

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of MAY 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 5:30 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and he then 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 May 10, 2002, at 10:07 A.M., and the Supplemental Agenda posted on May 10, 2002, at 3:35 P. M.:

NOTE: COMMISSIONER GARZA JOINED THE MEETING AT THIS TIME.

ACTION ITEMS

**(6) CONSIDERATION AND POSSIBLE ACTION ON
ORDER GRANTING OR DENYING THE
CREATION OF THE OLMITO IRRIGATION
DISTRICT NO. 20**

Mr. Remi Garza, Administrative Assistant, noted that the Petition was in accordance to the requirements indicated by Statute.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the creation of the Olmito Irrigation District No. 20 was authorized.

**(7) CONSIDERATION AND APPROVAL OF
APPOINTMENTS FOR THE INITIAL DIRECTORS
OF THE OLMITO IRRIGATION DISTRICT NO. 20**

Commissioner Cascos moved that the following individuals be appointed for the initial Directors of the Olmito Irrigation District No. 20:

Mr. Mario Benavides, Olmito resident;

Mr. Gary Bryant, Olmito resident;

Ms. Adela Garza, Olmito resident;

Mr. Joe Perez, Olmito resident; and

Mr. Bill Schnabl, Olmito resident.

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

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

NAY: None,

ABSTAIN: Commissioner Benavides.

PRESENTATION

(1) IN THE MATTER REGARDING THE PRESENTATION AND POSSIBLE APPROVAL OF THE JOSE M. LOPEZ STATUE MAQUETTE (TABLED)

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

(2) CONSIDERATION AND AUTHORIZATION FOR STATUS REPORT, FROM THE CAMERON COUNTY PARKS SYSTEM ON PROJECTS IN THE PARKS AND/OR GRANT APPLICATIONS THAT HAVE BEEN FILED WITHIN THE PARKS SYSTEM

Mr. Javier Mendez, Parks System Director, highlighted the Status Report regarding the projects in the parks and/or Grant Applications that have been filed within the Parks System. He reported that about \$468,000.00 were received for the Boca Chica Beach Project and that the project was being delayed by the need to resolve the legalities concerning the property.

Commissioner Garza questioned whether the delay would jeopardize the funds.

Mr. Mendez responded that the County had until the year 2004 to make use of the funds. He stated that the property survey for the Laguna Heights Park should be completed, and that the Title Report would cost approximately \$2,000.00.

Commissioner Garza questioned whether the County would apply for grant funds.

Mr. Mendez stated that there was an intent to obtain local funds to sponsor the project and that otherwise the County would apply for State Funding. He reported that a Grant, in the amount of \$64,000.00, was approved by the Coastal Management Program for the Isla Blanca Park Project, budgeted at an estimated cost of \$107,000.00 and that the Grant would require a forty percent (40%) match. Mr. Mendez reported that an easement would be requested from the Port of Brownsville to construct a channel from the Ship Channel to the Bahia Grande and that said entity would work with the County but was requesting Mitigation Credits, provided only by United States Fish and Wildlife and Army Corp of Engineers. He reported that the Radio Stations were operational and had telephone access to record up to six (6) messages within eight (8) minutes, adding that a burned transmitter and fuses were replaced. Mr. Mendez stated that the signs for the Flag Advisory System be made of vinyl lettering and that the goal was to install the signs by Memorial Day. He reported that the ramp renovations on Highway 48 were complete and that an invoice for the amount of \$4,963.00 was sent to TxDOT for reimbursement.

Commissioner Garza asked if signs were available for the Radio Station.

Mr. Mendez stated that signs already available were modified to read the correct information, and that the radio frequency had a coverage of approximately a twenty-six (26) mile radius.

Commissioner Cascos asked if signs would be placed at Boca Chica Beach. He stated that the Grant Funds totaled \$1.6 million, that the Budget totaled \$2.6 million, and questioned the funding source to pay the difference.

Mr. Mendez responded in the affirmative, and stated that the Browne Road Park Project would be funded with Bond Funds. He added that the \$468,000.00 obtained for the Boca Chica Beach would be used as leverage when applying to the United States Fish and Wildlife, and that funds were needed for the forty percent (40%) match to the Grant obtained for the Isla Blanca Project. He highlighted the revenues and expenditures for the Parks System, and stated that Mr. Joe Vega, Parks System Assistant Director, was researching the Grants available.

Commissioner Garza questioned the deadline to apply for Grant Funds available for the next Grant Cycle.

Mr. Mendez stated that the applications for the projects would be submitted within two (2) weeks. He stated that an individual had made a brochure of the Isla Blanca Park and that as compensation was allowed to stay there for three (3) weeks.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Status Report from the Cameron County Parks System on projects in the parks and/or Grant Applications that have been filed within the Parks System was acknowledged.

