

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 6th day of January 2003, 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:

9:30 A.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:



The meeting was called to order by Judge Hinojosa at 9:45 A.M. He then asked Mrs. Edna Tamayo, Commissioner Precinct No. 4, 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 January 2, 2003, at 4:18 P.M.:

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At this time, Judge Hinojosa welcomed everybody to the first Meeting of the Cameron County Commissioners Court for 2003. He also welcomed the two (2) new Commissioners; Mr. John Wood, Precinct No. 2, and Mrs. Edna Tamayo, Precinct No. 4, to the Court, and thanked them for their dedications and commitments. Judge Hinojosa stated that the Public was counting on the Commissioners Court to take actions that would benefit the County, and explained that the Court, as Elected Officials, depended on County employees to help fulfill these obligations and commitments.

Commissioner Tamayo commended Cameron County employees for the tremendous job done, and noted the need for members of the Court to set an example in working diligently towards what is fair and honest. She pledged her goal to be that everyone recognizes her as a “Public Servant” and not as a “Politician.”

Commissioner Wood stated that the County employees' dedication would make the County operate properly to provide services that it is obligated to provide. He thanked all members of the Court for welcoming him and for being open about the different issues to be faced by the County. Commissioner Wood stated that one of the biggest issues pertained to the lack of funds, and explained that methods to meet the needs would be researched, such as acquiring State or Federal Funding rather than burdening the County's taxpayers. He noted that Cameron County was now an Urban County.

Commissioner Benavides welcomed Commissioner Wood and Commissioner Tamayo to Commissioners Court.

Commissioner Garza welcomed Commissioner Wood and Commissioner Tamayo to Commissioners Court, and wished everybody a healthy New Year. He noted the need to promote an open government system in which the Public could believe in and trust that its decisions would be most beneficial to the County.

Judge Hinojosa informed that permanent Offices for Commissioners, Precinct No. 1 and No. 2, were being set up at the Old Sheriff's Department, that the Offices at the warehouses in Precinct No. 1 and No. 2 would continue to be there, that the Office for Commissioner Tamayo would remain at the Harlingen County Building, that Commissioner Garza's Office was located at the warehouse in Precinct No. 3, and that his Office, (County Judge's Office) located at the Cameron County Courthouse, was opened to the Public. He noted the need to alleviate the lack of access to Health Care.

ACTION ITEMS

(1) BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Mr. Xavier Villarreal, Budget Officer - "Good morning Judge and Commissioners. In your packages are included some Budget Amendments and Salary Schedules. The Salary Schedules that are attached, there is one that is in relation to the Drug Enforcement Task Force that runs for the remainder of their Fiscal Year, which ends in June. The addition or the temporary position for the Administrative Assistant for the District Courts that was approved at the last Commissioners' Court Meeting. The increase that was approved for Mr. Bernal at the last Commissioners' Court Meeting, and various Budget Amendments, just cleaning up, at the request of Department Heads in order to purchase items within their Budget.

Commissioner Garza - "Mr. Villarreal, could I have a copy of that? It was not included in my backup."

Mr. Villarreal - "It wasn't? Sure."

Commissioner Wood - "Mr. Wright, the way this is drafted its approval of the Budget Amendments and Salary Schedules. Can we take this individually or do they need to be taken as a whole?"

Mr. Doug Wright, Commissioners' Court Legal Counsel - "You can discuss them individually. If you want to make a motion with regards to a certain part you may."

Judge Hinojosa - "Whatever you all's wishes are on that."

Commissioner Wood - "And the reason I ask, you know I believe in treating the employees fairly and providing with adequate pay for the jobs they do. Being new, I have some concerns about one of the issues here, and it is just because of my unfamiliarity with it at this point in time. So basically what I would like to do is, when it gets to a vote, there's one that I would like to vote not in favor of and the other three (3) in favor of. So Mr. Wright however you figure I need to do that. And there's nothing, you know, it's just, I need some more information about it to be comfortable of what I am doing."

