

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 24th day of APRIL 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:

5:00 P.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

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

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

RICHARD VALDEZ
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

=====

The meeting was called to order by Judge Hinojosa, at 5:03 P.M. He then asked 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 April 19, 2002, at 1:13 P.M.:

PRESENTATION

(1) PRESENTATION OF “MAKING A DIFFERENCE SAFETY AWARD” BY THE TEXAS ASSOCIATION OF COUNTIES TO MR. JOE PAREDES, PUBLIC WORKS SAFETY RISK COORDINATOR AND “2001 COUNTY SAFETY AWARD” TO CAMERON COUNTY

Mr. Ernest Galindo, Texas Association of Counties Representative, presented Mr. Joe Paredes, Public Works Safety Risk Coordinator, with the “Making a Difference Safety Award” in recognition of his consistent improvement in safety efforts within the Public Works Department and Cameron County with the “2001 County Safety Award” in recognition of the safety efforts to the Texas Association of Counties.

Mr. Paredes noted that the award was of the Public Works employees that worked outdoors regardless of the weather.

Judge Hinojosa stated that similar efforts were expected of Mr. Roger Olson, Law Enforcement Safety Risk Coordinator, that would result in safe and healthy employees and decrease the Workers Compensation Premium. He stated that anticipated problems should be dealt with promptly and that the Personnel/Safety Risk Coordinator and Department Heads were responsible for keeping the Court informed of an increase in the trend of claims, in order to implement procedures that would minimize work related accidents and/or injuries.

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Presentation of the “Making a Difference Safety Award” by the Texas Association of Counties to Mr. Joe Paredes, Public Works Safety Risk Coordinator and the “2001 County Safety Award” to Cameron County was acknowledged.

(2) PRESENTATION BY BRIDGE SYSTEM DIRECTOR REGARDING THE SECOND QUARTER REPORT FOR THE INTERNATIONAL BRIDGE SYSTEM

Mr. Pete Sepulveda, International Bridge System Director, reported that the year to date the variance for the Bridge System was a positive \$12,043.00 that the automobile and pedestrian traffic had significantly increased during the month of March 2002, and that some of the losses from the September 2001 attacks were recuperated. He added that if the increase in traffic continued the projections would be matched or exceeded by the end of the 2001-2002 Fiscal Year.

Commissioner Garza stated that the variance was inclusive of the increase in toll rates.

Mr. Sepulveda stated that excluding the increase in toll rates, the variance would be approximately five percent (5%) to six percent (6%) off from the projections.

Judge Hinojosa stated that the increase in toll rates was added to the Budget in anticipation of the expected shortfall that would result from the September 11, 2001, attacks.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Presentation by the Bridge System Director regarding the Second Quarter Report for the International Bridge System was acknowledged.

The Report is as follows:

**(3) PRESENTATION BY CAMERON COUNTY
HEALTH DIRECTOR REGARDING UPDATE ON
MOLD RELATED PRESENTATION SPONSORED
BY CAMERON COUNTY ON FEBRUARY 18, 2002**

Mrs. Yvette Salinas, Health Department Director, reported that Valley Interfaith had requested that the County assist in the coordination of a mold related informational type forum that included local legislators. She stated that during a meeting with Valley Interfaith it was explained that they were seeking an agency or program to refer 200 listed individuals for medical treatment. Mrs. Salinas added that Valley Interfaith was working with South Texas Health Care System but a transportation issue had developed because the listed individuals were Brownsville residents. She stated that there was a question of whether the listed individuals were participants of the Brownsville Mold Law Suit and whether they had access to medical treatment; therefore, a second meeting was scheduled to answer the question. She stated that Valley Interfaith and County Officials met with Mr. Peter Zavaleta, Attorney at Law representing the participants of the Brownsville Mold Law Suit, and that Mr. Zavaleta had referred his clients to their family physician and those with no family physician were referred to a list of physicians that were willing to work with Mr. Zavaleta.

Judge Hinojosa stated that according to Mr. Zavaleta it was inappropriate for him to wait for the County to arrange health care for his clients.

Mrs. Salinas stated that Valley Interfaith was seeking medical treatment for the 200 individuals listed that lacked access to it. She stated that as a result of persistent transportation issues the County met on April 10, 2002, with South Texas Health Care Center representatives, adding that in the meantime Dr. Ronald Murphy, South Texas Health Care Center, had explained that she was searching for a Consult Physician with experience in mold related issues. Mrs. Salinas stated during the meeting it was suggested that if the Brownsville Community Clinic and Su Clinica Familiar provided health care the transportation issue would be extinguished. Mrs. Salinas stated that she was questioned as to whether the County Indigent Program Funds could be used to treat the listed individuals and noted her response to be: that it would be appropriate for anyone to apply and that if they qualified, they would be referred to the Gatekeeper; thereafter, it would be at the discretion of the Gatekeeper to treat or refer the individuals. She stated that subsequently South Texas Health Care Center had located a Consult Physician and had scheduled a Workshop for May 9, 2002, to train their staff to work with the Physician.

