

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 2<sup>nd</sup> day of **SEPTEMBER 2003**, 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:**

**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:**  
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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 10:05 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 August 29, 2003, at 3:45 P.M.:

**NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME.**

Judge Hinojosa reported that County Representatives traveled to Washington DC, to meet with Mr. Ben Reyna, U.S. Marshal's Office. He stated that Mr. Reyna was very receptive to the County's request to increase the per diem for housing of federal inmates from \$30.00 to \$37.76. He added that Mr. Reyna indicated that the County should be paid what its cost was and that a response could be provided in about two (2) weeks. Judge Hinojosa briefed that the U.S. Marshal's Office was contractually obligated to pay the County expenses for housing of federal inmates, and that the County was contractually obligated to provide 300 beds to the U.S. Marshal's Office.

Commissioner Wood informed that County Representatives met with State Department staff to discuss the West Rail Relocation Project, adding that the process was proceeding very well and fast.

Judge Hinojosa stated that County Representatives met with the Main Staff Person for the House of Transportation Committee to ensure that Cameron County be included in T-21 for rail relocation projects. He clarified that the relocations of railroads in the San Benito and Harlingen area could not be done without funding from Congress, and that overall the trip to Washington DC was very successful.

Commissioner Wood reported that the Federal Government was considering changing how funding for railroad relocations gets allocated.

Commissioner Garza reported that he and Ms. Veronica De La Fuente, County Judge's Office, attended a TPEC Meeting in El Paso, Texas, where one topic related to the Entry/Exit Visa Program that must be implemented by December 2004, as per the Federal Government. He noted the need to remain actively involved because of potential impact to International Bridge crossings and Border Counties. Commissioner Garza reported that he and Mrs. Blanca Vela were appointed to a Committee that will meet with the State Department to address these issues, and that Ms. De La Fuente was appointed to a Border County Committee that will review Border County issues and will voice matters when passing new legislations. He stated that he met with Senator Eddie Lucio, whom was working on issues that impact Cameron County.

Judge Hinojosa expressed total support for Democrat State Senators, and recommended that the County stay vigilant to prevent issues that might derive from future border programs.

**ACTION ITEMS**

**(1) BUDGET AMENDMENTS AND/OR SALARY SCHEDULES.**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, Budget Amendment No. 2003-38 and Salary Schedules were approved.

**The Budget Amendments and Salary Schedules are as follows:**

- (2) **APPROVAL OF MINUTES FOR:**  
(a) **JULY 22, 2003-REGULAR MEETING**  
(b) **JULY 29, 2003-REGULAR MEETING**  
(c) **AUGUST 5, 2003-REGULAR MEETING**  
**(TABLED)**

Commissioner Tamayo moved that the Minutes of the Regular Meetings held July 22, 2003, and July 29, 2003, be approved, and that the Minutes of the Regular Meeting held August 5, 2003, be **TABLED**.

The motion was seconded by Commissioner Garza and carried unanimously.

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(3) **CONSIDERATION AND ACTION REGARDING THE POSSIBLE IMPLEMENTATION OF OPERATIONAL AND FINANCIAL EFFICIENCIES FOR THE CURRENT FISCAL YEAR**

(6) **DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2003-2004 BUDGET**

Judge Hinojosa stated that the Court had previously discussed the possibility of implementing a hiring freeze and of setting employees' salaries at current salaries plus the 3% salary increases.

Mr. Xavier Villarreal, Budget Officer, stated that resetting salary schedules to current salaries plus the 3% salary increase totaled approximately \$100,000.00 in savings for the Road & Bridge Fund and approximately \$75,000.00 in savings for the General Fund.

Commissioner Benavides questioned if employees could receive salary increases aside from the 3%.

Judge Hinojosa clarified that employees could receive salary increases beyond the 3% with Court approval.

Mr. Remi Garza, County Administrative Assistant, noted that an employee could be transferred into a vacant slot without Court approval.

Mr. Villarreal presented a listing of operational efficiencies and stated that calculating savings of some operational efficiencies was difficult.

Judge Hinojosa questioned the option to do a hiring freeze.

Mr. Doug Wright, Commissioners' Court Legal Counsel, advised that there were legal issues towards imposing a hiring freeze.

Mr. Villarreal stated that approving the Budget inclusive of positions could result in problems towards freezing these positions in the future.

Commissioner Wood stated that problems would be reflected in Elected Officials' Departments.

Judge Hinojosa suggested that the hiring freeze be implemented on Elected Officials' vacant positions and on none Elected Officials' Departments.

Mr. Wright stated that the Court's budgetary control ended once a position was created in an Elected Officials' Budget.

Mr. Villarreal explained that Elected Officials' vacant positions must be eliminated because otherwise approval of the Budget with the positions signified approval of the need for the positions.

Commissioner Wood stated that the Court could impose a hiring freeze on Department Heads at anytime.

Mr. Villarreal stated that eliminating use of County vehicles for regular home commute, except for on-call personnel, would provide fuel and maintenance savings and would extended useful life of vehicles. He stated that restricting cell phones to Elected Officials and Department Heads could incur an unknown amount of savings, as could limiting internet access to key personnel.

