that additional security from the Sheriff's Department be provided during construction.

Commissioner Garza suggested the installation of a Security System, and questioned if the location was within the City Limits and whether similar issues would apply.

Judge Hinojosa agreed that although a Head Start would be built on site, a Security System would be needed, and responded that the location was within the Extra Territorial Jurisdiction and in a different Zoning Area.

At this time, Commissioner Cascos suggested that written documentation be obtained from the City in order to prevent similar issues.

Commissioner Cascos moved that the Report by the County Engineer regarding the County Records Warehouse be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.



(10) CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCELS NOS. 4, 6, 7, 8, 14, AND NO. 20 FOR FM/ 106

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, Parcels Nos. 4, 6, 7, 8, 14, and No. 20 for FM/ 106 were accepted.



(11) CONSIDERATION AND ACTION TO ADOPT A RESOLUTION RECOMMENDING THAT CAMERON COUNTY DRAINAGE DISTRICT NO. 1 ADOPT POLICIES AND PROCEDURES RELATING TO THE INCLUSION OF, ACQUISITIONS OF, AND MAINTENANCE OF CERTAIN LATERAL AND MINOR DRAINAGE DITCHES WHICH CONNECT TO THE MAIN DRAINAGE DITCHES, CURRENTLY OPERATED AND MAINTAINED BY SUCH DISTRICT

Mr. Dennis Sanchez, Drainage District No. 1, requested on behalf of Commissioner Gamez, Drainage District No. 1, the approval of the Resolution that would allow continuation of the proposed development of a Plan and Policy for the inclusion of lateral ditches.

Commissioner Benavides moved that the Resolution recommending that Cameron County Drainage District No. 1 adopt Policies and Procedures relating to the inclusion of, acquisitions of, and maintenance of certain lateral and minor Drainage Ditches which connect to the Main Drainage Ditches, currently operated and maintained by such District be adopted.

The motion was seconded by Commissioner Garza and carried unanimously.

The Resolution is as follows:

(12) **CONSIDERATION AND ACCEPTANCE OF THE AMERICAN HEART ASSOCIATION TEXAS AFFILIATE - AED PLACEMENT PROGRAM AWARD FOR 64 AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS) TO BE PLACED ON CAMERON COUNTY LAW ENFORCEMENT VEHICLES**

Commissioner Cascos moved that the acceptance of the American Heart Association Texas Affiliate - AED Placement Program Award for 64 automated external defibrillators (AEDS) to be placed on Cameron County Law Enforcement Vehicles be approved.

The motion was seconded by Commissioner Benavides.

Judge Hinojosa questioned whether the defibrillators would be placed only in Law Enforcement Vehicles, and stated that training of personnel and the placement of the equipment in County buildings was discussed.

Mrs. Grace Salinas, Executive Director, noted that it was discussed but that monies allocated from the Heart Association through the Placement Program 64 Award Grant was exclusively for first response vehicles. She noted that the placing of the defibrillators in buildings was not allowed.

Judge Hinojosa suggested that all the Cameron County Constables Vehicles have defibrillators placed in at least one (1) unit per Constable Department, noting that each County Building housed a Constable's Office. He suggested that Mrs. Salinas, Captain Robert Lopez, and the Constables meet to determine the locations of the defibrillators.

Mrs. Salinas clarified that the training would be negotiated with the University of Texas in Brownsville (UTB), and that the Heart Association would conduct CPR training.

Mr. Remi Garza, Administrative Assistant, asked Mrs. Salinas whether the Local Law Enforcement Block Grant would be used to match Placement Program 64 Award Grant.

Mrs. Salinas stated that \$46,000.00 that remained could be used.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the acceptance of the American Heart Association Texas Affiliate - AED Placement Program Award for 64 automated external defibrillators (AEDS) to be placed on Cameron County Law Enforcement Vehicles was approved.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA 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. 13: Mr. Xavier Villarreal, Budget Officer, presented an additional claim as to; Warrant No. 00073193, in the amount of \$926.00, payable to the State Comptrollers Office.

ITEM NO. 24: Commissioner Cascos questioned why the TIP-O-TEX vehicle did not qualify. Mr. Xavier Villarreal, Budget Officer, clarified that the vehicle did not meet the fuel tank capacity specifications, noting that the Purchasing Agent had analyzed with State and presented recommendations.