Judge Hinojosa stated that Brownsville Community Clinic and Valley Interfaith would discuss the possibility of local medical treatment. He explained that the County was involved essentially in the coordination of travel issues and locating the physicians, adding that the County intended to arrange a local health care provider in order to address both

issues. He clarified that County Physicians and/or resources, other than the Indigent Program, were being used only to facilitate the coordination of assistance to the 200 listed individuals as requested by Valley Interfaith.

Commissioner Cascos noted that the press article was inaccurate and that no one was being eliminated from the Program. He asked if the Indigent Program applicants were questioned as whether they were involved in litigation.

Mrs. Salinas responded that the information regarding pending unemployment and/or litigation benefits was recorded because in the event benefits were received the County had the option to request compensation for the rendered medical services.

Judge Hinojosa stated that Valley Interfaith requested that the County assist in the coordination of health care for individuals not involved in the litigation, and reiterated that during a meeting with the Attorney it was clarified that individuals involved in litigation were provided health care by the Attorney. He noted that because the Brownsville Independent School District (BISD) was the defendant in the law Suit he believed that it was not appropriate for the County to work with Physicians which could be requested to testify against BISD in the event a plaintiff was to seek compensation.

Commissioner Cascos suggested that Commissioners' Court Legal Counsel be present during conversations with Attorneys and requested that the Court be kept informed.

Commissioner Garza suggested that the County Gatekeepers attend the Workshop.

Commissioner Cascos questioned the participation of BISD.

Judge Hinojosa stated that unsuccessful attempts were made to contact BISD to request assistance in the provision of transportation to individuals not participating in the law suit.

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Status Report by the Cameron County Health Director regarding Update on Mold Related Presentation sponsored by Cameron County on February 18, 2002 was acknowledged.

ACTION ITEMS

(4) APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the 2002 Fiscal Year Budget Amendments No. 2002-19 and Salary Schedules were approved.

The Budget Amendments and Salary Schedules are as follow:

████████████████████

(5) **AUTHORIZATION TO UTILIZE THE AMERICAN HEART ASSOCIATION “TEXAS AED PLACEMENT PROGRAM” VENDOR/PRODUCT LIST AND TO SELECT A VENDOR FOR THE PURCHASE OF SIXTY- FOUR (64) AED’S**

Mr. Mike Forbes, Purchasing Agent, noted that the committee recommended that the LifePak 500 AED’S be purchased from Medtronic Physio-Control Corporation.

Commissioner Garza questioned whether the LifePak was compatible to the ones used by the City of Harlingen’s Emergency Medical Service (EMS).

Mr. Justin Oakerson, University of Texas in Brownsville, explained that all units in the Rio Grande Valley carried the LifePak 12 Heart Monitor used by the EMS. He stated that the LifePak 500 AED model was compatible to all services, including the ones used in hospitals, adding that the Town of South Padre Island used the LifePak 300 AED but would update to the LifePak 500 AED.

Commissioner Cascos moved that the purchase of the sixty-four (64) AED’s for the American Heart Association Contract be awarded to Medtronic Physio-Control Corporation.

The motion was seconded by Commissioner Valdez and carried unanimously.

████████████████████

(6) **APPROVAL OF INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF BROWNSVILLE TO CONSTRUCT A BUILDING FOR A TEEN AND SENIOR CITIZEN CENTER ON PROPOSED COUNTY PARK LOCATED ON BROWNE ROAD**

Commissioner Cascos stated that the City of Brownsville would contribute \$425,000.00 for the Teen and Senior Citizen Center and the County would supply the land, construct the building and fund the operational cost. He questioned whether the Center would be part of the Parks System.

Judge Hinojosa stated that the services would be coordinated with entities that provide such services, and suggested that the Center be funded through the Parks System. He proposed that the \$325,000.00 designated for the construction of a Head Start be combined with the \$425,000.00 in order to construct a larger facility. Judge Hinojosa explained that a meeting with Head Start was scheduled to discuss the possibility to apply for a Federal Grant to fund the construction of a Head Start Parent Involvement Center, adding that if the Grant Funds were obtained promptly they could be added to the construction budget of an even larger building that could house the Teen and Senior Citizen Center, and the Head Start Program.

Commissioner Cascos questioned whether the Interlocal Agreement would need to be modified in order to include the funds and if existing guidelines addressed the size of the building regarding the \$425,000.00.

Mr. Doug Wright, Commissioners' Court Legal Counsel, explained that the Agreement represented acceptance of the \$425,000.00 by the County, the agreement to coordinate the functions, to design and construct the facility, and to fund any further cost of the Center. He stated that an additional Interlocal Agreement that included funding for the Head Start Parent Involvement Center could be considered when grant funds were received.

Commissioner Cascos questioned the proposed square footage of the building.

Reverend Bob Clark, Brownsville resident, stated that it was between 10,000 and 12,000 square feet.

Commissioner Cascos stated that the \$425,000.00 would equal \$42.50 per square foot, and questioned who would fund any shortfall.

Judge Hinojosa suggested that the interior work be conducted by the County Carpenters and that the money be used to fund the exterior.

Rev. Clark stated that local volunteer groups were willing to help.

Mr. Juan Bernal, County Engineer/ Public Works Director, reported the construction cost to be between \$80.00 and \$85.00 per square feet.

Rev. Clark suggested to construct a small building and to add as the grant funds were presented and noted that the County was not obligated to a minimum cost per square footage or time constraints.

Commissioner Cascos moved that the Interlocal Cooperation Agreement with the City of Brownsville to construct a Building for a Teen and Senior Citizen Center on the proposed County Park located on Browne Road be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

The Agreement is as follows:

[REDACTED]

(7) **IN THE MATTER OF INCREASING THE HOURS OF SLOT NO. 26 IN THE SALARY SCHEDULE OF THE DISTRICT CLERK'S OFFICE FROM A 32 HOUR PER WEEK POSITION TO A 40 HOUR PER WEEK POSITION (TABLED)**

(8) **IN THE MATTER OF CREATION OF A NEW EMPLOYEE POSITION, CRIMINAL FILING CLERK, IN THE DISTRICT CLERK'S OFFICE (TABLED)**

Commissioner Cascos suggested that the Item be delayed until the Status Report concerning revenue projections and expenditures was presented.

Mr. Xavier Villarreal, Budget Officer, requested that Item No. 8 be tabled until the Mid Year Review and stated that the funds, in the amount of \$1,700.00, were available to fund the request in Item No. 7.

There was discussion concerning the encumbering of funds and over budgeting.

Upon motion by Commissioner Cascos, seconded by Commissioner Garza, and carried as follows these Items were **TABLED**:

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

NAY: Commissioner Benavides.

[REDACTED]

(9) **CONSIDERATION AND ADOPTION OF CAMERON COUNTY PARK SYSTEM FLAG SYSTEM POLICY**

Mr. Javier Mendez, Parks System Director, reported the following changes made to the Cameron County Park System Flag Policy: 1) placement of the designated color under the flag; 2) the second sentence of the second paragraph would be modified to read: This will make the signs easier to maintain from bird droppings, tar, mildew and sun tan lotion.; 3) the second sentence of the sixth paragraph would be added; and 4) the information regarding maintenance of signs was added.

Commissioner Benavides questioned if the Parks System would work in conjunction with the Radio Stations, who would determine the weather conditions, and whether the Flag Advisory System Sign would be implemented at the Boca Chica Beach.

Mr. Mendez responded in the affirmative. He explained that the Park Rangers would report the beach conditions and the National Weather Service would be monitored. Mr. Mendez added that the signs would be placed at the toll booth, beach access points and designated parking areas, adding that the staff to monitor and maintain the Flag Advisory System Sign at the Boca Chica Beach was unavailable.

Judge Hinojosa questioned whether the flags would be placed only within the Parks System.

Mr. Mendez responded in the affirmative and added that the Town of South Padre Island was considering placing the flags on City beaches. He stated that the flags would be placed in County Parks, at the city limits, and at Beach Access Points.

Commissioner Benavides noted the need to caution the people attending the Boca Chica Beach.

Judge Hinojosa highlighted the difficulties associated with the implementation of the Flags System at the Boca Chica Beach, in addition to it not being part of the Parks System. He stated that the proposed permanent presence of the Parks System at Boca Chica Beach presented to the U.S. Fish and Wildlife Commission would permit that the Flag System be implemented and monitored properly.

Commissioner Valdez questioned the estimated time period for the Flag System to take effect.

Mr. Mendez responded that it would be implemented by the beginning of the summer.