Mr. Doug Wright, Commissioners Court Legal Counsel - "Depends on the motion made if you want to specifically discuss that after the motion has been made to approve that, you can do that."

Commissioner Tamayo - "I had a question on No. 12, and I just, it was. I wanted to know how long that position had been vacant, under County Engineer, that's the Planning and Inspection. I just was interested in knowing how long that position had been vacant."

Mr. Villarreal - "It's vacant since the beginning of the year. Prior to that I don't know how far back off the top of my head."

Judge Hinojosa - "Which one? No. 12?"

Commissioner Tamayo - "Under Planning and Inspection."

Commissioner Garza - "The beginning of the year would be like 1-1-03?"

Mr. Villarreal - "October 1st, Fiscal Year. I apologize. Since last week. The Fiscal Year I apologize."

Judge Hinojosa - "Do I hear a motion on the Budget Amendments?"

Commissioner Garza - "I move we approve the Budget Amendments as presented and the Salary Schedules."

Judge Hinojosa - "Motion by Commissioner Garza, is there a second to that motion?"

Commissioner Tamayo - "I second that."

Judge Hinojosa - "Second by Commissioner Tamayo. Any further discussion."

Commissioner Wood - "Judge, I would like to, if some way possible, the one issue on the planning and inspection, I'd like to withhold a vote on that. On just that part of it."

Judge Hinojosa - "I think what you can do is you can vote aye, you can vote yes to every item, except nay, and abstain on one item."

Commissioner Wood - "That's the way we've, I've done it in the past. I'm not sure how we do it here, and I'm learning."

Judge Hinojosa - "That's the way we do it here. We do it within the vote of the Budget Amendments."

Commissioner Wood - "Okay. Very good."

Commissioner Garza - "Not in the past. In my experience we've either voted for the package as presented or against it. Basically what you want is line item veto, right?"

Commissioner Wood - "That's what I am looking(inaudible)"

Commissioner Garza - "And I have absolutely no problem. I concur with you totally, as long as the rest of the year we have the same opportunity."

Judge Hinojosa - "Why don't we do it that way? I think that's probably the easiest way to do it. Because that way you know you don't have to vote for all the Budget Amendments and/or Salary Schedules you can say I'm going to vote for this and then we can count them up and figure out whose got the majority. It's fair."

Commissioner Benavides - "This is called an adjusting period. Bear with us."

Commissioner Garza - "Legal is shaking his head."

Commissioner Tamayo - "I support that."

Mr. Doug Wright, Commissioners' Court Legal Counsel - "Well, I think you have in effect done that. Because you almost of necessity have to be able to that on certain items that you vote if there's a conflict, you abstain from voting on those items."

Judge Hinojosa - "That's right we do that all the time. We do that when we approve our claims."

Commissioner Tamayo - "But I'd rather have the policy in place so that all of us know how we're going to do business."

Judge Hinojosa - "All right."

Commissioner Tamayo - "I don't want doing business one way one week and another way the next week. So I think, I thank you for that John, and I think that's good."

Judge Hinojosa - "We can do it that way. There is a motion and a second. Any further discussion? All those in favor signify by stating Aye...."

Commissioners Benavides, Garza, Tamayo and Judge Hinojosa - "Aye"

Judge Hinojosa - "All those opposed? Motion carries."

Commissioner Wood - "I'll vote in favor of all of them, except 150-6230 I vote no on that one."