ITEM NO. 20: Mr. Juan Bernal, County Engineer/Public Works Director, reported that Texas Department of Transportation (TxDOT) was requesting removal of two (2) underground tanks located at FM 801, County Right-of-Way, for widening of the road, noting that the associated cost would equal approximately \$10,000.00. He added that there was a water line in need of relocation, and that the State would allocate ninety percent (90%) of the expense, noting that he had \$14,000.00 within his Budget. Mr. Bernal stated that the owners of what used to be an old gas station resided in the Houston area. Commissioner Cascos questioned whether funds were available from the Road Material Budget. Mr. Bernal noted that the funds needed were for Right-of-Way and questioned if Road and Bridge Funds could be used. He clarified that Texas National Resource Conservation Committee (TNRCC) would be conduct testing to the removal of the tanks, adding that additional cost would apply. Commissioner Cascos suggested that funds be allocated from the Road and Bridge Funds and that a Budget Amendment be presented.

Commissioner Garza moved that the following "Consent and Travel Items" be approved and that Item No. 21 be

TABLED.

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

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

NAY: None

ABSTAIN: Judge Hinojosa as to Laguna Madre Water District, Warrant No. 00072714, in the amount of \$6,492.24.

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

**(14) AMENDMENT OF THE BANKING RESOLUTION FOR ACCOUNT NUMBERS:
A) 66501091
B) 66501083
The Resolution follows:**

(15) REJECTION OF ALL PAST PROPOSALS RECEIVED FOR TRACT NO. 4, LOCATED AT THE SEA RANCH MARINA, ISLA BLANCA PARK;

- (16) CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO RESUBMIT APPLICATION TO APPLY FOR STATE GRANT TEEN COURT;
The Application follows:
- (17) AMENDED RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE JUVENILE PROBATION DEPARTMENT'S PURCHASE OF JUVENILE JUSTICE ALTERNATIVE SERVICES GRANT;
The Resolution follows:
- (18) CONTRACT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND COLUMBIA VALLEY HEALTH CARE SYSTEMS (VALLEY REGIONAL HOSPITAL) TO PROVIDE WIC BREASTFEEDING SUPPORT SERVICES;
The Contract follows:
- (19) CONSTRUCTION MAINTENANCE AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF THE GENERAL BRANT HIGHWAY BRIDGE;
The Agreement follows:
- (20) REMOVAL OF AN UNDERGROUND GAS TANK FROM COUNTY RIGHT-OF-WAY FOR RECONSTRUCTION OF FM/802;
- (21) IN THE MATTER REGARDING INCREASE CONTRACT AMOUNT TO HALFF & ASSOCIATES BY \$1,500.00; (TABLED)
- (22) PRELIMINARY APPROVAL:
A) PRECINCT NO. 3 - MELOMAR GARDENS SUBDIVISION, SECTION TWO - A 34.302 ACRES COMPRISED OF 10.905 ACRES OUT OF A 19.981 ACRE TRACT AND 23.397 ACRES OUT OF A CERTAIN 46.5 ACRE TRACT.
- (23) PRELIMINARY AND FINAL APPROVAL:
A) PRECINCT NO. 4 - BRANDON SUBDIVISION - A 2.770 ACRE TRACT OF LAND MORE OR LESS, BEING 1.782 ACRES OUT OF BLOCK NO. 56, AND 0.998 ACRE OUT OF BLOCK NO. 57, RE-SURVEY OF THE RICE TRACT SUBDIVISION.
- (24) AWARDING OF THE FOLLOWING BID FOR:
A) SPORTS UTILITY VEHICLE (MID SIZE 4X4, 2002) - COUNTY JUDGE'S DEPARTMENT.
- (25) AWARDING OF THE FOLLOWING BIDS FOR:
A) ELECTRICAL BOXES FOR R.V. SITES - PARKS;
B) FOOD: MEATS- QUARTERLY BID NO. 2170-2; AND
C) ASPHALT POT HOLE PATCHER THERMAL TRUCK 4.25 C.Y. - PUBLIC WORKS.