At this time, there was discussion regarding whether the County Radio Station located on South Padre Island could be accessed from the entrance of the Boca Chica Beach and the pending grant application that would permit the Boca Chica Beach to become part of the Parks System.

Mr. Mendez noted that the negotiations concerning the property the County was interested in were not taking place because the owner, Texas Parks and Wildlife Commission, wanted to transfer the property to the U.S. Fish and Wildlife. He stated that the consultant was willing to pursue the grant application but the property issue needed to be resolved.

Judge Hinojosa noted that the adoption of the Policy represented the decision to get involved in warning the public of the rip tides. He added that implementation of the Flag System would create potential liability if a mistake occurred, and that the need of a warning system for the public was greater than the liability risk incurred by the County. Judge Hinojosa stated that he believed that the setting of a warning system was important because no mechanism, other than the patrols traveling on the beaches to advise the public of rip tides was in place. He clarified that the signs would be located at the Beach Access points and that they were intended to notify the public upon entering the parks.

Mrs. JuaNita Brodecky, Rio Hondo resident, questioned who would face the responsibility if the flags were not changed in an appropriate manner and what qualified personnel would attest to the adequate monitoring of the flags.

Judge Hinojosa stated that the decision of the color of the flag would be based on the information provided by the National Weather Service.

Mrs. Brodecky advised that the most stringent flag be placed at all times because of the rapidly changing conditions.

Commissioner Valdez moved that the Cameron County Flag Advisory System Policy be adopted.

The motion was seconded by Commissioner Garza.

Judge Hinojosa stated that if there was any doubt of error as to the conditions of the waters that the caution flags be placed and noted that it was very important to be careful because of the risks involved.

Upon motion duly made by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the Cameron County Flag Advisory System Policy was adopted.

The Policy/Plan and changes are as follow:

[REDACTED]

(10) **AUTHORIZATION TO DEVELOP A CAMERON COUNTY LAW ENFORCEMENT COOPERATIVE TRAINING PROGRAM FUNDED THROUGH MATCHING FUNDS**

Mr. Roger Olson, Law Enforcement Safety Coordinator, reported that the Cooperative Training Program was being prepared because the County Officers were in need of additional training. He stated that the Policy in place was the first (1st) of the requirements of the Six Layered Liability Protection System, and that the second (2nd) item was concerning the training. Mr. Olson stated that the Texas Commission of Law Enforcement Office Standard and Education (TCLEOSE) mandated that the Officers obtain twenty (20) hours of training per year, yet training in eleven (11) high liability areas was not provided. He explained that the Cooperative Training Committee consisted of twelve (12) County Law Enforcement Departments committed to funding \$1,000.00 of their Training Budget for the Program. Mr. Olson stated that the Committee would serve as an Advisory and Safety Committee, would set the training curriculum, and each Committee member would serve as a Certified Instructor. He highlighted how the proposed training would be conducted.

Commissioner Cascos expressed his concern to be the commitment to match funds not available in the Departments' Budgets, noting that ultimately the County would fund the entire Cooperative Training Program.

Judge Hinojosa questioned whether the training would meet the required TCLEOSE training and whether the funds budgeted for the TCLEOSE training would be substituted for the Cooperative Training Program.

Mr. Olson responded in the affirmative, and explained the Cooperative Training Program was inclusive of mandated courses.

Commissioner Valdez clarified that the Program required matching funds in the amount of \$12,000.00.

Mr. Xavier Villarreal, Budget Officer, stated that the Sheriff's and Constables Department had Reserve Funds that were provided from the State Comptrollers Office for training purposes, and that the Departments were willing to commit the funds, adding that the request included a matching amount.

Commissioner Cascos noted his concern of incurring additional expenses of \$13,000.00 and \$15,000.00 prior to knowing the current financial status.

Commissioner Valdez questioned whether other Law Enforcement Agencies could obtain retraining by the Cooperative Training Program.

Mr. Olson responded that a fee would apply to any Valley Law Enforcement Department wanting to attend the Program.

Judge Hinojosa noted that upon decision to mandate that all the TCLEOSE re-certification be obtained through the Cooperative Training Program the County would save money. He suggested that the County commit to funding the \$12,000.00 and to commence the process to establish the Cooperative Training Program, with the understanding that TCLEOSE re-certification be obtained locally.

Commissioner Garza questioned the dollar amount available in the reserve account.

Mr. Villarreal stated that the reserve accounts were set up by individual Departments within the General Fund and that he did not have a total amount at this time.

Mr. Olson stated that the advancement of certificates consisted of Basic, Intermediate, and Advance Certificates, adding that Jailors and Deputies employed for 10-15 years had Basic Certificates due to lack of training.

