

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

BE IT REMEMBERED on the 26<sup>th</sup> day of November 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:

10:00 A.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 10:03 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and he led the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on November 22, 2002, at 1:46 P.M.:

## **ACTION ITEMS**

**(10) CONSIDERATION AND APPROVAL OF  
LOCATION FOR THE SERGEANT JOSE M. LOPEZ  
STATUE AT THE VETERANS INTERNATIONAL  
BRIDGE AT LOS TOMATES**

Judge Hinojosa informed that the proposed location of the Sergeant Jose M. Lopez statue was visited and that the consensus was that the statue should be centered approximately twenty (20) feet from the back of the courtyard in a northern direction with a United States Flag located ten (10) feet directly behind it. He added that the trees along the street would be replaced with bushes and benches, that the link fence, red aluminum fence, and the shack be removed, and that a Park would be constructed. Judge Hinojosa stated that a Memorial Wall would be located within the Park and that the entire area would be decorated and dedicated to the Veterans. He recommended that Veteran Groups be requested to assist in the Park Project, and that the said scenario be approved as the location of the Sergeant Jose M. Lopez Statue.

Commissioner Garza moved that the proposed location for the Sergeant Jose M. Lopez Statue be approved, with the understanding that the Royal Poinsettias be replanted within the park area.

The motion was seconded by Commissioner Benavides.

Judge Hinojosa suggested that the Royal Poinsettias be replanted towards the back of the statue. He informed that the statue would be completed by December 17, 2002, that the engraved bronze plaque would be delayed, and that he felt that it was appropriate to proceed with the Ceremony in honor of Sergeant Jose M. Lopez. Judge Hinojosa stated that the language to be placed on the plaque indicated that no other soldier had inflicted more casualties on the Japanese and Germans during World War II than Sergeant Jose M. Lopez.

Upon motion duly made by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the proposed location for the Sergeant Jose M. Lopez Statue was approved, with the understanding that the Royal Poinsettias be replanted within the Park area.

**The plaque language is as follows:**

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(13) **IN THE MATTER REGARDING CONSIDERATION AND ACKNOWLEDGMENT OF VEHICLE LOAN FROM DISTRICT ATTORNEY'S OFFICE TO CAMERON COUNTY VETERANS OFFICE FOR ASSISTANT VETERANS OFFICER (NO ACTION TAKEN)**

Judge Hinojosa stated that according to the Assistant District Attorney the District Attorney's vehicle could not be loaned to the Veterans Office. He stated that a 1996-Crown Victoria was available and that an annual budget in the amount of \$2,500.00 would be needed.

At this time, Mr. Doug Wright, Commissioners' Court Legal Counsel, recommended that the matter be placed on the following Agenda for possible approval.

Mr. Luis Perez, Veterans Office, requested clarification as to the assignment of the vehicle, and questioned whether Mr. Dan Booker, Veterans Office, would be reimbursed for travel expenditures.

Judge Hinojosa explained that the vehicle would be assigned full-time to the Harlingen Veterans Service Office, except when Mr. Salvador Salinas, Veterans Office Director, traveled out of town. He explained that County Policy allowed reimbursement for authorized travel and that unbudgeted travel required authorization from the Veterans Office Director and approval by the Court.

Mr. Perez clarified that he had undertaken this matter without Mr. Booker's involvement to benefit the Veterans because home visits were proven to be very valuable.

Judge Hinojosa stated that he had conversed only with Mr. Perez and Mr. Domanski.

Mr. Perez noted the need to speak out to assist the County's Veterans.

Commissioner Valdez stated that the vehicle would assist Veterans unable to attend the Veterans Office.

Judge Hinojosa clarified that Mr. Booker could submit a travel claim for possible approval.

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(5) **IN THE MATTER REGARDING CONSIDERATION AND AUTHORIZATION TO REQUEST PROPOSALS FOR PROFESSIONAL SERVICES TO CONDUCT AN ORGANIZATIONAL AND FINANCIAL MANAGEMENT REVIEW OF THE CAMERON COUNTY SHERIFF'S DEPARTMENT, TO INCLUDE ADMINISTRATION AND JAIL OPERATIONS (TABLED)**

Judge Hinojosa reported that the County Auditor and he met to determine a method to deal with theft issues within all County Departments. He noted the need to take the initiative to develop a Control System within County Departments that accept cash to avoid future theft and to minimize the loses. Judge Hinojosa stated that County

personnel accepted payments while working in the field, and that the County Auditor suggested the use of County Auditors to review areas with cash flow and to recommend Control Procedures.

Mr. Mark Yates, County Auditor, stated that the County wanted to eliminate all field opportunists from taking cash payments by requiring that payments be mailed in or that centralized payment stations be provided. He stated that the County had an \$80 million Budget, 176 Bank Accounts, very good personnel, and good management of cash collections, adding that some areas required some work. Mr. Yates stated that having employees to take deposits to the banks and the accumulation of cash was eliminated by providing armor car pick-ups, adding that armored car pick-ups were needed from the New Sheriff's Department to the bank. He informed that a County Overall Cash Policy would be developed, and that Statute required that deposits be made daily or at least once every seven (7) days. He stated that his Office wanted to improve the County's Data Systems in conjunction with GAS-B 34 and to propose a Plan (Real Time Information) to recognize cash transactions on a daily basis and centralize payment stations to control data records. Mr. Yates stated that the Financial Audit went hand in hand with the review of Internal Controls, and that a risk assessment would be prepared to address the following: cash collections, employees' education and position, and, the trading debt involved. He added that individual scenarios would be developed per County Department.

Judge Hinojosa noted the need for Commissioners Court to ensure implementation of the recommended procedures for County Departments with cash flow through the Office of the County Auditor. He stated that the John Sharpe Performance Review Audit made recommendations regarding the handling of cash flow in the Sheriff's Department that were never implemented by the two (2) previous County Sheriffs. Judge Hinojosa stated that thefts would occur regardless of actions; therefore, the Court had the obligation to have Control Procedures in place to minimize the loses and to identify the individuals.

Mr. Yates stated that the first Internal Control was to ensure that proper personnel was hired and trained adequately.

Commissioner Cascos commented that he had asked whether the Internal Controls for the different fee offices had been reviewed and implemented and that the response was "no" due to cost constraints and it being the responsibility of the County Auditor's Office. He stated that the Court was responsible to implement the John Sharpe Study's recommendations, and that implementing Internal Control Procedures in small offices would be difficult but possible, adding that testing of Internal Controls was part of the Audit Process. Commissioner Cascos suggested that the Independent Auditors review randomly selected fee offices within a year, and noted the need to have bondable and bonded staff to handle cash. He explained that if collusion existed, the Internal Controls would be circumvented and made difficult to identify unless conducted by the Office of the County Auditor. Commissioner Cascos recommended

that an additional Independent Auditor experienced in Forensic Accountings be hired to assist in identifying theft, and explained that many of the John Sharpe Study's recommendations were not practical because additional staff was required, noting that the benefits from Internal Controls must exceed its cost. He suggested that the County Sheriff review the John Sharpe Study, and that payments be accepted in the form of a Cashiers check or money order, as indicated by Judge Hinojosa.

Judge Hinojosa suggested that deposits to Trust Fund Accounts be made in the form of cashiers check or money order.

Commissioner Cascos stated that inconveniences would be caused as a result of the problems.

Judge Hinojosa stated that implementation of proper procedures could alleviate the concerns.

Cameron County Sheriff Conrado Cantu stated that random audits were discussed with the County Auditor, and that the County had great employees that were well trained. He stated that although background checks were conducted for all employees some employees made wrong choices. Sheriff Cantu stated that the Sheriff's Department would not tolerate theft and would prosecute it appropriately, noting that he would ensure proper implementation of the procedures established by the County Auditor.

Judge Hinojosa stated that theft occurred where least expected; therefore, all County Departments were at risk. He stated that he agreed that an additional Auditor should be hired for purposes of identifying endangered areas.

Mr. Carlos Barrera, Long Chilton, LLP., reported that Independent Auditors tested Internal Control and Accounting Procedures, and that on a system wide basis the County did a good job of handling cash, adding that theft would occur regardless of Policies. He informed that he met with the County Auditor and Chief Deputy Juan Mendoza, Sheriff's Department, to discuss what would be done, and that the scope of their services would be expanded. Mr. Barrera stated that they were in the middle of the Audit, yet would go back to review certain areas as requested by the County Auditor. He stated that not all procedures would be adequate for all County Departments, and that feasible procedures would be developed in accordance with the County's budgetary constraints.

Commissioner Garza requested that small accounts be audited to know what occurs once procedures were implemented.

Judge Hinojosa noted the need to notify the public of County Procedures.

Commissioner Cascos noted the need to develop a Policy regarding work orders to ensure that purchases were made accordingly.

Commissioner Valdez suggested that a payment station be designated in the northern part of the County.

Commissioner Garza moved that this Item be **TABLED**.

Judge Hinojosa asked if there was a need to expand the Independent Auditor's work scope.

Mr. Yates responded negatively, and explained that a risk analyses would be completed by the first week of January 2003.

Commissioner Cascos suggested that the Court consider engaging Long Chilton LLP., and the Sheriff's Department to the agreed upon procedures engagement for all fee offices to be used as the foundation once the Audit engagement was complete.

Upon motion duly made by Commissioner Garza that this Item be **TABLED**, and that a Report be presented before to Commissioners Cascos and Valdez left Office.

The motion was seconded by Commissioner Benavides and carried unanimously.

## **PRESENTATION**

**(1) PRESENTATION BY MR. ORLANDO CRUZ, CEC ENGINEERS, INC., REGARDING THE FINAL DESIGN, BIDDING, AND CONSTRUCTION SCHEDULE FOR THE LAGUNA HEIGHTS DRAINAGE IMPROVEMENT PROJECT**

Mr. Frank Bejarano, Project Development and Management Director, informed that Mr. Orlando Cruz, CEC Engineers, Inc., was present to update the Court on the Status of the Laguna Heights Drainage Improvement Project. He added that the Rio Grande Valley Empowerment Zone had extended the Contract from December 2002, to June 2003, and required that the County be under Contract and that the project be 77% complete by April 2003, as part of the Contract.

Mr. Orlando Cruz, President of Cruz Hogan Consultant Inc., (former CEC Engineers, Inc.), reported that the Laguna Heights Drainage Improvement Project's final design was being completed at this time, and that the bid specifications and documents had been prepared, adding that bid advertising could be expected by January 1, 2003. He stated that coordination of the utilities was being done to obtain clearance for placement of the drainage within thirty (30) days, and presented a Schedule. Mr. Cruz stated that awarding of the Contract was anticipated by mid February and construction to begin by March 2003.

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Presentation by Mr. Orlando Cruz, President of Cruz-Hogan Consultant Inc., (former CEC Engineers, Inc.), regarding the final design, bidding, and construction schedule for the Laguna Heights Drainage Improvement Project was acknowledged.

**The Schedule is as follows:**



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**(3) IN THE MATTER REGARDING APPROVAL OF MINUTES FOR THE SPECIAL MEETING HELD OCTOBER 17, 2002 (TABLED)**

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

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**(4) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL FOR CAMERON COUNTY TO DO ROAD MAINTENANCE ON NON-COUNTY ROADS IN THE GREEN VALLEY FARMS SUBDIVISION**

Commissioner Garza stated that the use of large County vehicles to evacuate the residents of Green Valley Farms during the recent flooding situation caused large ruts on the dirt roads. He explained that the residents were requesting that the County blade the public dedicated roads.

Commissioner Garza explained that the concern was the result of an Ambulance refusing to enter Chapel Lane to provide emergency care to a severely diabetic resident due to the road's condition.