The Report and brochure are as follow:

[REDACTED]

**(3) PRESENTATION BY THE COUNTY ENGINEER
REGARDING THE TEXAS DEPARTMENT OF
TRANSPORTATION FUNDING OF COLONIA
ACCESS GRANTS**

Mr. Juan Bernal, County Engineer/ Public Works Director, reported that \$7.2 million were awarded to Cameron County for Cameron Park, in addition to the \$3 million allocation, and that an additional \$50 million in competitive funds would be available in the Fall of 2002. He stated that the Texas Department of Transportation (TxDOT) and the Counties meet in late May or early June to review the Agreements and to discuss some concerns, one being; that according to TxDOT the County was to pay the Contractors up-front and subsequently send the invoice to TxDOT for reimbursement.

Commissioner Garza asked if a reimbursement process could be established with the Contractors, and noted his understanding to be that it was the intent of the State to reimburse the funds as soon as possible.

Mr. Bernal stated that TxDOT had indicated that the funds would be reimbursed within thirty (30) days and that other Counties had similar concerns due to the unavailability of sufficient funds to pay the Contractors up-front. He suggested that a representative from the County Judge's Office or Commissioner Garza attend the meeting.

Commissioner Cascos stated that the County could not afford to pay the Contractors up-front and questioned the County Policy relating to reimbursement.

Mr. Mark Yates, County Auditor, responded that TxDOT's reimbursements could take up to three (3) years, and that prior to expending funds on in-house projects TxDOT would have to sign off on Equipment Rentals Sheets, Salaries Sheets, and Policy Sheets. He requested to work directly with the person at TxDOT who would review the invoices prior to setting up a payment.

Mr. Bernal stated that salaries would be reimbursed and that the Agreement permitted three (3) years, from date of execution, to expend the funds, adding that clarification would be requested from TxDOT as to whether equipment rental expenditures would be reimbursed.

Mr. Mike Riojas, S&B Infrastructure, highlighted the Report regarding the Cameron County Colonia Access Program. He reported that Cameron Park was selected as a Competitive Project and was awarded \$7.2 million, and that the project must be under construction within two (2) years and completed within three (3) years, and that the funds might be available by late May 2002. Mr. Riojas clarified that the design standards would be submitted by the following week.

Mr. Bernal explained that the \$7.2 million for Cameron Park would fund an underground sewer system, curb and gutter, and black top for the roads, adding that the funds might not be sufficient to provide sidewalks.

Judge Hinojosa questioned if the funds could be used to provide sidewalks.

Commissioner Cascos asked if the remaining funds would have to be returned to TxDOT once the project was completed.

Judge Hinojosa stated that the bid specifications within the Contract could be modified up to an additional ten percent (10%) and used to fund additional projects for Cameron Park.

Commissioner Cascos asked who would be responsible to provide funding for expenses that exceed the budgeted amount or whether additional funding could be requested.

Mr. Bernal stated that the County would be responsible to fund any additional cost.

Mr. Riojas suggested to reduce the scope of the projects or to request additional funding as part of the allocation.

Judge Hinojosa clarified that additional funding could be requested during the next round of competitive funds.

Mr. Riojas responded that the sidewalks would qualify but that it would be confirmed with TxDOT.

Mr. Bernal stated that it was assumed that the sidewalks would qualify under the Colonia Access Program based on TxDOT's standards. He stated that Cameron Park was now being taken care of and that Laguna Heights was the other large project in need of assistance.

Judge Hinojosa stated that a formal request was made to the Texas Water Development Board (TWDB) to rename Laguna Heights as a Colonia. He suggested that a meeting be scheduled with the TWDB, in Austin, Texas, to present a portfolio of Laguna Heights to the appropriate staff in order to submit an application identical to the one submitted for Cameron Park for Laguna Heights for the competitive funds to be made available in the fall.

Mr. Riojas stated that TxDOT would obtain public comments to decide whose database would be used in determining the designation of Colonias, that of the Attorney General's Office or of the TWDB.

Commissioner Cascos moved that the Status Report by the County Engineer regarding the Texas Department of Transportation Funding of Colonia Access Grants be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Report is as follows:

ACTION ITEMS

(4) APPROVAL OF BUDGET AMENDMENTS

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the 2002 Fiscal Year Budget Amendment No. 22 was approved.

The Budget Amendments are as follow:

(5) **APPROVAL OF MINUTES:**
A) APRIL 16, 2002-REGULAR

Commissioner Garza commented that when the Minutes referred to Mr. Garza it pertained to Mr. Calixto Garza, Rio Hondo resident, and not him.

