

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 9th day of DECEMBER 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 Hinojosa at 9:39 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and a moment of silence was held for Mr. Ruben Castañeda who passed away Saturday morning. Judge Hinojosa 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 December 5, 2003, at 3:10 P.M.:

Commissioner Garza reported that the Port Isabel Tarpons were headed to the play-offs at the San Antonio Alamo Dome against the Marlins and invited everyone to attend the game.

Commissioner Benavides requested that an Item be placed on the agenda to recognize the Porter Cowboys for their accomplishments.

Judge Hinojosa commented that the Port Isabel Volunteer Fire Department was made up mostly of teenagers who were once part of the high school football team.

Commissioner Tamayo expressed pride for the type of people that these young men were developing into.

At this time the Court had a brief conversation concerning the son of a Public Works Employee, Mr. Robert Garza a professional football player with the Atlanta Falcons.

PRESENTATIONS

(1) PRESENTATION BY MR. JOHN ALLEN, UNIVERSITY OF TEXAS MEDICAL BRANCH REPRESENTATIVE, REGARDING POSSIBLE JAIL INFIRMARY SERVICES COORDINATION

Mr. John D. Allen, University of Texas Medical Branch Representative, explained that the University of Texas Medical Branch (UTMB) has a major Academic Medical Institution in Galveston, Texas, that provides inmate healthcare to about 80% of the State's prison population, plus a dozen private prisons, totaling about 180,000 inmates for which UTMB provides healthcare through a correctional healthcare network. He stated that the healthcare network employs 4,000 individuals to deliver medical, dental, and mental health services and that Tele-Medicine enables UTMB at Galveston to provide psychiatric, cardiologic, orthopedic services, and electronic medical records to eighty six (86) locations. Mr. Allen commented that they have serviced the Dallas County jail system for the past year, making it their first entry into a county jail system. He explained they were before the Court due to the size of the Cameron County's Jail System and because they have staff in the geographical area. Mr. Allen explained that they were able to use their medical records and providers to extend their advantage for pharmacy prices that academic none profit medical institutions receive, adding that they worked with County personnel to determine what services could be provided.

Commissioner Tamayo asked what kind of track rate for lawsuits resulting from services provided.

Mr. Allen stated that no successful law suits have been filed against TDCJ System, and explained that they were covered by the Attorney General's Office under the State's Tort Claims Act. He stated that three (3) claims were paid for less than \$5,000.00 each and that no medical lawsuits have been lost in the past eleven (11) years.

Commissioner Tamayo asked if they had a contract with TYC.

Mr. Allen responded that UTMB serves about 85% of the State prison and TYC Population. He stated that collectively they were supervised by the Correctional Manage Health Care Advisory Committee, a group appointed by the Governor to oversee the Health Services in the State Prison.

Commissioner Wood asked if UTMB serves the State Prison in Willacy County.

Mr. Allen stated that they would begin services in Willacy County on January 16, 2004, and would have between 18 and 20 UTMB employees housed at the same.

Commissioner Wood asked if a psychiatrist or psychologist would travel to surrounding areas or if local physicians would be hired.

Mr. Allen stated that psychiatric services were well provided through Tele-Medicine and that if there was not a full-time positions then they would attempt to employ only UTMB Correctional Care Staff. He explained that they prefer to have a full-time physician assistant or a nurse practitioner, and that daily operations be handled by local staff. Mr. Allen stated that the State was divided into ten (10) geographical clusters that have a regional medical doctor, psychologist, nurse, and business manager, and that upon contracting for the jail the County would receive benefits available within a 75 mile radius.

Commissioner Garza questioned the difference in cost at the different locations.

Mr. Allen responded that an evaluation process was underway. He explained that Cameron County has more information on finances and more detail information about what goes on in the jail than other counties he knows, in addition to having detailed budget sheets concerning staff, finances, contracts, and prescription costs. Mr. Allen reiterated that from a financial stand point they have significant advantages in pharmacies, that they write Medicare/Medicaid Contracts, and that the federal inmate population would need to be negotiated to determine what could be done.

Commissioner Wood questioned how the availability of medications was handled.

Mr. