

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 20th day of August 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 5:40 P.M. 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 August 16, 2002, at 2:52 P.M., and the Supplemental Agenda posted on August 16, 2002 at 4:15 P.M.:

PRESENTATION

**(2) CONSIDERATION AND POSSIBLE ACCEPTANCE
OF DONATION BY SAN BENITO BENEVOLENT
AND PROTECTIVE ORDER OF ELKS LODGE FOR
THE PURPOSE OF ESTABLISHING A CAMERON
COUNTY EMPLOYEE EDUCATION GRANT**

Mr. Samuel R. Varnell, San Benito Lodge No. 1661, informed the Court that the Elks Lodge was dedicated to helping the youth, scholarship programs, and the veterans of the Nation.

At this time, Mr. Larry Johnson, San Benito Lodge No. 1661, and Mr. Varnell presented the County with an Education Grant, in the amount of \$300.00, for any employee in need of funds to further their education.

Mr Varnell requested that the County supply the Elks Lodge with a letter informing the help provided by the Education Grant.

Mr. Doug Wright, Commissioners' Court Legal Counsel, noted that the acceptance of the grant was not an issue, and questioned the allocation of the funds.

Mr. Mark Yates, County Auditor, suggested that an application process be developed to determine the employee that would benefit from the grant funds.

Judge Hinojosa suggested that the County Auditor's Office determine the guidelines to be followed in the process of awarding the Education Grant to a County employee.

Commissioner Cascos moved that the donation by the San Benito Benevolent and Protective Order of Elks Lodge for the purpose of establishing a Cameron County employee Education Grant be accepted.

The motion was seconded by Commissioner Garza and carried unanimously.

The Report is as follows:

(1) PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE 2002 OPERATION LONE STAR PARTICIPANTS

Mrs. Yvette Salinas, Health Department Director, reported that in the past Operation Lone Star had hosted three (3) sites within Hidalgo County and that this was the first year (2002) that a site was hosted within Cameron County. She added that according to the statistics it was possible that the military would again provide the free medical services within Cameron County. Mrs. Salinas reported that fifty (50) percent of the services were provided to children under eighteen (18) years of age, that an estimated (50) percent of the services were provided to adults over eighteen (18), and highlighted the following statistics provided by the military:

At this time, Ms. Keta Caballero, Office of the State Secretary of State, clarified that a total of 1,685 individuals were serviced by Operation Lone Star 2002 within Cameron County, and presented the following individuals with Certificates of Appreciation:

County Judge Gilberto Hinojosa,	Ms. Minnie Lucio,
Commissioner Pete Benavides	Ms. Maria San Pedro,
Commissioner Carlos H. Cascos,	Ms. Irene Mercado,
Commissioner David A. Garza,	Mr. Oscar Buitron,
Commissioner Richard Valdez,	Ms. Lynn Ditre,
Ms. Garza, Principal of Palm Grove Elementary,	Mr. Fidel Calvillo,
Ms. Raquel Castillo,	Dr. Victor Gonzalez,
Ms. Alice Martinez,	Valley Morning Star,
Ms. Esmeralda Guajardo,	The Brownsville Herald,
Mrs. Ana Martinez,	Mrs. Yvette Salinas,
Mr. Ray Rodriguez.	

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Presentation of Certificates of Appreciation to the 2002 Operation Lone Star Participants was acknowledged

ACTION ITEMS

(3) APPROVAL OF THE BUDGET AMENDMENTS

Commissioner Cascos moved that the 2002-Fiscal Year Budget Amendment No. 2002-34 be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

The Budget Amendments are as follow:

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(4) **APPROVAL OF MINUTES OF THE REGULAR MEETING HELD JULY 23, 2002**

Commissioner Garza moved that the Minutes of the Regular Meeting held July 23, 2002 be approved.

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

AYE: Commissioners Garza, Valdez, and Judge Hinojosa,

NAY: None,

ABSTAIN: Commissioners Benavides and Cascos.

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(5) **CONSIDERATION AND POSSIBLE ACTION REGARDING SETTING THE DATES OF SEPTEMBER 3, 2002, AND SEPTEMBER 10, 2002, FOR PUBLIC HEARINGS ON BUDGET AND PROPOSED TAX RATE AND TO PUBLISH REQUIRED NOTICES AND DISCUSSION OF FISCAL YEAR 2003 BUDGET.**

Commissioner Cascos moved that the dates of September 3, 2002, and September 10, 2002, be set for Public Hearing on Budget and the proposed tax rate, and that the publication of the required notices and discussion of the Fiscal Year 2003 Budget be authorized.

The motion was seconded by Commissioner Benavides and carried unanimously.

Mr. Xavier Villarreal, Budget Officer, explained that the dates would be published for the Public Hearing on the Budget and the proposed tax rates, adding that the notice reflected the effective rates and the rollback rates. He presented the different combinations of rates, and informed that he and the County Auditor were reviewing the expenditures and revenues in order to identify any possible savings.

Commissioner Cascos questioned the present status of the Tax Office's 94.5% projection of Delinquent Tax Collection.

Mr. Villarreal stated that the projection had not yet been met and that he was assured by the Tax Office that it would be met.

Mr. Remi Garza, Administrative Assistant, stated that according to the Tax Office the Delinquent Tax Collections were at 93.11% and that about \$11,000.00 per week was needed to meet the projection.

The Report is as follows:

[REDACTED]

**(6) CONSIDERATION AND POSSIBLE ACTION ON THE
COUNTY INDIGENT HEALTH CARE PROGRAM
OPTIONAL SERVICES REQUEST BY
BROWNSVILLE COMMUNITY HEALTH CENTER**

Mr. Remi Garza, Administrative Assistant, stated that a couple of issues relating to this Item were present, first the listing of requests provided by Mrs. Paula S. Gomez, Brownsville Community Health Center (BCHC).

Mr. Mark Yates, County Auditor, stated that BCHC had requested that different types of Optional Services be provided.

Commissioner Cascos questioned if BCHC was being proposed as a Gatekeeper at this time.

Mr. Garza responded negatively.

Mr. Yates stated that upon BCHC becoming a Gatekeeper approximately 1,000 new patients would be added to the Indigent Health Care Program, resulting in the need for additional staff to process the subsequent claims.

Commissioner Garza questioned how the enrollment of new patients to the Program would take effect if the application process that determines the eligibility process was conducted by the Health Department.

Mrs. Yvette Salinas, Health Department Director, explained that BCHC and Su Clinica Familiar serviced patients under the 21% and that it was possible that these patients were not enrolled under the Indigent Health Care Program.

Judge Hinojosa explained that only a certain amount of funds existed, regardless of the number of Gatekeepers, and questioned the need for additional staff.

Mr. Yates stated that the Gatekeepers must be paid within ninety (90) days in order for the account to be creditable to the State. He explained that the volume of claims with less dollar amounts would increase for primary care.

Commissioner Garza questioned how the patients obtained medical services at this time and if they were referred to the Indigent Health Care Program.

Mrs. Paula S. Gomez, Brownsville Community Health Center, stated that when a patient required emergency care the Indigent Health Care Program was bypassed and the patients were sent to the Emergency Room, and that otherwise the patients would be referred to the Indigent Health Care Program. She stated that BCHC was not requesting funding, but rather assistance for the patients in need of secondary professional care. Mrs. Gomez reported that contracting with BCHC for Gatekeeper services had been prolonged due to questions concerning the contract's language, and that clarification on how the County could be paid was recently received from the State.

Mr. Yates stated that BCHC and Su Clinica Familiar would provide evening and weekend medical services that were currently not being provided by the County Gatekeepers. He added that the possibility of obtaining a Request for

Proposals (RFP) for additional Gatekeepers had been discussed with Mrs. Salinas due to the need to address the need of additional hour of operations.

Judge Hinojosa stated that he did not see the need for additional Gatekeepers except for BCHC and Su Clinica Familiar, and suggested that the number of Gatekeepers be limited to three (3). He explained that the South Texas Hospital, presently a Gatekeeper, would become the Health Services District with all the services incorporated into it. Judge Hinojosa stated that the advantage of having BCHC and Su Clinica Familiar contracted as Gatekeepers would be that all the related services, aside from the Primary Health Care, would be provided. He clarified that the Jail Physician was contracted for those services were separate from the Gatekeeper Contract.

Mr. Yates commented that upon having BCHC and Su Clinica Familiar contracted as Gatekeepers the funding could possibly be utilized faster and the limit would be reached a lot quicker.

Mr. Garza noted that State funds would be accessed faster by having BCHC and Su Clinica Familiar contracted as Gatekeepers.

Commissioner Garza questioned if the Optional Services requested were reimbursable.