The Budget Amendments and Salary Schedules are as follows:

EXECUTIVE SESSION

(25) EXECUTIVE SESSION:

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 10:05 A.M., to discuss the following matters:

- (a) Confer with Commissioners' Court Legal Counsel concerning the case styled Thorton Development Corporation versus Cameron County, et al, Cause No. 2002-02-000385-A for discussion; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(A)&(B);
- (b) Confer with Commissioners' Court Legal Counsel concerning the case styled Hilda Treviño versus Cameron County in the 357th Judicial District Court, Cause No. 02-11-4987-E, for discussion; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(B);
- (c) Confer with Commissioners' Court Legal Counsel concerning the case styled James Woodward versus Cameron County, et al, Cause No. 02CCL-0163-A, for discussion and possible settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(B);
- (d) Confer with Commissioners' Court Legal Counsel concerning the case styled Roland Mancilla versus Cameron County, et al, Cause No. 01-CCL-1027-A, for discussion and possible settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(B); and
- (e) Deliberation regarding Real Property concerning the leasing of program and office space for the Title V-Juvenile Delinquency Prevention Program, relating to the termination of existing Lease and entering into another; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.074.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened in Regular Session at 11:17 A.M.

(26) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) **Confer with Commissioners' Court Legal Counsel concerning the case styled Thorton Development Corporation versus Cameron County, et al, Cause No. 2002-02-000385-A for discussion.**

Commissioner Garza moved that Mr. Doug Wright, Commissioners Court Legal Counsel, be authorized to negotiate a settlement concerning the case styled Thorton Development Corporation versus Cameron County, et al, Cause No. 2002-02-000385-A.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (b) Confer with Commissioners' Court Legal Counsel concerning the case styled Hilda Treviño versus Cameron County in the 357th Judicial District Court, Cause No. 02-11-4987-E, for discussion.**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners Court Legal Counsel, concerning the case styled Hilda Treviño versus Cameron County in the 357th Judicial District Court, Cause No. 02-11-4987-E was acknowledged.

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- (c) Confer with Commissioners' Court Legal Counsel concerning the case styled James Woodward versus Cameron County, et al, Cause No. 02CCL-0163-A, for discussion and possible settlement.**
 - (d) Confer with Commissioners' Court Legal Counsel concerning the case styled Roland Mancilla versus Cameron County, et al, Cause No. 01-CCL-1027-A, for discussion and possible settlement.**

Commissioner Garza moved that the Status Reports by Mr. Doug Wright, Commissioners Court Legal Counsel, concerning the case styled James Woodward versus Cameron County, et al, Cause No. 02CCL-0163-A and the case styled Roland Mancilla versus Cameron County, et al, Cause No. 01-CCL-1027-A were acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (e) Deliberation regarding Real Property concerning the leasing of program and office space for the Title V-Juvenile Delinquency Prevention Program, relating to the termination of existing Lease and entering into another.**

Commissioner Tamayo moved that the Lease of office space for the Title V-Juvenile Delinquency Prevention Program be terminated, effective February 28, 2003, and that negotiations for a new site be authorized.

The motion was seconded by Commissioner Garza.

Ms. Patricia Hernandez, B.G.S. Naraindais Inc. Representative, requested that the Lease not be terminated, and explained that her client was approached by the County to request that the property be leased because it was of great importance. She explained that B.G.S. Naraindais Inc., had initially rejected the lease due to the need to invest in the property, and that she had received calls from County personnel and from Judge Hinojosa requesting that she talk to her client to ask that they reconsider the three (3) year lease. Ms. Hernandez stated that the B.G.S. Naraindais Inc., decided to lease the property to the County and invest in the property based on the call from Judge Hinojosa. She stated that the Program Director had now found a different location which she preferred for unknown reasons, and noted that a three (3) year commitment was made with her client. Ms. Hernandez explained that when she questioned the provision included in the Lease, which allowed the County to terminate the Lease with a 30-day notice, it was represented to be needed in the

event that grant funding was not provided. She requested that the Lease not be terminated due to the significant investment made by her client.