Commissioner Cascos moved that the Minutes for the Regular Meeting held April 16, 2002, be approved.

The motion was seconded by Commissioner Valdez and carried unanimously.

Commissioner Cascos questioned the Status on the concerns of the Rio Hondo residents regarding the truck route used to service the Wilbur Ellis Company.

Judge Hinojosa stated that the meeting was scheduled the same day the collision with the Long Island Bridge occurred, therefore it was postponed and that Mr. Remi Garza, Administrative Assistant, was reviewing the matter with Texas Natural Resource Conservation Commission (TNRCC).

Commissioner Cascos questioned whether the Health Department was involved due to the respiratory issues.

Mr. Remi Garza, Administrative Assistant, stated that he had not contacted the Health Department but would do so.

Judge Hinojosa stated that the Texas Department of Transportation Engineer for the region and himself had discussed that the only possible alternative route would be to construct a bridge across the Arroyo Colorado but the funding was not available.

(8) **CONSIDERATION AND APPROVAL OF CLAIM
SUBMITTED BY MR. RUSSELL STOCKTON
RELATING TO QUEEN ISABELLA CAUSEWAY
COLLAPSE OF SEPTEMBER 15, 2001**

Mr. Remi Garza, Administrative Assistant, stated that Mr. Russell Stockton had presented a claim, in the amount of \$2,000.00 per day, for the use of the pier by the Department of Public Safety (DPS) during fourteen (14) days for recovery efforts, and explained that the claim was discussed with the Texas Department of Transportation and the Federal Highway Administration. He stated that TxDOT approved a \$10,840.72 reimbursement, based on the Federal Highway Administration's guidelines.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the claim submitted by Mr. Russell Stockton relating to the Queen Isabella Causeway Collapse of September 15, 2001, was approved.

The Invoice is as follows:

(9) **CONSIDERATION AND AUTHORIZATION OF CAMERON COUNTY TO REIMBURSE MS. JULIE COX FOR CHARGES INCURRED FOR A DETAILING JOB AT AMERICAN WHEELS AND TIRES AND AUTO DETAILING (DENIED)**

Mr. Juan Bernal, County Engineer/Public Works Director, explained that an individual had driven over an oiled road, with proper signs in place, and was claiming that the County needed to reimburse the cost incurred.

Commissioner Cascos noted that numerous claims had been presented in the past and were always denied.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that similar issues were previously presented where the Courts denied paying the claims if proper signs were in place when the roads were oiled and/or maintained.

Commissioner Benavides moved that the reimbursement to Ms. Julie Cox for charges incurred for the detailing job at American Wheels and Tires & Auto Detailing, be denied.

The motion was seconded by Commissioner Cascos and carried unanimously.

(10) **CONSIDERATION AND AUTHORIZATION TO TRANSFER LAPSED SALARIES FROM FUND 10-425, SLOT NO. 3, TO EXTRA HELP, FUND NO. 10-425**

Commissioner Cascos stated that he could not support salary increases, increasing of hours, and creating new slots due to the issues anticipated with the Budget.

Mr. Xavier Villarreal, Budget Officer, explained that Slot No. 3 was vacant since October 2001, until April 2002, and had generated the amount of \$10,000.00 that was being requested.

Judge Hinojosa stated the County Court at Law Judges were being provided approximately fifty (50) arraignments per week versus one-hundred (100) arraignments generated in the past, resulting in lower revenue generated by the Courts. He explained that the County Clerk had indicated that the same number of arraignments could not be generated without additional staff and that the number of arraignments was expected to increase with the additional staff and the extra summer help. Judge Hinojosa suggested that the slots be funded and that the County Clerk be requested to increase the number of arraignments provided to the County Courts at Law, adding that if the arraignments were increased during the Summer months then the positions would be revisited during the budget cycle. Judge Hinojosa stated that the same would apply to Items No. 11 and No. 12.

Mr. Villarreal stated that Item No. 11 could be funded through the District Clerk's Budget.

Commissioner Cascos questioned the Status of the Lapsed Salaries.

Mr. Villarreal stated that after deducting the expenses for the Worker Compensation Premium and the Appointed Attorneys' Fee the balance for Lapsed Salaries was approximately \$17,000.00.

Judge Hinojosa noted that the County Clerk had indicated that the transfer request was for \$5,000.00.

Commissioner Garza moved that the transfer of Lapsed Salaries from Fund 10-425, in the amount of \$5,000.00, Slot No. 3, to Extra Help, Fund No. 10-425, be approved, with an indirect request to increase the number of arraignments.

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

AYE: Commissioners Benavides, Garza Valdez and Judge Hinojosa,

NAY: Commissioner Cascos.