Mr. Rudy Juarez, Computer Center Director, stated that UTB charged the County a fixed rate of about \$560.00 per month that was allocated to individual Departments.

Judge Hinojosa stated that operational efficiencies No. 3 and No. 4 would not be productive.

Mr. Villarreal suggested that a cost analysis be done for all County Annexes to determine possible savings.

Judge Hinojosa expressed opposition towards closing any County Annex.

Mr. Villarreal explained that County Personnel Policy allows employees working over 900 hours a year to receive Health Insurance Benefits, costing more than an employee's salary. He stated that 900 hours a year were less than 20 hours per week and that grant funded programs were being highly affected.

Judge Hinojosa recommended that the Personnel Policy be revised to read 32 hours a week instead of 900 hours a year.

Commissioner Garza questioned the number of employees to be affected by the change.

Mr. Villarreal stated that approximately twelve (12) positions from the Parks System, Health Department, and the Elections Division could be affected.

Commissioner Tamayo questioned Item No. 1.

Mr. Villarreal stated that the amount of savings to be incurred by ending use of County vehicles for home commute was unknown and that issues such storage of County Vehicles had arisen. He stated that Commissioner Garza suggested the possibility of excluding the 3% salary increase for Department Heads and Elected Officials; however, this was no longer feasible after the actions of the Grievance Committee. Mr. Villarreal stated that the Grievance Committee's recommendations total about \$78,000.00, thus increasing the shortfall to \$225,000.00. Mr. Villarreal stated that setting salaries at current pay plus the 3% salary increase would offset the actions of the Grievance Committee, decreasing the deficit to \$156,000.00.

Commissioner Garza asked if it was anticipated that other Departments would present 7% cut to operational budgets.

Mr. Villarreal responded that Justices of the Peace would not be able to do so, that the Building Maintenance Department could not reduce its operational budget, and that Mr. Salvador Salinas, Veterans Offices, preferred to waive his 3% salary increase in order to avoid reducing his Budget. He stated that additional savings might not equal more than \$2,000.00.

Judge Hinojosa instructed the Budget Officer to reduce the operational budgets of County Courts at Law Nos. 1, 2, and 3 by 7%.

Commissioner Benavides noted that he would not agree to salary increases unless they were done across the board.

Mr. Doug Wright, Commissioners' Court Legal Counsel, advised that the Court had the option to eliminate Constable Positions because they had been approved for the term of the Elected Official or for the remainder of the fiscal year whichever ends sooner.

Mr. Villarreal stated that the proposed Budget includes the increase to the per diem to housing federal inmates, in the amount of \$550,000.00, that was offset by 18 Detention Officer Positions for half a year.

Judge Hinojosa questioned if revenues had been reviewed to make-up the additional \$550,000.00.

Mr. Villarreal stated that he would be meeting with the County Auditor in those regards.

Commissioner Wood noted that the \$150,000.00 shortfall was inclusive of the rollback rate.

Judge Hinojosa stated that he did not want to allocate lapsed salaries towards making up the shortfalls.

Mr. Villarreal stated that setting salary schedules to current salaries would decrease lapsed salaries.

Judge Hinojosa asked if a Resolution could be passed to set Budget and Salary Schedules at current pay plus the 3% salary increase.

Mr. Wright responded in the affirmative.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the implementation of three (3) operational and financial efficiencies was approved for the current Fiscal Year.

Commissioner Wood moved that a Hiring Freeze be approved for none Elected Department.

The motion was seconded by Commissioner Tamayo.

Commissioner Garza questioned the amount of savings.

Mr. Villarreal responded that the amount of savings was unknown.

Commissioner Garza expressed concern with reducing services to County constituents by not hiring staff needed.

Judge Hinojosa clarified that a hiring freeze precludes Department Heads from hiring without Court approval.

Commissioner Garza expressed support upon Department Heads understanding that they have the option to fill a position with Court approval.

Judge Hinojosa stated that County services have not decreased because the number of inmates being housed increased from 700 to 1,200 since the Carrizales/Rucker Detention Center opened. He stated that County functions include: construction of roads; operating a courthouse; operating a Sheriff's Department; and, housing of inmates. Judge Hinojosa stated that the \$3.5 million deficit was new cost associated with housing inmates and juveniles that have been arrested by other entities' law enforcements. He added that the funding was not provided to house these inmates, nor for the juveniles, yet the number of juveniles being housed was increasing from 32 to 64, at an estimated cost of \$85.00 per day. Judge Hinojosa explained that the Juvenile and Adult Probation Departments were unable to incarcerate individuals that must be detained for the safety of the community prior to opening the Juvenile Detention Center and the Carrizalez/Rucker Detention Center because of the lack of space both. He noted that the total none incarceration cost increase totals less than .5% increase in operations of the \$85 million County Budget.

Commissioner Garza noted the need to ensure that providing services in other areas of the County was also a priority.