Mr. Doug Wright, Commissioners' Court Legal Counsel, clarified that the damaged public dedicated roads were not part of the County Road System, and that the County could work on them under these circumstances as long as no materials were purchased and the finding of an emergency was noted.

Commissioner Cascos moved that the Road and Bridge Department be authorized to conduct work on non-county roads in the Green Valley Farms Subdivision.

The motion was seconded by Commissioner Benavides and carried unanimously.

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**(6) CONSIDERATION AND POSSIBLE AMENDMENT TO CONTRACT BETWEEN CAMERON COUNTY AND MGT OF AMERICA REGARDING THE HEALTH SERVICE DISTRICT ALLOWING FOR THE REALLOCATION OF EXISTING BUDGET**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Amendment to Contract between Cameron County and MGT of America regarding the Health Service District allowing for the reallocation of existing Budget was approved.

**The Amendment is as follows:**



**[REDACTED]**

(7) **CONSIDERATION AND ADOPTIONS OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY FOR AN INDIGENT DEFENSE DISCRETIONARY GRANT FROM THE TEXAS TASK FORCE ON INDIGENT DEFENSE TO ESTABLISH AN INDIGENT DEFENSE PROGRAM FOR THE DISTRICT COURTS**

Commissioner Cascos moved that the Resolution authorizing Cameron County to apply for an Indigent Defense Discretionary Grant from the Texas Task Force on Indigent Defense to establish an Indigent Defense Program for the District Courts be adopted.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Resolution is as follows:**



(9) **CONSIDERATION AND AUTHORIZATION TO APPROVE CHANGE ORDER NO. 3 TO THE BETTERMENT FUND FOR THE DARREL HESTER BUILDING ADDITION**

Mr. Juan Bernal, County Engineer/Public Works Director, recommended approval of Items No. 8, No. 11-b, and No. 12 of Change Order No. 3, and requested that Items No. 10 and No. 6 be discussed by the Architect.

Mr. Vincent Stasio, DCW Architects, explained that Item No. 6 was the addition to the new facility at an unanticipated cost of \$439,285.00.

Judge Hinojosa questioned the budgeted amount for this purpose.

Mr. Joan Macrum, Juvenile Probation, stated that the original allocation was \$450,000.00, from which \$100,000.00 was deducted for construction of the New Vehicle Maintenance Barn.

Mr. Mark Yates, County Auditor, stated that \$380,000.00 were budgeted for the New Vehicle Maintenance Barn at the Olmito site, inclusive of a fueling site, and that approval of the \$90,000.00 and other changes would reduce the \$380,000.00 allocation.

Mr. Bernal stated that the Items would be funded through the Betterment Fund, with exception of Item No. 6 for which only \$350,000.00 were available.

Commissioner Valdez asked how many square feet could be obtained with \$350,000.00.

Mr. Stasio stated that the 4,200 square feet would be reduced by approximately 25%.

Commissioner Cascos stated that the construction cost was \$104.00 per square feet and that the square footage would be reduced to less than 3,500 square feet.

Judge Hinojosa noted the need to construct the New Vehicle Maintenance Barn and for the square footage to be paired down to its budget.

Mrs. Macrum expressed her concern with the lack of office space and how it affected her staff, noting that additional staff would be obtained through grant funding.

Mr. Yates stated that the projected cost for construction of the New Vehicle Maintenance Barn was unknown.

Mr. Stasio explained that approval of Item No. 6 could be postponed, and that Item No. 10 was a request to upgrade to a maximum security level, funded through the Betterment Fund, balanced at \$65,000.00.

Commissioner Garza moved that Items No. 8, No. 10, No. 11-b, and No. 12 of Change Order No. 3 to the Betterment Fund for the Darrel Hester Building Addition be approved, and that Item No. 6 of the same be **TABLED**.

The motion was seconded by Commissioner Valdez and carried unanimously.