Mr. Yates responded in the affirmative.

Commissioner Garza questioned if the Optional Services were provided by BCHC and Su Clinica Familiar.

Mrs. Gomez stated that BCHC and Su Clinica Familiar provided very basic Primary Health Care Services with some sub specialties. She clarified that although BCHC was under Category No. 10 of the Optional Services Definitions for County Indigent Health Care Program; all the other listed services were provided.

Mr. Yates suggested that medicaid rates be paid to the Gatekeepers up to a certain dollar amount and that they continue to provide services thereafter to insure a twelve (12) month Indigent Health Care Program.

Mrs. Salinas expressed her concern with the three (3) Cameron County Indigent Health Care Eligibility Workers due to the time constraints that applied when filing a claim to State, and requested estimates of the patients being serviced under the 21%.

Mr. Yates stated that the current staff would be sufficient to process the payment of claims within the ninety (90) day period if the 1,200 patient populations remained the same.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Ambulatory Surgical Center, Item No. 2, of the Optional Services for the County Indigent Health Care Program was adopted as requested by the Brownsville Community Health Center.

The Report is as follows:

[REDACTED]

(7) CONSIDERATION AND POSSIBLE ACTION TO ENTER INTO A FUNDING AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE BORDER COLONIA ACCESS PROGRAM AND ADOPTION OF A RESOLUTION

Mr. Juan Bernal, County Engineer/Public Works Director, reported that Hidalgo County had questions concerning the reimbursements, and that the Texas Department of Transportation (TxDOT) wanted to utilize its Agreement without any changes. He added that according to TxDOT, thirty (30) days was sufficient time to pay the contractors.

Mr. Doug Wright, Commissioners' Court Legal Counsel, noted that TxDOT dictated the forms and did not negotiate. He stated that the State Senators had questioned TxDOT during a meeting in Austin, Texas, and that at that time TxDOT had indicated that they wanted to work with the Counties. Mr. Wright stated that due to the time constraints associated with the execution of the Agreement he was doubtful that TxDOT would approve any language changes to the Agreement.

Commissioner Cascos noted that the language on Page No. 3 of 7, Bidding - Item No. 1, and Item No. 2, appeared to be contradicting.

Mr. Bernal stated that he had addressed the issue to TxDOT, and explained that the equipment, equipment rentals, and materials would be reimbursed by TxDOT if the work was conducted in-house.

Mr. Wright stated that Item No. 1 implied that the bidding process was required and that Item No. 2 indicated that the State must approve the classifications of the workers, the rates of pay, and the procurement process if the work was conducted in-house.

Commissioner Cascos questioned what would be submitted for purchasing and procurement if the work was conducted in-house had a fixed cost for labor and equipment.

Mr. Bernal explained that there was no need to submit documentation for the use of County personnel since reimbursement would not apply and that this was applicable only for additional personnel and equipment.

Judge Hinojosa questioned if the County could charge for the in-house services by Regular Permanent County Personnel.

Mr. Bernal responded negatively.

Commissioner Cascos noted that he attempted to make the Court aware of what was being adopted, and that the Agreement did not coincide with what Mr. Bernal stated.

Judge Hinojosa questioned what could and could not be billed and whether the labor wages for County Personnel could be billed to TxDOT.

Mr. Bernal explained that the Contract Engineer's indication was that reimbursement would not occur because the wages of County personnel were considered a fixed cost and that the wages for additional personnel were reimbursable. He added that he could request that written clarification of the issues be presented to Judge Hinojosa.

Mr. Wright stated that he could contact TxDOT's Chief Counsel to possibly clarify the issues and confirm exactly what would be funded.

Commissioner Valdez questioned if the issue affected the budgeting in the Road & Bridge Department.

Judge Hinojosa responded in the affirmative, and noted the need to determine the amount of the tax rate to be transferred from the General Fund to the Road & Bridge Fund, adding that if the reimbursement was applicable then the transfer could be delayed. He noted the need to confirm if the work could be conducted in-house, if the wages for County Personnel would be reimbursed by TxDOT, and the need to clarify the Agreement's intentions.

Mr. Xavier Villarreal, Budget Officer, questioned if the cost of material would be reimbursed.

Judge Hinojosa responded in the affirmative, and added that expenses for equipment, equipment rentals, and temporary help would be reimbursed.

Commissioner Cascos suggested that the Budget be established with the assumption that no revenue would be obtained.