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) Justice of the Peace Precinct No. 3 Court Coordinator and Clerk to attend the "Justice Court Clerk 18 Hour Training Seminar", in Houston, Texas, March 8-10, 2002;
- (b) Commissioner Precinct No. 3 Administrative Assistant to attend the "USDA 504-306 Packaging Training", in Edinburg, Texas, March 19, 2002;
- (c) County Extension Agent to attend the "South District 2002 4-H Fashion Show", in Kingsville, Texas, March 23, 2002;
- (d) District Attorney to attend the "South Texas Regional Executive Board Meeting", in San Antonio, Texas, April 15-16, 2002;
- (e) County Extension Agent to attend the "Coalition for Valley Families Meeting", in Weslaco, Texas, March 19, 2002;
- (f) Health Department employee to pickup female inmate and bring her to the Cameron County Jail from Gatesville, Texas, March 19-20, 2002;
- (g) Six (6) Health Department employees to attend the "2002 Annual TB Clinical Records Conference and Workshop", April 3-5, 2002;
- (h) District Clerk and Chief Deputy to attend the "County and District Clerk's Legal Education Conference", April 10-12, 2002;
- (i) Three (3) Tax Department employees to attend the "Board of Tax Professional Examiners Property Tax Assessment and Collection and Course 8", May 13-17, 2002;
- (j) Tax Director and two (2) employees to attend the "Texas Automobile Theft Prevention Authority Border Solutions Committee Meeting", in El Paso, Texas, May 9-11, 2002;
- (k) Constable Precinct No. 7 to attend the "Civil Law Seminar", in Corpus Christi, Texas, April 29- May 2, 2002;
- (l) Three (3) Tax Department employees to attend the "Southwest Border HIDTA Executive Meeting", in Phoenix Arizona, April 11, 2002;
- (m) Assistant District Attorneys to attend the "Trial Advocacy I Course", in Columbia, South Carolina, August 5-9, 2002;
- (n) Two (2) Assistant District Attorneys to attend the "Civil Law Seminar", in Kerville, Texas, April 10-12, 2002;
- (o) District Attorney to attend the "South Texas HIDTA Finance Sub-Committee Meeting", in San Antonio, Texas, April 2, 2002; and
- (p) Three (3) Health Department employees to attend the "Mandated by State WIC Policy BR: 02.0 and BF: 04.0 and Continuing Education Credits for Registered Dietitians", in Harlingen, Texas, April 10-12, 2002.

- (13) **APPROVAL OF COUNTY CLAIMS;**
The Affidavit is as follows:

- (14) **AMENDMENT OF THE BANKING RESOLUTION FOR ACCOUNT NUMBERS:**
A) **66501091**
B) **66501083**
The Resolution is as follows:

- (16) CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO RESUBMIT APPLICATION TO APPLY FOR STATE GRANT TEEN COURT;
The Resolution and Application are as follow:**

- (17) **AMENDED RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE JUVENILE PROBATION DEPARTMENT'S PURCHASE OF JUVENILE JUSTICE ALTERNATIVE SERVICES GRANT;**
The Resolution is as follows:

- (18) CONTRACT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND COLUMBIA VALLEY HEALTH CARE SYSTEMS (VALLEY REGIONAL HOSPITAL) TO PROVIDE WIC BREASTFEEDING SUPPORT SERVICES;**

The Contract is as follows:

- (19) **CONSTRUCTION MAINTENANCE AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF THE GENERAL BRANT HIGHWAY BRIDGE;**
The Agreement is as follows:

EXECUTIVE SESSION

(27) EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Court met in Executive Session at 7:17 P.M. to discuss the following matters:

- a) Confer with Commissioners' Court Legal Counsel concerning claim of H.L. Watkins, Jr.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- b) Confer with Commissioners' Court Legal Counsel concerning the case styled Jaime Javier Gonzales versus the State of Texas for discussion and authorization to represent Civil Case only; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- c) Confer with Commissioners' Court Legal Counsel concerning the possible litigation involving the Father Joseph O'Brien Clinic in Port Isabel; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- d) Deliberation regarding Real Property concerning the possible Lease Agreement with Southern Union Gas Company and Cameron County to store the Cameron County Clerks Records; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071;
- e) Deliberation regarding Real Property concerning the possible Extension or Termination of Lease Contract with Brownsville Investment Group No. 1, L.P. and the Cameron County District Clerks Records Warehouse; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- f) Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Trustee Properties as listed below; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072:
 - a) Primera Original Townsite Lot No. 21, Block No. 6, 49-0000-0060-0210-00;
 - b) Abstract - 2 Hall Lot No. 3, Block No. 4A, 75-3140-0040-0130-30
 - c) Survey- Midway Resubdivision Lot No. 10, Block No. 1, 98-0160-0010-0100-00;
 - d) Harlingen- H.L. & W. Co. Block No. 69, PTNW No. 10, one (1) Acre, 18-4040-0690-0050-00;
 - e) Abstract No. 2 - Monte Grande No. 1, Block No. 72, Five (5) Acres, 78-8710-0720-0010-00;
 - f) Abstract No. 2- Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18, 73-5590-0180-1094-00;and
 - g) Brownsville - Colonia Acacia Lot No. 35, Block No. 8, 02-2170-0080-0350-00.
- g) Deliberation Regarding Real Property concerning the possible sale of Cameron County Properties as listed below; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.0712:
 - 1) San Benito - Commercial Fraction Lot No. 3 through No. 7, Block No. 5;
 - 2) San Benito - Commercial Lot No. 7 through No. 1, Block No. 2; and
 - 3) Sunlite Acres Lot No. 9, 0.258 Acres.

- h) Deliberation regarding Real Property concerning the possible modification for clarification purposes of the Concession Agreement between Cameron County and UETA of Texas, Inc.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 and 551.071(2); and
- i) Deliberation regarding Real Property concerning the possible Concession Lease Agreement between Cameron County and Niños, Inc.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 7:29 P.M.