(11) **CONSIDERATION AND AUTHORIZATION TO INCREASE 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**

Commissioner Valdez moved that the increase of hours of Slot No. 26 in the Salary Schedule of the District Clerk's Office, from the 32 hours per week position to the 40 hours per week position be approved.

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

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

NAY: Commissioner Cascos.

The Salary Schedule is as follows:

(12) **CONSIDERATION AND AUTHORIZATION TO
CREATE A NEW EMPLOYEE POSITION
(CRIMINAL FILING CLERK) IN THE DISTRICT
CLERK'S OFFICE**

Commissioner Benavides moved that the creation of the new Criminal Filing Clerk Position in the District Clerk's Office be approved.

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

AYE: Commissioners Benavides, Valdez and Judge Hinojosa,

NAY: Commissioners Cascos and Garza

The Job Description and the Salary Schedule are as follow:

(13) **CONSIDERATION AND AUTHORIZATION TO INCREASE SLOT NO. 79 IN THE SALARY SCHEDULE OF THE SHERIFF'S DEPARTMENT**

Captain Robert Lopez, Sheriff's Department, requested that the salary for Slot No. 79, Sheriff's Secretary, be increased due to additional duties being assigned, adding that the increase would be funded from the difference in salaries of two (2) new hires for Slots No. 80 and No. 84 that were started at a lower pay rate.

Commissioner Cascos questioned whether the positions would be left at the same lower rate at the beginning of the next fiscal year.

Commissioner Benavides moved that the salary increase to Slot No. 79, in the Salary Schedule of the Sheriff's Department, be approved.

The motion was seconded by Commissioner Valdez.

Commissioner Cascos noted that the increase totaled a fifteen percent (15%) pay increase, that he believed it was unfair, and that the increase should be postponed until the Budget was prepared.

Commissioner Garza questioned the duties and responsibilities added within the year.

Captain Lopez explained that the duties consisted of the Work Experience Program for over five hundred (500) prisoners, the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) Report and the Uniform Crime Report (UCR) Report.

Upon motion duly made by Commissioner Benavides that the salary increase to Slot No. 79 in the Salary Schedule of the Sheriff's Department be approved.

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

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

NAY: Commissioner Cascos

The Salary Schedule is as follows:

(14) **CONSIDERATION AND ACTION CREATING
THREE (3) NEW DETENTION OFFICER
POSITIONS FOR THE CAMERON COUNTY JAIL
DIVISION**

Judge Hinojosa reported that Mr. Xavier Villarreal, Budget Officer, Captain Robert Lopez, Sheriff's Department, Cameron County Sheriff and himself had met to discuss the need to open the last jail pod in order to be able to house the maximum number of Federal Inmates, which would generate the maximum amount of revenue, noting that said goal required the additional staff.

Captain Robert Lopez, Sheriff's Department, stated that the positions would be funded through the Commissary Fund.

Commissioner Cascos questioned the balance of the Commissary Fund.

Captain Lopez responded that the Commissary Fund had a balance of approximately \$70,000.00 and was expected to increase with the in-house Commissary.

Commissioner Garza asked whether it was requested that the County house additional Federal Inmates.

Captain Lopez responded in the affirmative and explained that the limit of 300 prisoners should be reached within two (2) to three (3) weeks and that it was recently requested that forty-two (42) Federal Female Inmates be housed.

Commissioner Cascos moved that the creation of three (3) New Detention Officer Positions for the Cameron County Jail Division be approved

The motion was seconded by Commissioner Garza.

Mr. Mark Yates, County Auditor, noted that the Commissary Fund would have to produce about \$80,000.00 annually to fund the salaries, in the amount of \$62,000.00, plus fringe benefits.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the creation of three (3) New Detention Officer Positions for the Cameron County Jail Division were approved.

The Salary Schedule is as follows:

[REDACTED]

(15) **CONSIDERATION AND ACTION CREATING
FULL-TIME POSITION TO ASSIST THE BAIL
BOND BOARD ADMINISTRATOR**

Mr. Remi Garza, Administrative Assistant, stated that the Bail Bond Board was requesting that the part-time position, approved in February 2002, be changed to a full-time position. He stated that the impact to the current year's Budget would be of \$6,639.00 and that \$15,600.00 would be required of next year's Budget, inclusive of the fringe benefits, adding that the position would be funded through the Bail Bond Fund, which had a current balance of about \$100,000.00.

Commissioner Cascos moved that the creation of the full-time position to assist the Bail Bond Board Administrator, be approved.

The motion was seconded by Commissioner Garza.

Commissioner Garza asked who the Bail Bond Board Administrator was.