Commissioner Cascos noted that the \$12,000.00 would be absorbed within the training expenses.

At this time, there was a brief discussion concerning the Constable Department, Precinct No. 5, not willing to participate and the suggestion was made that the Court could mandate the use of the Cooperative Training Program by not budgeting for the training.

Sheriff Deputy Harry Stevens, Sheriff's Department, stated that the Training Budget within the Departments would remain the same and that the \$1,000.00 would be funded from the Jail Division.

Commissioner Cascos questioned the need for the \$24,000.00 budget if the training would be conducted in-house.

Mr. Olson explained that the Training Budget was needed for the training not available in-house, and that once the fifteen (15) instructors attended specialized training they could teach the course.

Judge Hinojosa suggested that all the Departments contribute equally in the funding of the Program whether or not they participate, that the Program be funded as training expenditures and that the County not be required to match the funds.

Commissioner Garza moved that the Development of a Cameron County Law Enforcement Cooperative Training Program funded through matching funds be approved.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Policy and Report are as follow:

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. 14: Mr. Remi Garza, Administrative Assistant, requested that this Item be TABLED.

ITEM NO. 12: Mr. Rob Almon, Assistant County Auditor, presented the following additional claims: 1) Warrant No. 00074830, payable to United Narcotic Intelligence Task Force Fund No. 422, in the amount of \$100,000.00; 2) Warrant No. 00074392, payable to Mrs. Norma Garcia, County employee, in the amount of \$45.54; and requested that Warrant No. 00074675, payable to Mr. George Samano, Unidos Podemos, in the amount of \$2,376.08 be detained for one (1) week.

ITEM NO. 28 "F": Commissioner Cascos questioned the need for Mr. David Gomez, Engineering Construction Manager, to attend the Seminar concerning the Preventing and Solving Moisture Related Problems in Buildings, to be held in Madison, Wisconsin.
Mr. Juan Bernal, County Engineer/Public Works Director, stated that he believed it would be an asset to have staff with knowledge in mold related issues because of the ongoing developments. He stated that a more reasonable airfare could be obtained for the Seminar to be held in mid June 2002.
Commissioner Cascos noted his concern to be whether the employee would supervise the hired Consultants and Architects.
Mr. Bernal stated that by attending the Seminar Mr. Gomez would be able to present warning of future problems.
Commissioner Garza questioned whether the Liability on behalf of the Architect and Engineers would be eliminated.
Commissioner Cascos questioned whether a defense would be created on behalf of the Architects in the event a mold issue was presented and a trained employee signed off.
Mr. Doug Wright, Commissioners' Court Legal Counsel, agreed that the Architects and Engineers were ultimately responsible and that it could not hurt to have a trained employee supervising, adding that there should not be a need for the employee to sign off on the Architects' and Engineers' work.

Commissioner Cascos moved that the following "Consent and Travel Items" be approved, that Item No. 28 "F" be deferred to the June 2002, Seminar, and Item No. 14 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 Southwest Key Program La Esperanza, Warrant No. 00074722, in the amount of \$30,832.50.

(12) APPROVAL OF COUNTY CLAIMS;

The Affidavits follow:

- (13) **RESOLUTION HONORING FATHER JOSEPH O'BRIEN, O.M.I. FOR HIS SELFLESS DEDICATION AND MANY YEARS OF SERVICE TO THE CITIZENS OF CAMERON COUNTY;**

The Resolution follows:

- (14) **A REIMBURSEMENT RESOLUTION FOR ANY COST INCURRED FOR THE INTERIOR RENOVATION OF THE OLD CAMERON COUNTY COURTHOUSE/OSCAR DANCY BUILDING;**

The Resolution follows:

- (15) **ACKNOWLEDGMENT OF CERTIFICATE OF COMPLETION OF COMMISSIONERS EDUCATION FOR COMMISSIONER CARLOS H CASCOS, C.P.A., IN ACCORDANCE WITH ARTICLE 81.0025 OF TEXAS L.C.G. FOR 2001;**

- (16) **AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK;**

The Resolution follows:

- (17) **AGREEMENT BETWEEN CAMERON COUNTY AND MULTI-MINI STORAGE FOR RECORDS STORAGE FOR SHERIFF'S OFFICE;**

The Agreement follows:

- (18) **AGREEMENT BETWEEN CAMERON COUNTY AND MULTI-MINI STORAGE FOR RECORDS STORAGE FOR PERSONNEL OFFICE;**

The Agreement follows:

- (19) **RESOLUTION AUTHORIZING THE SUBMISSION OF THE CONTINUATION GRANT APPLICATION FOR A FOURTH YEAR TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY FOR THE 2003 CAMERON COUNTY AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE GRANT;**

The Resolution follows:

- (20) **AUTHORIZATION FOR THE DISTRICT CLERK'S OFFICE TO ENTER INTO A CONTRACT WITH LONE STAR NATIONAL BANK FOR CREDIT CARD MERCHANT SERVICES AND TO SET THE PROCESSING FEE AT FIVE PERCENT (5%) OF EACH TRANSACTION PURSUANT TO LOCAL GOVERNMENT CODE 132.003(B);**

The Contract follows:

- (21) **CONSIDERATION AND APPROVAL, SUBJECT TO STATE LEGAL REVIEW, OF A GRANT FUNDED CONTRACT FOR \$22,600, BETWEEN CAMERON COUNTY AND UTB/TSC, IN SUPPORT OF JUVENILE FORENSIC LAB OF UNIDOS PODEMOS INC. FOR THE YEAR 2002-2003;**

The Contract follows:

- (22) **AUTHORIZATION FOR THE CAMERON COUNTY HEALTH DEPARTMENT TO APPLY FOR PROPOSALS WITH THE TEXAS DEPARTMENT OF HEALTH;**

- (23) **AUTHORIZATION FOR THE CAMERON COUNTY HEALTH DEPARTMENT TO APPLY FOR THE TITLE V "FEE FOR SERVICES" AND "FEE FOR SERVICES FAMILY PLANNING " CONTINUATION REQUEST FOR PROPOSALS WITH THE TEXAS DEPARTMENT OF HEALTH;**

The Application follows:

- (24) **RESOLUTION TO RELOCATE OFF SYSTEM BRIDGE AT KILGORE ROAD OVER RESACA DE LOS FRESNOS TO MARYDALE ROAD OVER RESACA DE LOS FRESNOS;**

The Resolution follows:

- (25) **ACKNOWLEDGMENT OF DISTRICT CLERK'S JANUARY, FEBRUARY, AND MARCH MONTHLY FEE AND FINES REPORT;**
The Report follows:
- (26) **AWARDING OF THE FOLLOWING BID:**
A) **DRINKING WATER- ANNUAL BID NO. 2250;**
Category A) **VALLEY BOTTLE WATER, Harlingen, Texas, \$0.50 per gallon**
Category B) **VALLEY BOTTLE WATER, Harlingen, Texas, \$10.00 per five gallons with/ bottle.**
- (27) **OPENING OF THE FOLLOWING BID/PROPOSALS:**
A) **TEXAS COMMUNITY DEVELOPMENT PROGRAM- LATORRE COLONIA WATER IMPROVEMENTS - CAMERON COUNTY; AND**
B) **WEST RAIL RELOCATION PROJECT - LETTER OF INTEREST NO. 020304 AND APPROVAL OF RECOMMENDED EVALUATION COMMITTEE.**

TRAVEL ITEMS

- (28) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (a) Program Development and Management Coordinator to attend the "Rio Grande Valley Empowerment Zone Corporation Board Meeting", in Mercedes, Texas, April 17, 2002;
 - (b) 138th and 197th Court Reporters, to attend the "Texas Court Reporters Association Annual Convention", in Montgomery, Texas, June 20-23, 2002;
 - (c) Computer Center Director to attend the "Texas Association of Governmental Information Technology Managers Conference", in Galveston, Texas, May 14-17, 2002;
 - (d) Health Department Administrator to attend the 44th County Auditors' Institute", in Austin, Texas, May 7-10, 2002;
 - (e) Two (2) Sheriff's Department Investigators to attend the "Rape and Sex Crimes Investigation Course", in South Padre Island, Texas, May 6-7, 2002;
 - (f) Engineering Construction Manager to attend the "Preventing and Solving Moisture related Problems in buildings", in Madison, Wisconsin, June 2002; and
 - (g) Sheriff and Captain to attend the "Border Law Enforcement Conference", in San Antonio, Texas, April 28-30, 2002.