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) **Confer with Commissioners' Court Legal Counsel concerning claim of H.L. Watkins, Jr.**

Commissioner Cascos moved that claim of Mr. H. L. Watkins Jr., be **DENIED**.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (b) **Confer with Commissioners' Court Legal Counsel concerning the case styled Jaime Javier Gonzales versus the State of Texas for discussion and authorization to represent Civil Case only.**

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, Commissioners' Court Legal Counsel was authorized to represent the County in any Civil Case that may arise out of that legal action, concerning the case styled Jaime Javier Gonzales versus the State of Texas.

- (d) **Deliberation regarding Real Property concerning the possible Lease Agreement with Southern Union Gas Company and Cameron County to store the Cameron County Clerks Records.**

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Lease Agreement with Southern Union Gas Company and Cameron County to store the Cameron County Clerks Records was **DENIED**.

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- (e) **Deliberation regarding Real Property concerning the possible extension or termination of Lease Contract with Brownsville Investment Group No. 1, L.P. and the Cameron County District Clerks Records Warehouse.**

Commissioner Valdez moved that the Status Report by Mr. Joseph Ardito, Property Manager, be acknowledged, concerning the extension of termination of Lease Contract with Brownsville Investment Group No. 1, L.P. and the Cameron County District Clerks Records Warehouse.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (f) **Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Trustee Properties as listed below:**

- (1) **Primera Original Townsite Lot No. 21, Block No. 6, 49-0000-0060-0210-00;**
- (2) **Abstract - 2 Hall Lot No. 3, Block No. 4A, 75-3140-0040-0130-30**
- (3) **Survey- Midway Resubdivision Lot No. 10, Block No. 1, 98-0160-0010-0100-00;**
- (4) **Harlingen- H.L. & W. Co. Block No. 69, PTNW No. 10, one (1) Acre, 18-4040-0690-0050-00;**
- (5) **Abstract No. 2 - Monte Grande No. 1, Block No. 72, Five (5) Acres, 78-8710-0720-0010-00;**
- (6) **Abstract No. 2- Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18, 73-5590-0180-1094-00; and**
- (7) **Brownsville - Colonia Acacia Lot No. 35, Block No. 8, 02-2170-0080-0350-00.**

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, Mr. Joseph Ardito, Property Manager, was authorized to re-sale the Cameron County Trustee Properties as listed below:

- (1) Primera Original Townsite Lot No. 21, Block No. 6, 49-0000-0060-0210-00;
 - (2) Abstract - 2 Hall Lot No. 3, Block No. 4A, 75-3140-0040-0130-30
 - (3) Survey- Midway Resubdivision Lot No. 10, Block No. 1, 98-0160-0010-0100-00;
 - (4) Harlingen- H.L. & W. Co. Block No. 69, PTNW No. 10, one (1) Acre, 18-4040-0690-0050-00;
 - (5) Abstract No. 2 - Monte Grande No. 1, Block No. 72, Five (5) Acres, 78-8710-0720-0010-00;
 - (6) Abstract No. 2- Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18, 73-5590-0180-1094-00; and
 - (7) Brownsville - Colonia Acacia Lot No. 35, Block No. 8, 02-2170-0080-0350-00.
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g) Deliberation Regarding Real Property concerning the possible sale of Cameron County Properties as listed below:

- 1) San Benito - Commercial Fraction Lot No. 3 through No. 7, Block No. 5;**
- 2) San Benito - Commercial Lot No. 7 through No. 1, Block No. 2; and**
- 3) Sunlite Acres Lot No. 9, 0.258 Acres.**

Commissioner Garza moved that the sale of the Cameron County properties listed below be approved:

- 1) San Benito - Commercial Fraction Lot No. 3 through No. 7, Block No. 5;
- 2) San Benito - Commercial Lot No. 7 through No. 1, Block No. 2; and
- 3) Sunlite Acres Lot No. 9, 0.258 Acres.

The motion was seconded by Commissioner Benavides and carried unanimously.

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h) Deliberation regarding Real Property concerning the possible modification for clarification purposes of the Concession Agreement between Cameron County and UETA of Texas, Inc.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, Mr. Joseph Ardito, Property Manager, was authorized to propose Contract modification, as per Original Agreement, regarding the Concession Agreement between Cameron County and UETA of Texas, Inc.

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i) Deliberation regarding Real Property concerning the possible Concession Lease Agreement between Cameron County and Niños, Inc.

Commissioner Valdez moved that the County Judge be authorized to sign the Concession Lease Agreement between Cameron County and Niños, Inc., for two (2) acres.

The motion was seconded by Commissioner Garza and carried unanimously.

The Agreement 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 7:33 P.M.

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APPROVED this 16th 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.