Mr. Garza responded that Ms. Maria Polanco was hired as the Bail Bond Board Administrator.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Garza, and carried unanimously, the creation of the full-time position to assist the Bail Bond Board Administrator was approved.

The Salary Schedule is as follows:

[REDACTED]

(16) **CONSIDERATION AND POSSIBLE ACTION
REGARDING OVERSIGHT OF THE UNIDOS
PODEMOS GRANTS**

Judge Hinojosa stated that there was a need to oversee the Unidos Podemos Program and explained that monies obtained from State through the County were operated by an entity that was semi-autonomous to the County. He stated that the County could be subject to an audit of expenditures and made to payback the grant funds, adding that to date the County Auditor had monitored the Program without the needed resources. Judge Hinojosa suggested that a member of the County Judge's Office be assigned to oversee the program and that the compensation be funded from the Administrative Fee equaling two point five percent (2.5%).

Commissioner Cascos suggested that the vacant Executive Director Position be filled by someone that would oversee the Program and would report to Commissioners' Court.

Judge Hinojosa stated that the slot was being funded through the Title-V Grant and that the Unidos Podemos Board wanted to hire someone in conjunction to the Program.

Mr. Remi Garza, Administrative Assistant, noted that the County was responsible for the Juvenile Forensic Lab Grant and the Data Center Grant as well.

Mr. Mark Yates, County Auditor, stated that the two percent (2%) administrative fee of the \$250,000.00 Grant equaled about \$5,000.00.

Judge Hinojosa suggested that Ms. Veronica De La Fuente, County Judge's Office, be assigned to monitor the Unidos Podemos Program.

Mr. Yates requested that if the two percent (2%) administrative fee of the \$250,000.00 Grant was paid to that position, that all paperwork regarding the Unidos Podemos Program flow through Ms. De La Fuente.

Commissioner Cascos questioned whether the administrative fee was intended to offset the cost for auditing the Grant.

Mr. Yates explained that the two point nine percent (2.9%) was set up from the first Grant to fund the auditing of a separate entity, but that due to the County being the Sponsor and the Grantee of the Grants the auditing was covered within the County's independent audits. He proposed that a Policy be developed that stipulates that the County not rent buildings that were not in compliance with the Americans with Disabilities Act (ADA).

Commissioner Cascos noted that there was correspondence from the State Governor's Office that indicated that ultimately the County was responsible for the Grants being received.

At this time, there was discussion concerning the compensation due to the County Auditor's Office, and the clarification was made that Ms. De La Fuente's salary was being funded from the General Fund to be reimbursed by Grant Funds, and that the County would not incur additional cost.

Commissioner Cascos clarified that Ms. De La Fuente would report to the Court rather than to the Unidos Podemos Program.

Commissioner Garza requested monthly Reports concerning the Unidos Podemos Program.

Commissioner Valdez moved that Ms. Veronica De La Fuente, County Judge's Office, be assigned to oversee the Unidos Podemos Grants and that a monthly Report regarding the Unidos Podemos Program be presented on a monthly basis to the Court.

The motion was seconded by Commissioner Garza and carried unanimously.

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. 17: Mr. Mark Yates, County Auditor, presented the following additional claims; Warrants No. 00076156 through Warrant No. 00076182 disbursements of payment received for arrest fees; and Warrant No. 00076183, as to Mr. Dominic Edwards Zuniga, in the amount \$610.00; and Warrant No. 00076184, as to Davis Electric, in the amount of \$6,000.00.

ITEM NO. 27: Judge Hinojosa clarified that the Travel Policy continued to be followed accordingly.

Commissioner Garza moved that the following "Consent and Travel Items" be approved.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (17) APPROVAL OF CLAIMS;
The late claims follow:**
- (18) RESOLUTION DECLARING THE MONTH OF MAY AS "MENTAL HEALTH AWARENESS MONTH" IN CAMERON COUNTY, TEXAS;
The Resolution follows:**
- (19) AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT FOR SITE II AND RESUBMIT FOR SITE I APPLICATION TO APPLY FOR FEDERAL GRANT WEED AND SEED VIA ON-LINE;**