Judge Hinojosa questioned the total amount of the 7% operational cost reductions.

Mr. Villarreal responded that the total was approximately \$100,000.00.

Judge Hinojosa stated that - "if you take that \$100,000.00 and you add the \$175,000.00 that we're cutting in salaries, where you said budget and salary schedules equal to the current paid salary plus the 3%, that's \$375,000.00, if you take our shortfall. Really our shortfall is \$125,000.00 between what we paid last year, what we spent last year, and what we spent this year, except for the 3% increase and, that's \$900,000.00 that's going to cost us under the cost of living increase. So really if you take out the cost of living increase it's \$125,000.00 difference between last year's budget and this year's budget without the \$3 million for housing of federal inmates." He stated that the rollback tax rate did not pay for half of detention costs, even with the \$0.20 toll rate increase, and reiterated that the County was spending less than what was spent last year. Judge Hinojosa suggested that Item No. 1 be reviewed because of different functions involved.

Commissioner Garza asked if County vehicles were pooled.

Mr. Villarreal explained that most vehicles of the Sheriff's Department were pooled.

Commissioner Wood moved that the following three (3) Operational Efficiencies be approved; with the understanding that the Hiring Freeze entails that Department Heads can hire/replace a slot with Court approval:

- (1) Changes to Personnel Policy regarding benefit eligibility from 900 hours per year to at least 32 hours per week.
- (2) Set Budgets and salary schedules equal to current paid salary per slot plus 3%.
  - a. Road & Bridge, possible \$100,000.00 including fringe benefits; and
  - b. General Fund, possible \$75,000.00 including fringe.
- (3) Hiring Freeze for none Elected Official Departments.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Report is as follows:**

**(4) CONSIDERATION AND AUTHORIZATION TO HOLD  
A PUBLIC HEARING REGARDING THE PROPOSED  
TAX RATE FOR FISCAL YEAR 2003-2004 AT OR  
BELOW \$0.358192 PER EVERY \$100 VALUATION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Public Hearing regarding the proposed tax rate for Fiscal Year 2003-2004 at or below \$0.358192 per every \$100.00 valuation was opened for public comment.

Mr. Xavier Villarreal, Budget Officer, informed that notice indicating that the County was currently looking at the rollback tax rate had been published in both the Valley Morning Star and Brownsville Herald Newspapers.

Mr. Dagoberto Barrera, County resident, expressed concern with the salary increases approved by the Grievance Committee, and stated that criminals should be incarcerated instead of providing 3% salary increases. He stated that County residents spoke clearly against higher taxes when the \$7.97 million Bond Issue for Texas Southmost College was considered, and that they were tired of Public Officials never being satisfied and always digging in somebody else's pockets to get money. Mr. Barrera suggested that the County force the Law Firm to collect delinquent taxes from big companies to have enough money to operate. He stated that taxes had already been increased by silent evaluations. Mr. Barrera stated that the County could save money by employees being on time and by working efficiently and together. He reiterated his request to not increase taxes, and suggested that liberal ideas be forwarded to California.

Mrs. JuaNita Brodecky, Rio Hondo resident, expressed concern with use of County vehicles for non County business and with use of cellular phones while driving. She suggested that the use of cellular phones be discontinued, and indicated that she has seen the County run by variances.

Mr. Manuel Hernandez, Brownsville resident, noted that 3% salary increase to an employee earning good money was not the same for an employee earning a lower salary, adding that the cap kept increasing and tax payers must fund the difference. He stated that use of County vehicles entails fuel expenditures, and suggested that other means of transportation be reviewed in order to incur savings. Mr. Hernandez stated that he was yet to see a vehicle spraying to control mosquito in the rural area where he resides. He stated that tax increases from other entities were impacting residents, and that what was occurring in Cameron County was sad because there was no concern for the little people.

Mr. Fernando Ruiz, County resident, stated that government was a business and money was needed to run a business, adding that government must be audited like businesses. He suggested that a committee be appointed to



ensure that everyone pays their fair share of taxes, and stated that he has the credentials needed to serve on that committee. Mr. Ruiz offered his services free of charge to prove that many discrepancies exist in the tax roles.

Commissioner Garza stated that although he was running for re-election he supported making sure that the County has a balanced Budget. He stated that there was a real discrepancy when an average employee was earning \$616.00 per week and the President was raising \$60,000.00 per minute for every speech made to ensure his reelection. Commissioner Garza added that the discrepancy was very real to unemployed residents who cannot find employment to provide basic services and health care to their families. He stated that the County was trying to provide such ability to its employees, and to provide appropriate services to County constituents. Commissioner Garza stated that supporting tax increases was not popular; however, the County must provide necessary services to ensure public safety.

Commissioner Benavides stated that he opposes increasing taxes not only because he was up for re-election, but because he has done so for the past seven (7) years. He added that the thought of raising taxes made him sick because he has had bad experiences as a business man because of taxes, yet he overcame them by working hard. Commissioner Benavides reiterated his opposition towards increasing taxes because he believes other avenues exist.