**The Change Order is as follows:**

## 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:

ITEM NO. 12: Mr. Mark Yates, County Auditor, presented the following late claims: Warrant No. 00087360, payable to the Jury Fund, in the amount \$5,145.00, Warrant No. 00087361, payable State Comptrollers, in the amount of \$3,521.75, and Warrant No. 00087362, payable to Mr. Bruce Tharpe, Attorney at Law, in the amount of \$9,000.00.

Commissioner Cascos moved that the following "Consent and Travel Items" be approved, and that Item No. 13 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 Warrant No. 00087192, payable to Laguna Madre Water District, in the amount of \$3,852.44.

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

(13) **IN THE MATTER REGARDING ACKNOWLEDGMENT OF VEHICLE LOAN FROM DISTRICT ATTORNEY'S OFFICE TO CAMERON COUNTY VETERANS OFFICE FOR ASSISTANT VETERANS OFFICER (TABLED);**

(14) **OPENING OF AN INTEREST BEARING NOW ACCOUNT AND AN INTEREST BEARING C/D SELECT ACCOUNT UNDER THE NAME OF:**  
**A. CAMERON COUNTY TREASURER**  
**COLONIA PAVING PROJECTS FUND NO. 130**  
**The Resolution follows:**

(15) **RESOLUTION RECOGNIZING MR. ALEX HARPER, MR. UVALDO CANTU, JR., MD, AND COLONEL ROBERT GLENN HILL, RECIPIENTS OF 2002 ARROYO DISTRICT AWARD OF MERIT;**  
**The Resolution follows:**

(16) **AWARDING OF THE FOLLOWING BIDS/PROPOSALS:**  
**A. AUTOMOTIVE O.E.M. PARTS FORD - ANNUAL BID NO. 1996F:**  
**The Tabulation follows:**

(17) **OPENING OF THE FOLLOWING BIDS/PROPOSAL:**  
**A. PHARMACIST CONSULTING SERVICES - ANNUAL RFQ NO. 1605**  
**AND APPROVAL OF RECOMMENDED EVALUATION COMMITTEE.**

(18) **REJECTION OF PROPOSALS FOR RFP NO. 020801 - FUEL SITES UPGRADE: AUTOMATIC TANK GAUGE SYSTEM, FUEL DISPENSER, FUEL MANAGEMENT SYSTEM FOR UNDERGROUND TANKS;**

## TRAVEL ITEMS

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

- (a) County Court at Law No. 1 Judge to attend the “Family Violence Conference”, in Santa Fe, New Mexico, December 7-11, 2002;
- (b) Parks Director and Deputy Director to attend the “Coastal Impact Assistance Program (State 2) Council Meeting”, in Austin, Texas, December 5, 2002;
- (c) Sheriff’s Department employee to attend the “Uniform Crime Reporting Workshop”, in Austin, Texas, November 18-20, 2002;
- (d) District Attorney employee to attend the “TDCAA Board Meeting and Elected Prosecutor Conference”, in Austin, Texas, December 4-6, 2002;
- (e) County Extension Agent to present a Hazard Analysis and Critical Point (HACCP) Plan to Mexican Fish Importers in Tampico, Mexico, November 18-22, 2002; and
- (f) Justice of the Peace Elect, Precinct No. 7, Place No. 2, to attend the “New Judges School”, in Austin, Texas, December 10-13, 2002.



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

- (14) OPENING OF AN INTEREST BEARING NOW ACCOUNT AND AN INTEREST BEARING C/D SELECT ACCOUNT UNDER THE NAME OF:**
- A. CAMERON COUNTY TREASURER  
COLONIA PAVING PROJECTS FUND NO. 130.**
- The Resolution is as follows:**

- (15) **RESOLUTION RECOGNIZING MR. ALEX HARPER, MR. UVALDO CANTU, JR., MD, AND COLONEL ROBERT GLENN HILL, RECIPIENTS OF 2002 ARROYO DISTRICT AWARD OF MERIT.**  
**The Resolution is as follows:**