- (20) **CONTRACT NO. 11970004 BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES REGARDING TITLE IV-E LEGAL REIMBURSEMENT EFFECTIVE 9/01/01 THROUGH 8/31/02 AND THE RESOLUTION AUTHORIZING CAMERON COUNTY JUDGE GILBERTO HINOJOSA TO SIGN AND EXECUTE SAID CONTRACT AND ANY OTHER DOCUMENTS NECESSARY;**
The Contract follows:
- (21) **CONTRACT WITH J. CLOSNER & SONS FOR CONSTRUCTION OF THE COLONIA LA TORRE WATER IMPROVEMENTS PROJECT;**
The Contract follows:
- (22) **RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, DESIGNATING THE LASANA WEST AREA NEAR THE TOWN OF COMBES AS COLONIA TO MEET TEXAS COMMUNITY DEVELOPMENT PROGRAM CRITERIA FOR STATE FUNDING PURPOSES;**
The Resolution follows:
- (23) **PRELIMINARY APPROVAL:**
- A) **PRECINCT NO. 2 - PUERTA DEL CIELO SUBDIVISION SECTION NO. 2- A 53.07 ACRES COMPRISED OF PARTS OF LOTS NOS. 28 AND 25 AND ALL OF LOTS NOS. 26 AND 27, BLOCK NO. 15, MAP NO. 4, BARREDA GARDENS SUBDIVISION.**
- B) **PRECINCT NO. 4- PLANTATION ESTATES SUBDIVISION- BEING A 48.469 ACRES OF LAND COMPRISED OF 3.36 ACRES OUT OF BLOCK NO. 7-A, ALL OF BLOCK NO. 7-B (30.00ACRES) AND 15.19 ACRES OUT OF BLOCK NO. 10-C, STUART PLACE SUBDIVISION.**
- (24) **FINAL APPROVAL:**
- A) **PRECINCT NO. 3 - PALOMAR SUBDIVISION - 10.438 ACRE TRACT OF LAND OUT OF THE SOUTHWEST PART OF BLOCK NO. 10, BRIGGS COLEMAN SUBDIVISION OF SURVEY 49.**
- B) **PRECINCT NO. 4- Z&Z SUBDIVISION- BEING 11.71 ACRES OUT OF A TWENTY FIVE (25) ACRES, TRACT COMPRISING OF 6.88 ACRES OUT OF BLOCK NO. 72, SAN BENITO LAND AND WATER COMPANY SUBDIVISION.**
- (25) **ACKNOWLEDGMENT OF TEXAS DEPARTMENT OF TRANSPORTATION REIMBURSEMENT IN THE AMOUNT OF \$41,700.00, FOR RIGHT-OF-WAY ACQUISITION OF FM 509;**
- (26) **AUTHORIZATION TO REFUND TAXES AS AUTHORIZED BY THE CAMERON COUNTY APPRAISAL DISTRICT AND AS PER SECTION 25.25C AND SECTION 31.11 OF THE STATE PROPERTY TAX CODE TO:**
- | | | | |
|----|--------------------------|------------|-------------------|
| A) | Jose Alvarez | \$607.31 | Delete Account; |
| B) | Hartel Properties I LTD | \$1,027.38 | Change Value; |
| C) | Hartel Management Co. Lc | \$1,037.13 | Change Value; |
| D) | Wachovia Mortgage Corp. | \$657.35 | Payment in error; |
| E) | Bene Facimus LTD ET AL | \$2,690.02 | Change Value; |
| F) | Bene Facimus LTD ET AL | \$1,495.35 | Change Value; |
| G) | Bene Facimus LTD ET AL | \$2,608.19 | Change Value; |
| H) | Bene Facimus LTD ET AL | \$2,139.02 | Change Value; |

D)	Wal-Mart Stores Inc. No. 8123	\$1,249.39	Delete Account;
J)	Wells Fargo Real Estate Tax Service	\$2,292.00	Payment in error;
K)	Wells Fargo Real Estate Tax Service	\$1,188.49	Payment in error;
L)	O'Reilly Auto Parts	\$881.43	Change Value;
M)	O'Reilly Auto Parts	\$8,662.21	Change Value;
N)	O'Reilly Auto Parts	\$611.03	Change Value;
O)	O'Reilly Auto Parts	\$1,637.87	Change Value;
P)	O'Reilly Auto Parts	\$5,264.77	Change Value;
Q)	Tokai Financial Services Inc.	\$1,787.70	Change Value;
R)	Tokai Financial Services Inc.	\$1,517.51	Change Value;
S)	Tokai Financial Services Inc.	\$607.50	Change Value;
T)	Tokai Financial Services Inc.	\$1,316.29	Change Value;
U)	Tokai Financial Services Inc.	\$1,900.68	Change Value;and
V)	Tokai Financial Services Inc.	\$718.94	Change Value.