Commissioner Wood stated that the County had much work to be done but insufficient resources, yet the County must balance the Budget. He noted that reimbursement would not be provided for the \$90,000.00 to be used to fund the Special Election ordered by the Governor. Commissioner Wood stated that the Federal Government was forwarding more unfunded mandates to Counties; thus placing the burden on local tax payers. He stated that the County must be innovative to continue providing services and must work towards decreasing costs and incurring savings.

Commissioner Tamayo noted the need to review where Departments decreased operational budgets because other Departments could learn how to be innovative without cutting services. She expressed opposition towards being unable to provide services needed by County residents. Commissioner Tamayo noted that the County was in a bad predicament; therefore, she would do whatever it takes to provide services to County residents.

Judge Hinojosa explained that Cameron County has not raised taxes in two (2) years and that it ranks No. 30 out of 254 Texas Counties in regards to having the lowest tax base. He stated that compared to Hidalgo County Cameron County has: lower taxes, offered lower salaries; and, had less Public Works employees providing the same services. Judge Hinojosa stated that the County has tried hard not to increase taxes and to cut expenses; therefore, was not being extravagant in increasing salaries. He stated that the County does not have control of some things,

and that perhaps State was able to control some things. Judge Hinojosa stated that if State provided school districts enough funding to educate kids properly to prevent them from getting into the trouble causing them to be incarcerated. He stated that State was decreasing funding to the Juvenile and the Health Departments causing them to loose five (5) positions. Judge Hinojosa stated that the County must fund many unfunded mandates, such as the 8% of the total Indigent Health Care, equaling approximately \$2 million plus administrative costs of about \$200,000.00.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing regarding the proposed tax rate for Fiscal Year 2003-2004 at or below \$0.358192 per every \$100.00 valuation was closed.

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**(5) CONSIDERATION AND AUTHORIZATION TO HOLD  
A PUBLIC HEARING REGARDING THE PROPOSED  
BUDGET FOR 2003-2004 FISCAL YEAR**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, Public Hearing regarding the proposed Budget for Fiscal Year 2003-2004 was opened for public comment.

Mr. Xavier Villarreal, Budget Officer, informed that notice had been published in both the Valley Morning Star and Brownsville Herald Newspapers.

Commissioner Garza stated that voting for a tax increase was not easy, yet Members of the Court must be fiscally responsible by voting for a tax rate that will support salary increases.

Commissioner Benavides stated that he was voting against increasing taxes because the County has been able to get by for the past years without increasing taxes.

Commissioner Garza stated that salary increases were funded from the tax base, and that being able to fund the increases from elsewhere would make no one happier than he, since he was running for re-election. He stated that if Commissioner Benavides, together with Mr. Villarreal, could tell him where the \$900,000.00 could be funded from, aside from an increase to the effective tax rate, he would support them 100%.

Commissioner Benavides explained that County has been able to balance the Budget by researching.

Commissioner Garza stated that the County has balanced the Budget by utilizing the \$6 million Road & Bridge Surplus, bringing it down to \$250,000.00. He added that he has fought to replace those funds since he took Office.

Mr. Fernando Ruiz, Brownsville resident, stated – “I have told you where the money is. If you don’t want to address that matter then I will challenge this Commission. Because maybe there’s a lot of skeletons in that closet

there, you know. And some of you people don't want to open that closet and see all those skeletons and say what's happening here. There's money there. Any money that you need is there if audit the Appraisal Board. And I guarantee you if you turn me loose I will make the red scare look like Alice in Wonderland. We need those monies here and we're tired of people taking advantage of the poor and middle class here."

Mr. Dagoberto Barrera, Brownsville resident, expressed concern with the lack of responsibility on behalf of the parents to discipline juveniles, and with their responsibilities being forwarded to school districts, the County, and State.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing regarding the proposed Budget for Fiscal Year 2003-2004 was closed.

Mrs. JuaNita Brodecky, Rio Hondo resident, suggested that Members of the Commissioners Court refuse their 3% salary increase since it would accumulate quickly on their rate of pay.

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**(7) CONSIDERATION AND ACTION ON  
RECOMMENDATIONS OF CAMERON COUNTY  
SALARY GRIEVANCE COMMITTEE**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the votes of the Salary Grievance Committee were acknowledged.

**The Votes are as follows:**

**(8) DISCUSSION AND AUTHORIZATION TO SET THE TOLL RATES FOR THE CAMERON COUNTY INTERNATIONAL TOLL BRIDGE SYSTEM FOR THE 2003-2004 FISCAL YEAR, COMMENCING OCTOBER 1, 2003**

Commissioner Tamayo moved that increasing the toll rates for the Cameron County International Toll Bridge System to \$2.00 per vehicles and motorcycles for 2003-2004 Fiscal Year be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(9) CONSIDERATION AND ADOPTION OF AN ORDER ESTABLISHING A FAMILY PROTECTION FEE IN THE AMOUNT OF \$15.00 PURSUANT TO GOVERNMENT CODE CHAPTER 51, SECTION 51.961**

Mr. Remi Garza, County Administrative Assistant, informed that a new Chapter authorizes the Court to set \$15.00 Family Protection Fee that would be placed into an account in the same manner as Forfeiture Funds. He explained that proposals would be requested for service providers and that Statutes provide specific language as to the types of services that could be funded with the \$15.00 fee. Mr. Garza stated that providers may provide family violence prevention, intervention, mental health, counseling, legal, and marriage prevention services to families that were at risk or that have experienced family violence or the abuse or neglect of a child. He added that the Request for Proposal (RFP) would be presented to the Court for approval and for selection either of provider or multiple providers to transfer the \$15.00 fees to them.