Judge Hinojosa stated that most of the projects to be funded from the \$3 million portion of would be conducted in-house and that the cost for materials would be funded by TxDOT, resulting in savings to the Road & Bridge Fund.

Commissioner Garza moved that the Funding Agreement with Texas Department of Transportation (TxDOT) for the Border Colonia Access Program and the adoption of the Resolution be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Agreement and Resolution are as follow:

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(8) CONSIDERATION AND AUTHORIZATION TO PROVIDE LABOR AND EQUIPMENT TO DO WORK ON AMISTAD ROAD

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the provision of labor and equipment to do work on Amistad Road were approved.

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(9) CONSIDERATION AND AUTHORIZATION TO PURGE DELINQUENT TAX RECEIVABLE BALANCE OF ALL ACCOUNTS THAT ARE REAL ESTATE ACCOUNTS WITH MORE THAN TWENTY (20) YEARS OF DELINQUENT TAXES AND PERSONAL PROPERTY ACCOUNTS WITH MORE THAN TEN (10) YEARS OF BACK TAXES, IN ACCORDANCE WITH PROPERTY TAX CODE SECTION 33.05

Commissioner Cascos moved that the purging of delinquent tax receivable balance of all accounts that are Real Estate Accounts with more than twenty (20) years of delinquent taxes and Personal Property Accounts with more than ten (10) years of back taxes be approved, in accordance with the Property Tax Code Section 33.05.

The motion was seconded by Commissioner Garza.

Commissioner Cascos questioned the total amount in question and if the collection process would stop upon the purging of the accounts.

Mr. Mark Yates, County Auditor, responded that there was no legal recourse for collection of taxes on personal property delinquent tax accounts of over ten (10) years, and that the amount of \$218,790.00 pertained to real property and \$1,064,534.00 pertained to personal property.

Commissioner Cascos questioned whether the amounts would be deleted from the Allowance Account and if the five (5) percent would be added.

Mr. Yates responded in the affirmative.

Commissioner Cascos questioned the affect on the amounts of the budgeted expenditures amounts, and if the amounts were included.

Mr. Yates stated that the purging would affect the revenues, and added that the delinquent tax collections' percentage would not equal the last year's projection.

Commissioner Valdez questioned the consequences of not approving this Item.

Mr. Yates stated that according to the Tax Assessor/Collector the accounts had to be purged in accordance with the Law. He added that he was unaware if the Item had been previously presented before the Court and that he believed that it was appropriate to do so.

Mr. Doug Wright, Commissioners' Court Legal Counsel, noted that the Statute of limitations applied to the collection of delinquent taxes on Personal and Realty Property Accounts.

Mr. Yates reiterated that the Court should be informed of the purging of delinquent tax accounts for properties on an annual basis.

Commissioner Garza questioned if the County's Bond Ratings would be affected.

Mr. Yates responded negatively.

Upon motion duly made by Commissioner Cascos that purging of Delinquent Tax Receivable Balance of all accounts that are Real Estate Accounts with more than twenty (20) years of delinquent taxes and Personal Property Accounts with more than ten (10) years of back taxes be authorized, in accordance with Property Tax Code Section 33.05.

The motion was seconded by Commissioner Garza and carried unanimously.

The List is as follows:

[REDACTED]

(10) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON AND CAMERON COUNTY TO PROVIDE INDIGENT HEALTH CARE SERVICES**

Mr. Mark Yates, County Auditor, noted the need to develop a process to monitor the referrals.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Contract between the University of Texas Medical Branch at Galveston and Cameron County to provide Indigent Health Care Services was approved.

The Contract is as follows:

[REDACTED]

(11) **CONSIDERATION AND ACKNOWLEDGMENT OF
TERMINATION NOTICE ISSUED BY INSURANCE
ASSOCIATES OF THE VALLEY FOR SECTION 125
(CAFETERIA) CONTRACT**

Commissioner Cascos moved that the Termination Notice issued by Insurance Associates of the Valley for Section 125 (Cafeteria) Contract be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Notice is as follows:

SUPPLEMENTAL

**(1) CONSIDERATION AND POSSIBLE ACTION
REGARDING THE SELECTION OF SECTION 125
CONTRACT SERVICE PROVIDER**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the selection of Life-Re as Section 125 Contract Service Provider was approved.