TRAVEL ITEMS

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

- (a) Sheriff's Department Investigator to attend the "Practical Interview and Interrogation Training Seminar", in South Padre Island, Texas, May 29-31, 2002;
- (b) International Bridge System Director to meet with the State of Tamaulipas Officials and NAD BANK Officials regarding the West Rail Relocation Project in Mexico City, Mexico, May 9-10, 2002;
- (c) 404th District Court Coordinator to attend the "Texas Center for the Judiciary, Inc., Mandatory Continuing Education", in Huntsville, Texas, June 10-14, 2002;
- (d) Sheriff's Department employee to attend the "Hostage Negotiations and Communication Skills for First Responders", in South Padre Island, Texas, May 20-22, 2002;
- (e) Six (6) Health Department employees to tour four (4) Children Hospitals in Corpus Christi, Texas, May 20, 2002, and in Houston, Texas, May 21-22, 2002;
- (f) Constable Precinct No. 4 Chief Deputy and Deputy to attend the "J.P.C.A. Convention and Training Seminar for Justices of the Peace and Constables", in El Paso, Texas, June 19-23, 2002;
- (g) Two (2) Juvenile Probation Department employees to attend the "Business Writing for Results Seminar", in McAllen, Texas, May 30, 2002;
- (h) Chief Juvenile Probation Officer and employee to attend the "Management Conference", in Austin, Texas, June 9-12, 2002;
- (i) Chief Juvenile Probation Officer and employee to attend the "Budget Workshop", in Austin, Texas, June 13, 2002;
- (j) Two (2) Juvenile Probation Department employees to attend the "Criticism and Discipline Skills for Managers", in McAllen, Texas, June 4, 2002;
- (k) Seven (7) Juvenile Probation Department employees to attend the "Weed and Seed Power of Prevention Regional Conference", in San Antonio, Texas, May 22-24, 2002;
- (l) Juvenile Probation Department and Father Alfonso Guevara to attend Weed and Seed Faith Based Initiative Conference", in San Antonio, Texas, May 21-22, 2002;

- (m) Four (4) Tax Department employees to attend the “Texas Automobile Theft Prevention Authority Board Meeting an Grant Review”, in Austin, Texas, June 26-29, 2002;
- (n) Unit System Manager and Analyst to attend the “Pen Link Training”, in McAllen, Texas, April 30-May 2, 2002;
- (o) Four (4) County Extension Agents to attend the “TTVN Training on 4-H and Youth Programs”, in Weslaco, Texas, April 30, 2002;
- (p) Program Development and Management to attend the Lower Rio Grande Valley Development Council (LRGVDC) Professional Advisory Review Panel (PARP) Meeting”, in Weslaco, Texas, May 8, 2002; and
- (q) Two (2) Assistant District Attorneys to attend the “Investigation and Prosecution of Drug Offense Seminar”, in Corpus Christi, Texas, May 8, 2002.



- (17) **APPROVAL OF CLAIMS.**
The late claims are as follow:

- (18) RESOLUTION DECLARING THE MONTH OF MAY AS “MENTAL HEALTH AWARENESS MONTH” IN CAMERON COUNTY, TEXAS;
The Resolution is as follows:**

- (20) **CONTRACT NO. 11970004 BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES REGARDING TITLE IV-E LEGAL REIMBURSEMENT EFFECTIVE 9/01/01 THROUGH 8/31/02 AND THE RESOLUTION AUTHORIZING CAMERON COUNTY JUDGE GILBERTO HINOJOSA TO SIGN AND EXECUTE SAID CONTRACT AND ANY OTHER DOCUMENTS NECESSARY.**

The Contract is as follows:

- (21) **CONTRACT WITH J. CLOSNER & SONS FOR CONSTRUCTION OF THE COLONIA LA TORRE WATER IMPROVEMENTS PROJECT (TCDP CONTRACT NOS. 721101 AND 720205).**
The Contract is as follows:

- (22) **RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, DESIGNATING THE LASANA WEST AREA NEAR THE TOWN OF COMBES AS COLONIA TO MEET TEXAS COMMUNITY DEVELOPMENT PROGRAM CRITERIA FOR STATE FUNDING PURPOSES.**
The Resolution is as follows:

EXECUTIVE SESSION

(28) EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 7:10 P.M., to discuss the following matters:

- (a) Evaluation of Veterans Service Officer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074;
- (r) Deliberation regarding Real Property concerning the possible purchase of U.S. Post Office; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- s) Deliberation regarding Real Property concerning Cameron County Trustee Property; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- t) Deliberation regarding Real Property concerning the possible Lease of Office Space at 700 Levee Street with Pesa, Inc.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- u) Deliberation regarding Real Property concerning the possible Lease Agreement between Mr. George Samano and Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)(2) and 551.072;
- v) Deliberation regarding Real Property concerning the possible Lease of Office Space for the Unidos Podemos Program or other County Departments; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- w) Confer with Commissioners' Court Legal Counsel and Dr. Victor M. Gonzalez, Health Authority concerning a Mycotoxins Diagnosis and Management presentation on matters in which the duty of the attorney of the Governmental Body under the Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meeting Act, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- x) Deliberation regarding Real Property concerning the possible Lease of property located at Los Indios Bridge; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- y) Confer with Commissioners' Court Legal Counsel concerning status and representation on Cameron County versus First National Bank of Edinburg, Cause No. 2001-08-3600-G in the 404th District Court; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);