Commissioner Wood questioned the projected figures.

Judge Hinojosa explained that large sums were not anticipated, and that this program was also negatively impacted by State funding cuts.

Commissioner Tamayo asked who would evaluate the proposals.

Mr. Garza responded that he would work with the County and District Clerks, and that some providers would be contacted to determine the services available.

Commissioner Garza asked who paid the \$15.00 fee.

Mr. Garza responded that the fee was paid by individuals filing for divorce.

Judge Hinojosa stated that Cameron County had serious problems relating with family violence and that these programs provide shelter and assistance to victims.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Order establishing a Family Protection Fee in the amount of \$15.00 was adopted, pursuant to Government Code Chapter 51, Section 51.961.

**The Order is as follows:**

**(10) CONSIDERATION AND APPROVAL TO HAVE TILE INSTALLED IN THE NEW OFFICES BEING CONSTRUCTED AT THE DARRELL B. HESTER JUVENILE JUSTICE CENTER INSTEAD OF CARPET**

Commissioner Tamayo moved that installation of tile instead of carpet in the new Offices being constructed at the Darrel B. Hester Juvenile Justice Center be approved.

The motion seconded by Commissioner Wood and carried unanimously.

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**(11) CONSIDERATION AND POSSIBLE ACTION FOR APPROVAL OF AN ADDITIONAL EARLY VOTING SITE AT THE UNIVERSITY OF TEXAS AT BROWNSVILLE FOR THE SEPTEMBER 13, 2003 CONSTITUTIONAL ELECTION**

Judge Hinojosa informed that Texas Southmost College (TSC) requested that an early voting site be placed on their campus.

Commissioner Wood questioned the cost involved.

Mr. Roger Ortiz, Elections Administrator, stated that placing an early voting site for two days would cost between \$3,300.00 and \$3,500.00, adding that the possibility of placing the site on Saturday was being reviewed.

Commissioner Tamayo questioned track records of previous participation.

Mr. Ortiz stated that there was an average of 175 votes per day during UTB's Special Election.

Commissioner Garza and Commissioner Tamayo expressed concern with other requests for voting sites that were not fulfilled.

Mr. John Reynolds, Vice President for Administration and Partnerships of Affairs at UTB/TSC, requested that UTB/TSC be considered not only for placement of an early voting site at this time, but on a regular basis. He stated that the University had a population above 10,000 and was engaging in a very aggressive campaign to raise the importance of voting.

Father Mathew requested that the Court consider the educational value of placing an early voting site at the University, and stated that placing an early voting site would enhance the effort to bring the National Kids Voting Program to the Brownsville area.

Commissioner Wood questioned the possibility of being reimbursed by the University.

Mr. Reynolds stated that he would take the request to Administration, and suggested sharing of the cost.

Commissioner Tamayo questioned the closest voting site to the College.

Mr. Ortiz responded that the closest voting site would be located at the Courthouse.

Commissioner Tamayo stated that residents of Precinct No.4 traveled much longer distance. She applauded the efforts of the University, and stated that their efforts should not stop if a site was not placed on their campus.

Judge Hinojosa stated that voting turnouts for Primary Elections totaled 15% of the registered voters, equaling about 50% of individuals who can register to vote. He stated that the student percentage was less in youth because the community did not encourage people to vote. Judge Hinojosa stated that the County has tried to instill upon high schools to encourage students to vote but failed due to lack of cooperation from the high schools. He stated that this was an opportunity because the College was coming forward and promoting a program that could positively impact voting turnouts. Judge Hinojosa noted that Austin does not listen to our area because people do not vote.

Mr. Ortiz stated that funding was unavailable in his Budget. He informed that State would provide a Statewide Program to educate young voters in the near future.

Judge Hinojosa moved that the additional Early Voting Site at the University of Texas at Brownsville be approved for the September 13, 2003 Constitutional Election.

The motion was seconded by Commissioner Benavides.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that a funding source must be designated, and suggested that he be directed to negotiate an Agreement with the School if funding was unavailable.

Mr. Xavier Villarreal, Budget Officer, informed that the Elections Division had no funding within its Budget and that a Budget Amendment using General Fund Balance could be done.

Judge Hinojosa suggested that the voting site be placed for two days.

Father Mathew explained that placing a voting site at the College was an educational process urgently needed by community.

Commissioner Tamayo asked if the University's efforts would stop upon the Court denying placement of the early voting site.