Judge Hinojosa clarified that the conversation between Ms. Hernandez and he was limited to an issue concerning the provision being requested by B.G.S. Naraindais Inc., that held the County responsible for any harm that might be experienced by anyone as a result of a mold issue. He explained that he had indicated that the County could not agree to that provision, and that Ms. Hernandez had responded that either the County agreed to that provision or to keep the ventilation system clean to ensure that mold issues would not occur, noting that he had replied that the County would not have a problem in keeping the ventilation system clean. Judge Hinojosa clarified that he had not called Ms. Hernandez to request that the facility be leased to the County because the negotiations were already taking place, and that the details of the negotiations were pending because of the unacceptable provision being requested by her client.

Commissioner Garza called the question.

Upon motion duly made by Commissioner Tamayo that the Lease of office space for the Title V-Juvenile Delinquency Prevention Program be terminated, effective February 28, 2003, and that the negotiations for a new site be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.

[REDACTED]

(2) **IN THE MATTER REGARDING APPROVAL OF THE MINUTES FOR THE MEETINGS HELD ON NOVEMBER 12, 2002, NOVEMBER 19, 2002, AND NOVEMBER 26, 2002 (TABLED)**

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

[REDACTED]

(3) **CONSIDERATION OF DESIGNATION OF TIME OF DAY AND DAY OF THE WEEK OF THE COMMISSIONERS' COURT REGULAR MEETING**

Commissioner Tamayo requested that the Public be properly notified of the change.

Commissioner Benavides moved that the Commissioners' Court Regular Meeting be set Tuesdays at 9:30 A.M.

The motion was seconded by Commissioner Tamayo and carried unanimously.

[REDACTED]

(4) CONSIDERATION AND APPOINTMENT OF CAMERON COUNTY JUDGE PRO-TEM

At this time, Commissioner Wood recommended that Commissioner Benavides be appointed Cameron County Judge Pro-tem, based on the excellent job he performed as Mayor Pro-tem and as acting Mayor while serving on the Brownsville City Council.

Commissioner Wood moved that Commissioner Benavides be appointed Cameron County Judge Pro-tem.

The motion was seconded by Commissioner Garza.

Commissioner Wood suggested that rotation of the appointment of Cameron County Judge Pro-tem be considered at a later time.

Upon motion duly made by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Commissioner Benavides was appointed Cameron County Judge Pro-tem.

(5) CONSIDERATION AND ACTION REGARDING THE COMPOSITION OF THE SALARY GRIEVANCE COMMITTEE, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE, SECTION 152.014

Judge Hinojosa stated that throughout the time he has served as County Judge, the Grievance Committee has been composed of County residents randomly selected to serve on the Grand Jury, with exception of one (1) time. He explained that the process required that names be placed in a box and pulled, and that the Grievance Committee be composed of the first nine (9) individuals that agreed to serve.

Mr. Doug Wright, Commissioners' Court Legal Counsel, explained that the selection of the composition of the Grievance Committee was needed to begin the process of selecting the members.

Judge Hinojosa asked if the names needed to be pulled at this time.

Mr. Wright explained that the names were selected in numeric order and contacted by the Judge's Office because it was difficult to proceed according to Statute, which required for nine (9) names to be pulled and contacted.

Mr. Remi Garza, Administrative Assistant, stated that another Agenda Item would be placed to select the members.

Commissioner Garza moved that the composition of the Salary Grievance Committee consisting of nine (9) members of the public with two (2) alternates be approved, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Local Government Code, Section 152.014, with the understanding that a spouse of a member of the Court be excluded in the event that he/she was selected.

The motion was seconded by Commissioner Benavides and carried unanimously.

[REDACTED]

(6) **CONSIDERATION AND APPROVAL OF
ADDITIONAL EQUIPMENT FOR THE FISCAL
YEAR 2002-2003 EQUIPMENT LIST**

Mr. Xavier Villarreal, Budget Officer, requested that a pick-up truck be added to replace the County vehicle assigned to Commissioner Precinct No. 4.

Commissioner Garza moved that the additional equipment for the Fiscal Year 2002-2003 Equipment List be approved.