- (12) APPROVAL OF COUNTY CLAIMS.
The Affidavits is as follows:**

- (13) RESOLUTION HONORING FATHER JOSEPH O'BRIEN, O.M.I. FOR HIS SELFLESS DEDICATION AND MANY YEARS OF SERVICE TO THE CITIZENS OF CAMERON COUNTY.**

The Resolution is as follows:

- (14) A REIMBURSEMENT RESOLUTION FOR ANY COST INCURRED FOR THE INTERIOR RENOVATION OF THE OLD CAMERON COUNTY COURTHOUSE/OSCAR DANCY BUILDING.
The Resolution is as follows:**

- (15) AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK.
The Resolution is as follows:**

- (17) **AGREEMENT BETWEEN CAMERON COUNTY AND MULTI-MINI STORAGE
FOR RECORDS STORAGE FOR SHERIFF'S OFFICE.**
The Agreement is as follows:

- (18) AGREEMENT BETWEEN CAMERON COUNTY AND MULTI-MINI STORAGE
FOR RECORDS STORAGE FOR PERSONNEL OFFICE.
The Agreement is as follows:**

- (19) RESOLUTION AUTHORIZING THE SUBMISSION OF THE CONTINUATION GRANT APPLICATION FOR A FOURTH YEAR TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY FOR THE 2003 CAMERON COUNTY AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE GRANT.
The Resolution is as follows:**

- (20) AUTHORIZATION FOR THE DISTRICT CLERK'S OFFICE TO ENTER INTO A CONTRACT WITH LONE STAR NATIONAL BANK FOR CREDIT CARD MERCHANT SERVICES AND TO SET THE PROCESSING FEE AT FIVE PERCENT (5%) OF EACH TRANSACTION PURSUANT TO LOCAL GOVERNMENT CODE 132.003(B).
The Contract is as follows:**

- (21) CONSIDERATION AND APPROVAL, SUBJECT TO STATE LEGAL REVIEW, OF A GRANT FUNDED CONTRACT FOR \$22,600, BETWEEN CAMERON COUNTY AND UTB/TSC, IN SUPPORT OF JUVENILE FORENSIC LAB OF UNIDOS PODEMOS INC. FOR THE YEAR 2002-2003.**

The Contract is as follows:

- (23) AUTHORIZATION FOR THE CAMERON COUNTY HEALTH DEPARTMENT TO APPLY FOR THE TITLE V “FEE FOR SERVICES” AND “FEE FOR SERVICES FAMILY PLANNING” CONTINUATION REQUEST FOR PROPOSALS WITH THE TEXAS DEPARTMENT OF HEALTH.
The Application is as follows:**

- (24) RESOLUTION TO RELOCATE OFF SYSTEM BRIDGE AT KILGORE ROAD OVER RESACA DE LOS FRESNOS TO MARYDALE ROAD OVER RESACA DE LOS FRESNOS.**

The Resolution is as follows:

- (25) ACKNOWLEDGMENT OF DISTRICT CLERK'S JANUARY, FEBRUARY, AND MARCH MONTHLY FEE AND FINES REPORT.
The Report is as follows:**

EXECUTIVE SESSION

(29) EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Court met in Executive Session at 6:39 P.M. to discuss the following matters:

- a) Deliberation regarding Real Property concerning the possible Lease Agreement between George M. Samano and Cameron County's Unidos Podemos Program; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding Real Property concerning the possible Lease Agreement between Cameron County and Pesa Inc.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with Commissioners' Court Legal Counsel regarding the case styled Antonio Agruelles and Maria Arguelles versus Columbia Valley Health Care P. DBA Valley Regional Medical Center and Cameron County; Cause No. 2001-07-3231- B, and to authorize to provide Legal Representation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- d) Confer with Commissioners' Court Legal Counsel concerning the case styled Jose Raul Castillo, et al versus Cameron County, Texas, et al, Cause No. B-93-260, to discuss status of case; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- e) Deliberation regarding Real Property concerning the Concessionaire Lease Agreement - Oasis Snacks II; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- f) Deliberation regarding Real Property concerning renewal of the Lease Agreement between Brownsville Investment Group No. 1 L.P. and Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- g) Deliberation regarding Real Property concerning the possible acquisition of Right-Of-Way; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- h) Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Surplus Properties as listed below; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072:
 - 1) San Benito - Commercial Fraction Lot No. 3 through No. 7, Block No. 5 57-78850-0050-0030-00;
 - 2) San Benito - Commercial Fraction Lot No. 7 through No. 11, Block No. 5 57-7850-0020-0070-00; and
 - 3) Sunlite Acres Lot No. 9.
- i) 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:
 - 1) Primera - Original Townsite Lot No. 21, Block No. 6 49-000-0060-0210-00;
 - 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. and W. Co. Block No. 69, PTNW No. 10, 1 Acre

- 18-4040-0690-0050-00;
- 5) Abstract No. 2 - Monte Grande No.. 2, Block No. 72, 5 Acres
76-8710-0720-0010-00;
 - 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 Benavides, seconded by Commissioner Garza and carried unanimously, the Court reconvened in Regular Session at 7:22 P.M.