Father Mathew responded negatively.

Commissioner Tamayo expressed concern with other areas that have requested placement of voting sites but were denied due to lack of funding. She stated that young voter must learn responsibility.

Upon motion duly made by Judge Hinojosa that the additional Early Voting Site at the University of Texas at Brownsville be approved for the September 13, 2003 Constitutional Election.

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

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

NAY: Commissioner Tamayo.

Judge Hinojosa clarified that the funding source was Fund Balance.

**The Report is as follows:**

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(12) **AUTHORIZATION FOR CAMERON COUNTY AUDITOR'S OFFICE TO BE THE FISCAL AGENT FOR THE SANTA MARIA BLUETOWN FAMILY LEARNING CENTER'S APPLICATION, AND ACCEPT A \$4,000.00 GRANT FROM THE NATIONAL COUNCIL OF LA RAZA ON BEHALF OF THE SANTA MARIA BLUETOWN FAMILY LEARNING CENTER**

Mr. Mark Yates, County Auditor, clarified that this Item should read "that Cameron County be authorized to receive a donation" since the County Auditor was the County's Fiscal Agent.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, Cameron County was authorized to be Fiscal Agent for the Santa Maria Bluetown Family Learning Center's Application, and to accept a \$4,000.00 Grant from the National Council of La Raza on behalf of the Santa Maria Bluetown Family Learning Center.

**The Acceptance Notice is as follows:**



## CONSENT ITEMS

**ALL ITEMS UNDER THE CONSENT AGENDA ITEMS WERE HEARD COLLECTELY 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. 13: Mr. Mark Yates, County Auditor, presented the following late claim: Warrant No. 00102394, payable to General Fund, in the amount of \$3,945.00.

ITEM NO. 14: Commissioner Wood noted that the interest rate was 3%.

ITEM NO. 27: Commissioner Garza questioned this Item.  
Judge Hinojosa suggested that this Item be tabled.  
Mr. Doug Wright, Commissioners' Court Legal Counsel, explained that a Committee and Administrative Judges agreed to give the County and District Clerks discretion to select or place Registry Funds in a bank upon entering into an agreement that complies with terms of the Depository Contract.  
Commissioner Garza asked if a policy or something to that affect had been approved by the Court.  
Mr. Wright stated that the matter had been brought before the Court.  
Mr. Yates stated that the individual Registry of the Court managed by the District Clerk was with the Depository Account, and explained that these were funds held into an account at a bank frequently designated in the Court Order.  
Mr. Eddie Gonzalez, County Treasurer, recommended that the Court must ensure that contracts exist for any banks doing business with the County.  
Judge Hinojosa recommended that the matter be tabled.

Commissioner Garza moved that the following "Consent and Travel Items", be approved and that Item No. 27 be **TABLED**.

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

AYE: Commissioners Benavides, Wood, Garza and Tamayo,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00102223, payable to Laguna Madre Water District, in the amount of \$22,526.61.

**(13) APPROVAL OF CLAIMS:  
The Affidavit follows:**

**(14) AUTHORIZATION TO OPEN THE FOLLOWING COUNTY TREASURER "C.D. SELECT SAVINGS ACCOUNTS":**

- (a) VETERANS BRIDGE OPR. FUND NO. 740/BOND CONVENANTS ACCOUNT NO. 61010855**
- (b) VETERANS BRIDGE BOND DEBT RESERVE FUND NO. 760/BOND CONVENANTS ACCOUNT NO. 61010812**
- (c) LOS INDIOS BRIDGE DEBT RESERVE FUND NO. 790/BOND CONVENANTS ACCOUNT NO. 61010804**
- (d) 1996 INTERNATIONAL TOLL BRIDGE SERIES A FUND NO. 820/BOND CONVENANTS ACCOUNT NO. 61010782**
- (e) PARK SYSTEM REVENUE FUND NO. 830/BOND CONVENANTS ACCOUNT NO. 61010847**