**(12) CONSIDERATION AND AUTHORIZATION TO
RENEW LIFE-RE PRODUCTS FOR OCTOBER 1,
2002 (EMPLOYEE PURCHASE DENTAL AND
VISION PLAN)**

Commissioner Cascos moved that the renewal of the Life-Re Products for October 1, 2002, for employees to purchase Dental and Vision Plans be authorized.

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 WAS TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

ITEMS NO.27- NO.28: Mrs. JuaNita Brodecky, Rio Hondo resident, questioned the exclusion of Items No. 27 and No. 28.

Mr. Remi Garza, Administrative Assistant, clarified that the numbers were incorrect due to a computer glitch; therefore, these items did not exist.

ITEM NO. 21: Mr. Remi Garza, Administrative Assistant, requested that Mr. Javier Mendez, Parks System Director, be appointed to the Evaluation Committee.

ITEM NO. 29-D: Mr. Remi Garza, Administrative Assistant, requested that Mr. Desi Najera, Emergency Management Coordinator, be included in the request.

Commissioner Benavides moved that the following "Consent and Travel Items" be approved, inclusive of the changes to Items No. 21 and No. 29-D.

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 Warrant No. 00081553, as to Laguna Madre Water District, in the amount of \$27,642.52.

- (13) **APPROVAL OF CLAIMS;**
The Affidavit follows:
- (14) **AUTHORIZATION FOR THE DISTRICT CLERK TO ENTER INTO A CONTRACT WITH AMERICAN EXPRESS AND DISCOVER CARD SERVICES AND TO SET THE PROCESSING FEE AT FIVE PERCENT(5%) OF EACH TRANSACTION PURSUANT TO LOCAL GOVERNMENT CODE 132.003(B) AND A TRANSACTION FEE OF .26 PER ITEM PURCHASED, PURSUANT TO LOCAL GOVERNMENT CODE 132.003(D);**
The Contract follows:
- (15) **APPOINTMENT OF MR. ROGER ORTIZ, BUILDING/MAINTENANCE SUPERINTENDENT, TO THE CAMERON COUNTY SICK LEAVE POOL COMMITTEE;**
- (16) **APPOINTMENT OF MS. BLANDINA VALVERDE TO THE BOARD OF TRUSTEES OF THE TROPICAL TEXAS CENTER FOR MENTAL HEALTH AND MENTAL RETARDATION;**
- (17) **AUTHORIZATION FOR THE CAMERON COUNTY DISTRICT CLERK AND THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS PROBATION/PRETRIAL OFFICE (USPO) TO ENTER INTO A MEMORANDUM OF UNDERSTANDING IN WHICH THE USPO WILL REMOTELY ACCESS CRIMINAL CASE INFORMATION THAT RESIDES IN THE CAMERON COUNTY CASE MANAGEMENT SYSTEM;**
- (18) **AGREEMENT BETWEEN TEXAS STATE TECHNICAL COLLEGE-HARLINGEN AND CAMERON COUNTY HEALTH DEPARTMENT TO ASSIST NURSING STUDENTS WITH CLINICAL EXPERIENCE IN CAMERON COUNTY PUBLIC HEALTH CLINICS;**
The Agreement follows:
- (19) **AGREEMENT BETWEEN THE UNIVERSITY OF TEXAS AT BROWNSVILLE-TEXAS SOUTHMOST COLLEGE AND CAMERON COUNTY HEALTH DEPARTMENT TO ASSIST NURSING STUDENTS WITH CLINICAL EXPERIENCE IN CAMERON COUNTY PUBLIC HEALTH CLINICS;**
The Agreement follows:
- (20) **OPENING OF THE FOLLOWING BIDS/PROPOSALS:**
1) **FUEL SITE AUTOMATIC TANK GAUGING EQUIPMENT - RFP NO. 020801; AND**
2) **FUEL SUPPLIES- ANNUAL BID NO. 2280-2.**
- (21) **APPOINTMENT OF A COMMITTEE TO EVALUATE FUEL TANK PROPOSALS RECEIVED UNDER REQUEST FOR PROPOSAL (RFP) NO. 020801:**
(1) **MR. TOM GODZALSKI;**
(2) **MR. DAVID GOMEZ; AND**
(3) **MR. LEE LOZANO.**
- (22) **ISSUANCE OF A RENEWAL BEACH VENDOR PERMIT TO MR. FRANCISCO TORRES, D/B/A EL REY DEL ELOTE NO. 2;**
- (23) **ISSUANCE OF A RENEWAL BEACH VENDOR PERMIT TO MR. FRANCISCO TORRES, D/B/A EL REY DEL ELOTE NO. 1;**
- (24) **ISSUANCE OF A RENEWAL BEACH VENDOR PERMIT TO MS. MARIA SALAZAR, D/B/A RUBY'S ELOTE NO. 2;**