(30) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) Deliberation regarding Real Property concerning the possible Lease Agreement between George M. Samano and Cameron County's Unidos Podemos Program.**

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Lease Agreement between George M. Samano and Cameron County's Unidos Podemos Program was terminated.

- b) Deliberation regarding Real Property concerning the possible Lease Agreement between Cameron County and Pesa Inc.**

Judge Hinojosa did not participate in the discussion of this item.

Commissioner Garza moved that Mr. Joseph Ardito, Property Manager, be authorized to negotiate the Lease Agreement between Cameron County and Pesa Inc., for the needs of the County.

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

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

NAY: None,

ABSTAIN: Judge Hinojosa.

- c) Confer with Commissioners' Court Legal Counsel regarding the case styled Antonio Arguelles and Maria Arguelles versus Columbia Valley Health Carel. P. DBA Valley Regional Medical Center and Cameron County, Cause No. 2001-07-3231- B, and to authorize to provide Legal Representation.**

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, Mr. Doug Wright, Commissioners' Court Legal Counsel, was authorized to represent Cameron County in the case styled Antonio Arguelles and Maria Arguelles versus Columbia Valley Health Carel P. DBA, Valley Regional Medical Center and Cameron County.

- d) **Confer with Commissioners' Court Legal Counsel concerning the case styled Jose Raul Castillo, et al versus Cameron County, Texas, et al, Cause No. B-93-260, to discuss status of case.**

Commissioner Valdez moved that the Status Report by Commissioners' Court Legal Counsel regarding case styled Jose Raul Castillo, et al versus Cameron County, Texas, et al, Cause No. B-93-260, be acknowledged and that the check for legal fees from the State of Texas be accepted.

The motion was seconded by Commissioner Garza and carried unanimously.

- e) **Deliberation regarding Real Property concerning the Concessionaire Lease Agreement - Oasis Snacks II.**

Commissioner Garza moved to give notice of termination of lease concerning the Concessionaire Lease Agreement - Oasis Snacks II.

The motion was seconded by Commissioner Valdez and carried unanimously.

- f) **In the matter of deliberation regarding Real Property concerning renewal of the Lease Agreement between Brownsville Investment Group No. 1 L.P. and Cameron County. (TABLED)**

- g) **In the matter of deliberation regarding Real Property concerning the possible acquisition of Right-Of-Way. (TABLED)**

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

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

- 1) **San Benito - Commercial Fraction Lot No. 3 through No. 7, Block No. 5
57-78850-0050-0030-00;**
- 2) **San Benito - Commercial Fraction Lot No. 7 through No. 11, Block No. 5
57-7850-0020-0070-00; and**
- 3) **Sunlite Acres Lot No. 9.**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the re-sale of the Cameron County Surplus Properties listed below were approved pursuant to the offers made:

- 1) San Benito - Commercial Fraction Lot No. 3 through No. 7, Block No. 5
57-78850-0050-0030-00;
- 2) San Benito - Commercial Fraction Lot No. 7 through No. 11, Block No. 5
57-7850-0020-0070-00; and
- 3) Sunlite Acres Lot No. 9
98-4350-0000-0090-00.

[REDACTED]

i) **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
49-000-0060-0210-00;**
- 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. and W. Co. Block No. 69, PTNW No. 10, 1 Acre
18-4040-0690-0050-00;**
- 5) **Abstract No. 2 - Monte Grande No. 2, Block No. 72, 5 Acres
76-8710-0720-0010-00;**
- 6) **Abstract No. 2 - Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18
73-5590-0180-1094-00; and**
- 7) **In the matter of Brownsville - Colonia Acacia Lot No. 35, Block No. 8
02-2170-0080-0350-00. (TABLED)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, Mr. Joseph Ardito, Property Manager, was authorized to engage in private sales on Sub Item “i” No. 1, through “i” No. 5, to reject the offer made for Sub Item “i” No. 6, and Sub Item “i” No. 7 was **TABLED**.

- 1) Primera - Original Townsite Lot No. 21, Block No. 6
49-000-0060-0210-00;
 - 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. and W. Co. Block No. 69, PTNW No. 10, 1 Acre
18-4040-0690-0050-00;
 - 5) Abstract No. 2 - Monte Grande No.. 2, Block No. 72, 5 Acres
76-8710-0720-0010-00;
 - 6) Abstract No. 2 - Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18
73-5590-0180-1094-00; and
- [REDACTED]**

████████████████████

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the meeting was **ADJOURNED** at 7:29 P.M.

═══════════════════════
═══════════════════════

APPROVED this 21ST day of **May 2002**.

──────────────────────────
GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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