Commissioner Wood expressed his concern with the prices for the computers, and suggested that other purchasing sources be identified.

Commissioner Garza moved that the additional equipment for the Fiscal Year 2002-2003 Equipment List be approved, and that the Budget Officer and the Commissioners for whom equipment was being purchased be authorized to work in obtaining better pricing for the equipment.

The motion was seconded by Commissioner Benavides and carried unanimously.

The list is as follows:

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(7) **IN THE MATTER REGARDING CONSIDERATION
AND POSSIBLE ACTION REGARDING JOB
RECLASSIFICATIONS AND SALARY
ADJUSTMENT IN THE BUILDING MAINTENANCE
DEPARTMENT (TABLED)**

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

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(8) **CONSIDERATION AND POSSIBLE ACTION
REGARDING RECLASSIFICATION AND SALARY
ADJUSTMENT IN THE CAMERON COUNTY
SHERIFF'S DEPARTMENT**

Commissioner Benavides moved that the reclassification and salary adjustment in the Cameron County Sheriff's Department be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

The Salary Schedules are as follows:

(9) **IN THE MATTER REGARDING CONSIDERATION
AND ACTION TO PAY DELINQUENT AND
CURRENT BILLS TO CAMERON COUNTY
IRRIGATION DISTRICT NO. 6 (DENIED)**

Commissioner Wood - "What type of bills are these?"

Commissioner Garza - "Flat rate fees on County property. Water flat rate fees."

Commissioner Wood - "Not a tax, but a water flat rate fee?"

Judge Hinojosa - "Well, there's a question as to whether that's a tax or not. And there's been a debate going on between our lawyer and David for a while."

Commissioner Garza - "I don't have a debate. I just want to make sure that we can put it to rest, finally."

Mr. Doug Wright, Commissioners' Court Legal Counsel - "When I saw the item on the Agenda I called Commissioner Garza and told him what the status was on this one. We had several at one time, and apparently District No. 6 is the only one that is apparently receiving calls from constituents or Board members still wanting to know the status. In July I wrote a letter to their General Counsel and gave him an outline or brief to the case log involving the fixed assessments. It seems to me, very clear, that these are taxes and in order. There's Statutory provision allowing them to impose these assessments, fixed rate assessments. The problem is it runs in conflict with the State Constitution, which says that local units of government are not taxable, and I sent their counsel, on July 31, 2002, several cases that outline that principle and I have not heard from him. I called him again on Friday, I believe it is when I visited with you Commissioner, and left a message again. But I would not recommend that you approve payment, in fact I am not even sure that sets forth as to the amounts that are due."

Commissioner Garza - "Except for the bill that they sent us."

Judge Hinojosa - "How much is it?"

Commissioner Garza - "\$7,000.00."

Mr. Wright - "I would not recommend that the Court take action at this time. I would like to visit with their General Counsel and see if he does not agree, and perhaps he can communicate with his Board members."

Judge Hinojosa - "But if he agrees or does not agree it's your position that it is unconstitutional anyway, right?"

Mr. Wright - "Yes sir."

Judge Hinojosa - "So why should we table it any longer? Why do we not just...."

Commissioner Garza - "What's your recommendation?"

Mr. Wright - "As a matter of courtesy I've sent him a letter and I think if perhaps it got lost in the mail, I don't know, because I didn't send it certified, but I called again. I talked to his secretary, he was not available, she acknowledged that she had a letter from me and she would have him get back in touch with me. So you can simply pass this matter at this time, and if you want, I'll put it back on the Agenda when I've heard from him or you can set it up again next week and I will again try to make contact. The problem for me is that I can't force him to return my calls."

Judge Hinojosa - "Why don't we just deny it and if....."

Commissioner Tamayo - "Put it to rest."