- (25) **FINAL APPROVAL FOR:**
- A) **PRECINCT NO. 2 - HACIENDA DEL NORTE SUBDIVISION, SECTION IV - BEING 29.318 ACRES, COMPRISED OF PART OF LOT NO. 41, AND PART OF LOT NO. 42, BLOCK NO. 14; AND**
- B) **PRECINCT NO. 3 - LA RESACA COUNTRY ESTATES SUBDIVISION PHASE II - A 69.137 ACRE TRACT OF LAND, MORE OR LESS, OUT OF SURVEY NO. 45, SUBDIVISION "F", ESPIRITU SANTO GRANT.**
- (26) **PRELIMINARY AND FINAL APPROVAL FOR:**
- A) **PRECINCT NO. 4 - FERIA-ROSA SUBDIVISION - BEING A SUBDIVISION OF 29.32 ACRES OUT OF BLOCK NO. 72, MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION.**

TRAVEL ITEMS

- (29) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (a) Tax Collector and employee to attend the "TAAO and ICTA 63rd Annual Conference", in Austin, Texas, August 24-27, 2002;
- (b) Building Official and Building Inspector to attend the "Residential and Commercial Energy Conservation Meeting", in McAllen, Texas, August 23-24, 2002;
- (c) Two (2) Cameron County Health Department employees to attend the "County Indigent Health Care Programs Regional Meeting", in Laredo, Texas, August 20-21, 2002;
- (d) Executive Assistant to attend the "Texas Coastal Advisory Meeting", in San Antonio, Texas, August 20-22, 2002;
- (e) Extension Agent to participate in the "Starr Child Care Provider's Conference", Roma, Texas, August 10, 2002;
- (f) Two (2) Project Development & Management employees to attend the "Lower Rio Grande Valley Development Council Solid Waste Advisory Committee Meeting", in Harlingen, Texas, August 15, 2002;
- (g) International Bridge Director to meeting with the State of Tamaulipas and NAD Bank Officials regarding the West Rail Project, in Mexico City, August 14, 2002;
- (h) Women Infant and Children (WIC) Director to attend the "TALWD Annual Meeting", in Texarkana, Texas, September 9-13, 2002;
- (i) Two (2) Women Infant and Children (WIC) employees to attend the "Fifth Annual Breastfeeding Summit", in San Antonio, Texas, September 29- October 2, 2002; and
- (j) Four (4) Juvenile Probation employees to attend the "Come Together....Right Now... Over Me", in Austin, Texas, September 8-12, 2002.

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

- (14) **AUTHORIZATION FOR THE DISTRICT CLERK TO ENTER INTO A CONTRACT WITH AMERICAN EXPRESS AND DISCOVER CARD SERVICES AND TO SET THE PROCESSING FEE AT FIVE PERCENT(5%) OF EACH TRANSACTION PURSUANT TO LOCAL GOVERNMENT CODE 132.003(B) AND A TRANSACTION FEE OF .26 PER ITEM PURCHASED, PURSUANT TO LOCAL GOVERNMENT CODE 132.003(D).**
The Contract is as follows:

- (18) AGREEMENT BETWEEN TEXAS STATE TECHNICAL COLLEGE-HARLINGEN AND CAMERON COUNTY HEALTH DEPARTMENT TO ASSIST NURSING STUDENTS WITH CLINICAL EXPERIENCE IN CAMERON COUNTY PUBLIC HEALTH CLINICS.**

The Agreement is as follows:

- (19) **AGREEMENT BETWEEN THE UNIVERSITY OF TEXAS AT BROWNSVILLE-TEXAS SOUTHMOST COLLEGE AND CAMERON COUNTY HEALTH DEPARTMENT TO ASSIST NURSING STUDENTS WITH CLINICAL EXPERIENCE IN CAMERON COUNTY PUBLIC HEALTH CLINICS.**
The Agreement is as follows:

EXECUTIVE SESSION

(30) EXECUTIVE SESSION:

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 6:35 P.M., to discuss the following matters:

- (a) Deliberation regarding Real Property concerning the possible acquisition of approximately fifteen (15) acres of land for the purposes of locating a Veteran's Nursing Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (b) Consideration and authorization to reject all bids received for the possible development of a hotel on nine (9) acres of Cameron County property located at Andy Bowie Park on South Padre Island, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- (c) Deliberation regarding Real Property concerning the possible acquisition of properties for the Oscar C. Dancy Building Parking Lot Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (d) Confer with Commissioners' Court Legal Counsel concerning the case styled Antonio Bejarano, Jr., versus John Cruz, Deputy Sheriff, John Doe, a coworker of Mr. John Cruz and Mrs. Osha, Nurse, et al., Civil Action No. B-01-075 in the United States District Court for the Southern District of Texas, Brownsville Division, for Discussion Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- (e) Confer with Commissioners' Court Legal Counsel concerning the case styled Jose Luis Hernandez versus Cameron County; Civil Action No. 13-01-00673-CV, to discuss settlement proposal; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- (f) Confer with Commissioners' Court Legal Counsel concerning Alpine Assurance Company, Ltd Craig, as the Joint Official Liquidator of Alpine, et al versus Chase Bank, Case No. USDCNDT-00CV-822-G Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- (g) Deliberation regarding Real Property concerning the possible expansion of the Sea Ranch Restaurant and authorization to negotiate a New Concession Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 7:14 P.M.

(31) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) Deliberation regarding Real Property concerning the possible acquisition of approximately fifteen (15) acres of land for the purpose of locating a Veteran's Nursing Home Lease.**

Upon motion by Commissioner Valdez, seconded by Commissioner Benavides and carried unanimously, the

Status Report by Mr. Joseph Ardito, Property Manager, concerning the possible acquisition of approximately fifteen (15) acres of land for the purpose of locating a Veteran's Nursing Home Lease was acknowledged

- (b) In the matter regarding consideration and authorization to reject all bids received for the possible development of a hotel on nine (9) acres of Cameron County Property located at Andy Bowie Park on South Padre Island, Cameron County, Texas. (TABLED)**

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

- (c) Deliberation regarding Real property concerning the possible acquisition of properties for the Oscar C. Dancy Building Parking Lot Lease.**

Commissioner Cascos moved that the Status Report by Mr. Joseph Ardito, Property Manager, concerning the possible acquisition of properties for the Oscar C. Dancy Building Parking Lot Lease be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

- (d) Confer with Commissioners' Court Legal Counsel concerning the case styled Antonio Bejarano, Jr., versus John Cruz, Deputy Sheriff, John Doe, a coworker of Mr. John Cruz and Mrs. Osha, Nurse, et al., Civil Action No. B-01-075 in the United States District Court for the Southern District of Texas, Brownsville Division, for discussion Lease.**

Upon motion by Commissioner Valdez, seconded by Commissioner Cascos and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, concerning the case styled Antonio Bejarano, Jr., versus John Cruz, Deputy Sheriff, John Doe, a coworker of Mr. John Cruz and Mrs. Osha, Nurse, et al., Civil Action No. B-01-075 in the United States District Court for the Southern District of Texas, Brownsville Division was acknowledged.

- (e) **Confer with Commissioners' Court Legal Counsel concerning the case styled Jose Luis Hernandez versus Cameron County Civil Action No. 13-01-00673-CV, to discuss settlement proposal.**

Commissioner Cascos moved that the acceptance of the settlement in the amount of \$15,000.00 concerning the case styled Jose Luis Hernandez versus Cameron County Civil Action No. 13-01-00673-CV, be authorized.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (f) **Confer with Commissioners' Court Legal Counsel concerning Alpine Assurance Company, Ltd Craig, as the Joint Official Liquidator of Alpine, et al versus Chase Bank, Case No. USDCNDT-00CV-822-G.**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, concerning Alpine Assurance Company, Ltd. Craig, as the Joint Official Liquidator of Alpine, et. al. versus Chase Bank, Case No. USDCNDT-00CV-822-G was acknowledged.

- (g) **Deliberation regarding Real Property concerning the possible expansion of the Sea Ranch Restaurant and authorization to negotiate a New Concession Lease.**

Commissioner Benavides moved that Mr. Joseph Ardito, Property Manager, be authorized to negotiate a new Concession Lease, pursuant to the terms as discussed in Executive Session.

The motion was seconded by Commissioner Garza and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 7:18 P.M.

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APPROVED this 17th day of **September 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.