- (16) AWARDING OF THE FOLLOWING BIDS/PROPOSALS:**  
**A. AUTOMOTIVE O.E.M. PARTS FORD - ANNUAL BID NO. 1996F:**  
**The Tabulation is as follows:**

## **EXECUTIVE SESSION**

### **(20) EXECUTIVE SESSION:**

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Court met in Executive Session at 11:21 A.M., to discuss the following matters:

- (a) Deliberation regarding Real Property concerning the possible purchase of Real Property located in San Benito, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (b) Confer with Commissioners' Court Legal Counsel concerning possible violations of 30 TAC Chapter 33.5 (A), 30 TAC Chapter 111.209(1), and 30 TAC Chapter 330.32(A) on matters in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2);
- (c) Confer with Commissioners' Court Legal Counsel relating to Fire Code Enforcement in the unincorporated areas of Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2);
- (d) Confer with Commissioners' Court Legal Counsel concerning County Fee Collections in the unincorporated areas of Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2);
- (e) Confer with Commissioners' Court Legal Counsel concerning matters relating to the collection of monies and the handling of fees by County Personnel in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2); and
- (f) Confer with Commissioners' Court Legal Counsel concerning the case styled Antonio Arguelles et al versus Columbia Valley Health Care and County, et al, Civil Action No. 2001-07-3231-b in the 138<sup>th</sup> Judicial District Court, Cameron County, Texas, for discussion and authority to hire counsel; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(A).

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 12:00 P.M.

**NOTE: COMMISSIONER GARZA LEFT THE MEETING AT THIS TIME.**

**(21) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (a) Deliberation regarding Real Property concerning the possible purchase of Real Property located in San Benito, Texas.**

Commissioner Cascos moved that the Status Report by Mr. Joseph Ardito, Property Manager, concerning the purchase of Real Property located in San Benito, Texas, be acknowledged.

The motion was seconded by Commissioner Valdez and carried unanimously.

- (b) Confer with Commissioners' Court Legal Counsel concerning possible violations of 30 TAC Chapter 33.5 (A), 30 TAC Chapter 111.209(1), and 30 TAC Chapter 330.32(A) on matters in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, concerning possible violations of 30 TAC Chapter 33.5 (A), 30 TAC Chapter 111.209(1), and 30 TAC Chapter 330.32(A) on matters in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act was acknowledged.

- (c) In the matter regarding confer with Commissioners' Court Legal Counsel relating to Fire Code Enforcement in the unincorporated areas of Cameron County (TABLED).**

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

- (d) Confer with Commissioners' Court Legal Counsel concerning County Fee Collections in the unincorporated areas of Cameron County.**
- (e) Confer with Commissioners' Court Legal Counsel concerning matters relating to the collection of monies and the handling of fees by County Personnel in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.**

Commissioner Cascos moved that the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, concerning matters relating to the collection of monies and the handling of fees by County Personnel in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act be acknowledged.

The motion was seconded by Commissioner Valdez and carried unanimously.

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- (f) **Confer with Commissioners' Court Legal Counsel concerning the case styled Antonio Arguelles et al versus Columbia Valley Health Care and County, et al, Civil Action No. 2001-07-3231-b in the 138<sup>th</sup> Judicial District Court, Cameron County, Texas, for discussion and authority to hire Counsel.**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, concerning the case styled Antonio Arguelles et al versus Columbia Valley Health Care and County, et al, Civil Action No. 2001-07-3231-b in the 138<sup>th</sup> Judicial District Court, Cameron County, Texas, for discussion and authority to hire Counsel was acknowledged.

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(11) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE PROPERTY MANAGER TO OBTAIN PROFESSIONAL SERVICES FOR ENVIRONMENTAL AND STRUCTURAL SURVEYS.**

Commissioner Cascos moved that payment in the amount of \$750.00 for structural surveys be authorized.

The motion was seconded by Commissioner Valdez and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the meeting was **ADJOURNED** at 12:04 P.M.

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**APPROVED** this 6<sup>th</sup> day of **January 2003**.

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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.**