Judge Hinojosa - "Yeah, let's put it to rest, and if somebody brings us information that says that we are legally obligated to do it, then we'll bring it back, then we'll consider it. That way it is just not hanging out there. We just get it to rest. Eliminate it. It is your opinion that it is an unconstitutional tax against another governmental authority. It doesn't matter what he says about it, we are not going to pay it, y ya alli se acabo."

Commissioner Garza - "Based on the letter you sent in July. Okay."

Commissioner Benavides moved that the payments of delinquent and current bills to the Cameron County Irrigation District No. 6 be **DENIED**.

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

AYE: Commissioner Benavides, Wood, Tamayo, and Judge Hinojosa,

NAY: Commissioner Garza.

**(10) CONSIDERATION AND APPOINTMENT OF A
LEGISLATIVE COMMITTEE FOR 2003**

Judge Hinojosa recommended that the Committee be composed of the County Judge and one (1) County Commissioner, in addition to any other members to be recommended by the Court.

Commissioner Garza stated that the Legislators preferred to have Elected Officials present, and that at times Judge Hinojosa was unable to attend; therefore, had placed this Item to ensure that someone was always available to speak on behalf of Cameron County constituents. He recommended that Judge Hinojosa, Commissioner Wood, and Commissioner Tamayo be appointed Legislative Committee for 2003.

Judge Hinojosa clarified that no action could take place unless properly posted or if only two (2) members participate at one time.

Commissioner Wood stated that attending a Legislative Hearing did not constitute a quorum under the Open Meetings Act. He noted the need to be cognizant as to the perception that arises and to accomplish what needs to be done for the County as well.

Judge Hinojosa clarified that the Legislative Committee would be composed of Commissioner Wood, Commissioner Tamayo, and himself, with the understanding that all actions must be cleared through Commissioners' Court Legal Counsel to ensure that the Open Meetings Act was not violated. He added that in the event that Commissioner Wood or Commissioner Tamayo were unable to attend a Legislative Hearing that any member of the Court could attend in representation of the County.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, Commissioner Wood, Commissioner Tamayo, and Judge Hinojosa were appointed Legislative Committee for 2003, with the understanding that all actions must be cleared through Commissioners' Court Legal Counsel to ensure that the Open Meetings Act was not violated.

(11) **CONSIDERATION AND ACTION REGARDING
COUNTY COURT AT LAWS REPRESENTATIVE
TO CAMERON COUNTY BAIL BOND BOARD**

Commissioner Wood moved that Judge Daniel Robles, County Court at Law No. 3, be appointed as the County Court at Laws Representative to Cameron County Bail Bond Board.

The motion was seconded by Commissioner Tamayo 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:

At this time, Judge Hinojosa briefed Commissioner Wood and Commissioner Tamayo as to the process of placing Items as Consent Items for consideration and possible approval, and added that any Item could be individually considered.

ITEM NO. 12: Commissioner Tamayo questioned the claim payable to Cingular Wireless. Mr. Mark Yates, County Auditor, explained that the cellular phones were rented from Cingular Wireless on an event basis for Election Judges to communicate with the Elections Administrator and in the event that the Emergency Operating Center was activated by the County Judge. Commissioner Tamayo questioned if the time frame equaled one (1) day.

Mr. Yates responded that time might be for the duration of Early Voting based on history.

Judge Hinojosa clarified that the cellular phone service provided during an emergency situation was free of cost.

Commissioner Wood expressed his concern with Warrant No. 00088974 concerning the purchase of a camera.

Mr. Mark Yates, County Auditor, stated that he would research the claim and present a detail listing of the purchase during the following meeting. He stated that he would work on an e-mail address for the Commissioners in order to disseminate the flow of information.

Commissioner Garza moved that the following "Consent and Travel Items" be approved, with exception of Warrant No. 00088936, payable to The Medicine Shoppe.

ITEM NO. 12: Mr. Yates informed that he would be printing one (1) copy of the Vendor Listing due to its significant volume and would circulate it among the members of the Court for review, adding that an Affidavit would be presented by staff when needed to make an "Abstain Vote" as to a certain claim.