**(f) PARK SYSTEM BOND RESERVE FUND NO. 850/BOND CONVENANTS  
ACCOUNT NO. 61010839**

**The Resolutions follow:**

- (15) CONSIDERATION AND POSSIBLE APPROVAL OF A RENTAL CONTRACT BETWEEN CAMERON COUNTY (PARKS) AND A CLEAN PORTOCO;  
The Contract follows:**
- (16) CONSIDERATION AND AUTHORIZATION TO RENEW A WEBSITE CONTRACT WITH GENE GORE, D/B/A SPADRE.COM;  
The Contract follows:**
- (17) CONSIDERATION AND ACKNOWLEDGEMENT OF REAPPOINTMENT OF H. WM. CARD TO THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT BOARD OF DIRECTORS;**
- (18) AUTHORIZATION TO PROVIDE AND RENEW SURETY BONDS FOR APPOINTEES TO THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT BOARD OF DIRECTORS;**
- (19) APPROVAL OF RENEWAL AGREEMENT WITH THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 TO PROVIDE COUNTY ADMINISTRATIVE SERVICES FOR FISCAL YEAR 2004;  
The Contract follows:**
- (20) APPROVAL OF LEGAL SERVICES AGREEMENT WITH ALFREDO PADILLA TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS IN THE 138<sup>TH</sup> JUDICIAL DISTRICT COURT;  
The Contract follows:**
- (21) AUTHORIZATION TO AMEND CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF HEALTH TUBERCULOSIS ELIMINATION DIVISION;  
The Amendment follows:**
- (22) APPROVAL OF CONTRACT BETWEEN UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON AND CAMERON COUNTY TO PROVIDE INDIGENT HEALTH CARE SERVICES;  
The Contract follows:**
- (23) APPROVAL FOR THE OCTOBER 1, 2003-SEPTEMBER 30, 2004 HOLIDAYS SCHEDULE;  
The Schedule follows:**
- (24) APPROVAL OF CONTRACT FOR THE USE OF SAN BENITO COMMUNITY BUILDING BOUGAINVILLEA AUDITORIUM 210 E. HAYWOOD, SAN BENITO, TEXAS THURSDAY OCTOBER 29, 2003 FOR NORTHERN CAMERON COUNTY EMPLOYEE HEALTH FAIR;  
The Contract follows:**
- (25) APPROVAL OF ELECTRONIC REPRODUCTION AGREEMENT BETWEEN CAMERON COUNTY AND UNITED OF OMAHA LIFE INSURANCE COMPANY;  
The Contract follows:**
- (26) APPROVAL OF AMENDMENTS TO THE TITLE V PROFESSIONAL AGREEMENTS WITH THE FOLLOWING PERSONS: JAVIER BARBOSA, ELENA CISNEROS, REBECCA RASCO, KEN ELM, AND OMAR HERNANDEZ;  
The Amendments follow:**

- (27) **IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE APPROVAL OF BANK DEPOSITORY CONTRACT FOR REGISTRY FUNDS OF THE DISTRICT CLERK'S WITH THE FOLLOWING BANKS: COASTAL BANK-HARLINGEN BRANCH, COASTAL BANK-BROWNSVILLE BRANCH, WELLS FARGO BANK, TEXAS STATE BANK, FIRST NATIONAL BANK, BANK OF AMERICA, FIRST NATIONAL BANK SAN BENITO, TEXAS STATE BANK, LONE STAR NATIONAL BANK, LAREDO NATIONAL BANK, CHASE BANK OF TEXAS, AND INTERNATIONAL BANK OF COMMERCE; (TABLED)**
- (28) **AUTHORIZATION TO ACCEPT PIERRE AVE., MINOT AVE. AND BISMARCK BLVD. LOCATED IN THE DAKOTA ESTATES SUBDIVISION, SECTION II, PCT. #1, INTO THE COUNTY ROAD SYSTEM;AND**
- (29) **PRELIMINARY APPROVAL:**
- A. **PRECINCT 4- LA GLORIA CANAL SUBDIVISION, PHASE III, BEING A SUBDIVISION OUT OF ABSTRACT 10 TRACT "G" OF THE LA GLORIA TRACT, CAMERON COUNTY, TEXAS; AND**
  - B. **PRECINCT 4- SANTA MARIA NORTH SUBDIVISION, PHASE I, BEING A SUBDIVISION OUT OF THE NORTH PORTION OF LOT KS, SANTA MARIA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 SUBDIVISION, CAMERON COUNTY, TEXAS.**

## **TRAVEL ITEMS**

- (30) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- A. District Attorney's Office employee to attend the "TDCAA Executive Board Meeting", in Austin, Texas, August 26, 2003;
  - B. District Attorney's Office Employee to attend the "South Texas HIDTA Executive Board Meeting", in San Antonio, Texas, September 2, 2003;
  - C. Juvenile Probation Officers (2) to attend the "Texas Community Service Association 2003 Conference", in Fort Worth, Texas, September 14-17, 2003;
  - D. Veterans Service to attend the "56<sup>th</sup> Annual Statewide Conference for Veterans Service Officers", in Dallas, Texas, September 29, 2003, through October 3, 2003;
  - E. Sheriff's Department Lieutenant and Chief to attend a "Safety Belt & Sober Drivers Texas Save A Life Summit", in San Antonio, Texas, September 7-10, 2003;and
  - F. Tax Office Employees (4) to attend the "Board of Tax Professional Examiners Course #6 Ad Valorem Office Administration", in Edinburg, Texas, September 22-25, 2003.