EXECUTIVE SESSION SUPPLEMENTAL ITEM:

- (a) Confer with Commissioners' Court Legal Counsel concerning Status and Representation on Cameron County versus First National Bank of Edinburg, Cause No. 2001-08-3600-G in the 404th District Court and in the Court of Appeals for the Thirteenth Judicial District of Texas at Corpus Christi, Cause No. 13-01-00875-CV; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the Court reconvened in Regular Session at 8:05 P.M.

NOTE: JUDGE HINOJOSA LEFT THE MEETING AT THIS TIME.

(29) ACTION RELATIVE TO EXECUTIVE SESSION:

(a) In the matter regarding the evaluation of the Veterans Service Officer. (TABLED)

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

This Item was not discussed.

(b) Deliberation regarding Real Property concerning the possible purchase of U.S. Post Office

Commissioner Garza moved that the Status Report concerning the possible purchase of U.S. Post Office by Mr. Joseph Ardito, Property Manager, be acknowledged, and that no interest in buying the property due to it's lead on the walls and asbestos on the ceilings and everything else that is wrong with it be expressed.

The motion was seconded by Commissioner Valdez and carried unanimously.

(c) Deliberation regarding Real Property concerning Cameron County Trustee Property.

Commissioner Valdez moved that the Status Report by Mr. Joseph Ardito, Property Manager, regarding the Real Property concerning Cameron County Trustee Property be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

(d) In the matter of deliberation regarding Real Property concerning the possible Lease of Office Space at 700 Levee Street with Pesa, Inc. (TABLED)

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

This Item was not discussed.

(f) In the matter of deliberation regarding Real Property concerning the possible Lease of Office Space for the Unidos Podemos Program or other County Departments. (TABLED)

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

This Item was not discussed.

(e) In the matter of deliberation regarding Real Property concerning the possible Lease Agreement between Mr. George Samano and Cameron County. (NO ACTION TAKEN)

Commissioner Valdez moved that Commissioners' Court Legal Counsel be directed to draft a letter informing Mr. George Samano that he had a two (2) week period to provide a letter certifying compliance with the Americans with Disabilities Act (ADA) from a Licensed Architect, authorized to make that certification, and that the Lease be on a month to month basis and terminating no later than August 15, 2002.

The motion died for a lack of a second.

(g) Confer with Commissioners' Court Legal Counsel and Dr. Victor M. Gonzalez, Health Authority, concerning a Mycotoxins Diagnosis and Management Presentation on matters in which the duty of the attorney of the Governmental Body under the Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meeting Act.

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, was acknowledged concerning a Mycotoxins Diagnosis and Management Presentation on matters in which the duty of the attorney of the Governmental Body under the Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meeting Act.

(h) Deliberation regarding Real Property concerning the possible Lease of property located at Los Indios Bridge.

Commissioner Garza moved that the Status Report by Mr. Joseph Ardito, Property Manager, be acknowledged, and that he be authorized to enter into the Lease with Brady's Duty Free concerning the property located at Los Indios Bridge.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Agreement is as follows:

- ████████████████████
- (i) **Confer with Commissioners' Court Legal Counsel concerning status and representation on case styled Cameron County versus First National Bank of Edinburg, Cause No. 2001-08-3600-G in the 404th District Court.**

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, was acknowledged concerning the case styled Cameron County versus First National Bank of Edinburg, Cause No. 2001-08-3600-G in the 404th District Court and his entry of an appearance in the case was authorized.

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SUPPLEMENTAL ITEMS

EXECUTIVE SESSION:

- (a) **Confer with Commissioners' Court Legal Counsel concerning Status and Representation on Cameron County versus First National Bank of Edinburg, Cause No. 2001-08-3600-G in the 404th District Court and in the Court of Appeals for the Thirteenth Judicial District of Texas at Corpus Christi, Cause No. 13-01-00875-CV.**

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, was acknowledged concerning status and representation on the case styled Cameron County versus First National Bank of Edinburg, Cause No. 2001-08-3600-G in the 404th District Court and in the Court of Appeals for the Thirteenth Judicial District of Texas at Corpus Christi, Cause No. 13-01-00875-CV.

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There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the meeting was **ADJOURNED** at 8:16 P.M.

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APPROVED this 11th day of **June 2002**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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