NOTE: COMMISSIONER GARZA LEFT THE MEETING AT THIS TIME.

ITEM NO. 14: Commissioner Tamayo asked where the funds to be obtained by this contract would be placed.

Mr. Mark Yates, County Auditor, responded that the funds went into the County Airport Enterprise Fund No. 88 for improvements of the same.

Commissioner Tamayo requested documentation indicating that the funds went back to the Cameron County Airport for its improvements.

Mr. Yates explained that Enterprise Funds have certain provision of the debts to be paid and that the Cameron County Airport had Agreements with the Federal Aviation and Aeronautics (FAA) and the Texas Department of Transportation (TxDOT) that required that the funds be reinvested at the airport for its operations.

Judge Hinojosa encouraged that the new Commissioners address any questions to the responsible party prior to the meeting because it could possibly correct any issues, as well as expedite the meeting.

ITEM NOS. 20-21: Commissioner Wood stated that he hoped that he could fill the chair of former Commissioner Cascos, for whom he had a lot of respect, as well as for former Commissioner Valdez. He stated that he believed that a Resolution was the least that could be done for the former Commissioners for the services they provided to the County and its constituents.

Commissioner Tamayo stated that any Public Servant deserved a public appreciation and requested the Judge's Office to inform the former Commissioners that they would be honored during the next Commissioners' Court Meeting.

ITEM NO. 12: Mr. Mark Yates, County Auditor, presented the following late claims: Warrant No. 00089246, a loan to the TB Grant, in the amount of \$5,000.00; Warrant No. 00089244, payable to the State Comptroller, in the amount of \$4,417.76; and, Warrant No. 00089245, payable to the General Fund, in the amount of \$7,000.00.

Judge Hinojosa asked if another motion was needed since Commissioner Garza had left the meeting.

Mr. Doug Wright, Commissioners' Court Legal Counsel, responded in the affirmative.

ITEM NO. 24-C: Mr. Tony Yzaguirre, Tax Assessor Collector, stated that dates of travel for this Item to be January 14-16, 2003.

At this time, Judge Hinojosa briefed the new Commissioners as to the County Travel Policy and the criteria; that being: travel for purposes of certification or licenses needed in holding a County position, travel for County business; or travel funded through a source other than County Funds.

Commissioner Benavides moved that the following "Consent and Travel Items" be approved, inclusive of correction to Item No. 24-c.

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

AYE: Commissioners Benavides, Wood, Tamayo,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00088912, Laguna Madre Water District, in the amount of \$3,234.88, and Warrant No. 00089202, payable to Laguna Madre Water District, in the amount of \$184.08, and Commissioner Garza as to Warrant No. 00088936, payable to The Medicine Shoppe, in the amount of \$2,461.45.

- (12) **APPROVAL OF CLAIMS;
The Affidavits follow:**
- (13) **ACTION REGARDING THE EXTENSION OF THE INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND HIDALGO COUNTY REGARDING THE HEALTH DISTRICT;**
- (14) **AUTHORIZATION TO ALLOW THE LOWER RIO GRANDE VALLEY POLICE ACADEMY TO USE THE COUNTY AIRPORT TARMAC FOR EMERGENCY DRIVING CLASS REQUIRED BY TCLEOSE AND TO CHARGE FIFTY (50) DOLLARS PER DAY ON JANUARY 11 & 12, 2003;
The Agreement follows:**
- (15) **RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE OF CRIMINAL JUSTICE DIVISION FOR THE 2004 CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE GRANT;
The Resolution follows:**
- (16) **ISSUANCE OF A STATIONARY VENDOR'S PERMIT TO MELISSA BROWN, D/B/A SUNSHINE EXPRESS;**
- (17) **ISSUANCE OF ISSUE A RENEWAL STATIONARY VENDOR'S PERMIT TO FRANCISCO TORRES, D/B/A EL REY DEL ELOTE NO. 2;**
- (18) **ISSUANCE OF A RENEWAL STATIONARY VENDOR'S PERMIT TO FRANCISCO TORRES, D/B/A EL REY DEL ELOTE NO. 3;**
- (19) **ISSUANCE OF A RENEWAL STATIONARY VENDOR'S PERMIT TO FRANCISCO TORRES, D/B/A EL REY DEL ELOTE NO. 1;**
- (20) **RESOLUTION HONORING FORMER COUNTY COMMISSIONER CARLOS H. CASCOS;
The Resolution follows:**