**(13) APPROVAL OF CLAIMS:  
The Affidavit follows:**

- (14) **AUTHORIZATION TO OPEN THE FOLLOWING COUNTY TREASURER “C.D. SELECT SAVINGS ACCOUNTS”:**
- (a) **VETERANS BRIDGE OPR. FUND NO. 740/BOND CONVENANTS ACCOUNT NO. 61010855**
  - (b) **VETERANS BRIDGE BOND DEBT RESERVE FUND NO. 760/BOND CONVENANTS ACCOUNT NO. 61010812**
  - (c) **LOS INDIOS BRIDGE DEBT RESERVE FUND NO. 790/BOND CONVENANTS ACCOUNT NO. 61010804**
  - (d) **1996 INTERNATIONAL TOLL BRIDGE SERIES A FUND NO. 820/BOND CONVENANTS ACCOUNT NO. 61010782**
  - (e) **PARK SYSTEM REVENUE FUND NO. 830/BOND CONVENANTS ACCOUNT NO. 61010847**
  - (f) **PARK SYSTEM BOND RESERVE FUND NO. 850/BOND CONVENANTS ACCOUNT NO. 61010839**

**The Resolutions follow:**

- (15) **CONSIDERATION AND POSSIBLE APPROVAL OF A RENTAL CONTRACT BETWEEN CAMERON COUNTY (PARKS) AND A CLEAN PORTOCO;**  
**The Contract follows:**

- (16) **CONSIDERATION AND AUTHORIZATION TO RENEW A WEBSITE CONTRACT WITH GENE GORE, D/B/A SPADRE.COM;**  
**The Contract follows:**

- (19) **APPROVAL OF RENEWAL AGREEMENT WITH THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 TO PROVIDE COUNTY ADMINISTRATIVE SERVICES FOR FISCAL YEAR 2004;**  
**The Contract follows:**



- (20) **APPROVAL OF LEGAL SERVICES AGREEMENT WITH ALFREDO PADILLA TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS IN THE 138<sup>TH</sup> JUDICIAL DISTRICT COURT;**  
**The Contract follows:**

- (21) **AUTHORIZATION TO AMEND CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF HEALTH TUBERCULOSIS ELIMINATION DIVISION;**  
**The Amendment follows:**

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**The Contract follows:**

- (23) **APPROVAL FOR THE OCTOBER 1, 2003-SEPTEMBER 30, 2004 HOLIDAYS SCHEDULE;  
The Schedule follows:**

- (24) **APPROVAL OF CONTRACT FOR THE USE OF SAN BENITO COMMUNITY BUILDING BOUGAINVILLEA AUDITORIUM 210 E. HAYWOOD, SAN BENITO, TEXAS THURSDAY OCTOBER 29, 2003 FOR NORTHERN CAMERON COUNTY EMPLOYEE HEALTH FAIR;  
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- (25) **APPROVAL OF ELECTRONIC REPRODUCTION AGREEMENT BETWEEN CAMERON COUNTY AND UNITED OF OMAHA LIFE INSURANCE COMPANY;  
The Contract follows:**

- (26) **APPROVAL OF AMENDMENTS TO THE TITLE V PROFESSIONAL AGREEMENTS WITH THE FOLLOWING PERSONS: JAVIER BARBOSA, ELENA CISNEROS, REBECCA RASCO, KEN ELM, AND OMAR HERNANDEZ;**  
**The Amendments follow:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the court met in Executive Session at 12:33 P.M., to discuss the following matters:

### **(31) EXECUTIVE SESSION:**

- (a) Confer with Commissioners' Court concerning the acknowledgement of the check received for legal expenses in the case styled Thorton Development Corporation versus Cameron County, et al, Cause No. 2002-01-000385-A, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2);
- (b) Deliberation regarding Real Property concerning the possible lease of Office Space for Justice of the Peace, David Garza in San Benito, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (c) To deliberate the Evaluation of the Public Works Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.074 (A); and
- (d) Deliberation regarding Real Property concerning the Concession Agreement between Cameron County and Brownsville Boys & Girls Club for Cameron Park Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened in Regular Session at 2:24 P.M.

### **NOTE: JUDGE HINOJOSA LEFT THE MEETING AT THIS TIME.**

### **(32) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (a) **Confer with Commissioners' Court concerning the acknowledgement of the check received for legal expenses in the case styled Thorton Development Corporation versus Cameron County, et al, Cause No. 2002-01-000385-A.**

Commissioner Wood moved that the Status Report and receipt of the check for legal expenses in the case styled Thorton Development Corporation versus Cameron County, et al, Cause No. 2002-01-000385-A, be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (b) **Deliberation regarding Real Property concerning the possible lease of Office Space for Justice of the Peace, David Garza in San Benito, Texas.**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Mr. Joseph Ardito, Property Manager, was authorized to negotiate and finalize a Lease Agreement of Office Space for Justice of the Peace, David Garza in San Benito, Texas, pursuant to the terms discussed in Executive Session.

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**(c) In the matter regarding deliberation of the Evaluation of the Public Works Director.  
(TABLED)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, this Item was **TABLED**, for one (1) week.

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**(d) Deliberation regarding Real Property concerning the Concession Agreement between Cameron County and Brownsville Boys & Girls Club for Cameron Park Project.**

Commissioner Tamayo moved that the Status Report regarding the Concession Agreement between Cameron County and Brownsville Boys & Girls Club for Cameron Park Project be acknowledged, and Legal Counsel was authorized to negotiate with the City of Brownsville 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 Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 2:27 P.M.

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**APPROVED** this **14th** day of **October** 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**