- (21) **RESOLUTION HONORING FORMER COUNTY COMMISSIONER RICHARD VALDEZ;**
The Resolution follows:
- (22) **OPENING OF THE FOLLOWING BIDS/PROPOSAL:**
(A) PICK-UP TRUCKS (QTY. 11).
- (23) **AWARDING OF THE FOLLOWING BIDS/PROPOSALS :**
(A) WATER TRUCKS W/2000 GALLON TANK (QTY. 3); AND
(B) DUMP TRUCK 12-14 C.Y. (QTY. 1).
The Tabulation follows:

TRAVEL ITEMS

- (24) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (a) Assistant District Attorneys (2) to attend the "CACTX Block IV Forensic Training," in Austin, Texas, January 24, 2003;
 - (b) Two (2) Criminal Investigators to attend the "26th Annual TDCAA Investigator School", in Arlington, Texas, February 10-14, 2003;
 - (c) Director, Chief of Investigations, and Administrative Assistant of the Auto Theft Prevention Grant to attend the "Texas Automobile Theft Prevention Authority Grantee Advisory Meeting and Board Meeting", in Austin, Texas, January 15-16, 2003;
 - (d) Breast-Feeding Coordinator, WIC Certification Specialist/Clinic Supervisor to attend an "Intensive Course in Breast-Feeding Phase II", in Austin, Texas, January 27-30, 2003;
 - (e) Three (3) Assistant District Attorneys to attend the "Prosecutor Trails Skills Course", in Austin, Texas, January 12-17, 2003;
 - (f) Assistant County and District Attorney to attend the "Prosecutor Boot Camp", in Columbia, SC, January 27-31, 2003;
 - (g) Chief Juvenile Probation Officer to attend the "Workshop Meeting No. 2" and the "Chiefs Summit 2003", in Austin, Texas, January 27-31, 2003; and
 - (h) Personnel employee to attend the "Receptionist Seminar", in McAllen, Texas, January 17, 2003.

- (12) APPROVAL OF CLAIMS.
The Affidavits are as follow:**

- (14) AUTHORIZATION TO ALLOW THE LOWER RIO GRANDE VALLEY POLICE ACADEMY TO USE THE COUNTY AIRPORT TARMAC FOR EMERGENCY DRIVING CLASS REQUIRED BY TCLEOSE AND TO CHARGE FIFTY (50) DOLLARS PER DAY ON JANUARY 11 & 12, 2003.
The Agreement is as follows:**

- (15) **RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE OF CRIMINAL JUSTICE DIVISION FOR THE 2004 CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE GRANT.**

The Resolution is as follows:

- (20) RESOLUTION HONORING FORMER COUNTY COMMISSIONER CARLOS H. CASCOS.**
The Resolution is as follows:

- (21) **RESOLUTION HONORING FORMER COUNTY COMMISSIONER RICHARD VALDEZ.**
The Resolution is as follows:

- (23) AWARDING OF THE FOLLOWING BIDS/PROPOSALS :**
(A) WATER TRUCKS W/2000 GALLON TANK (QTY. 3); AND
(B) DUMP TRUCK 12-14 C.Y. (QTY. 1).
The Tabulation is as follows:

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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 12:06 P.M.

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APPROVED this 28th 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.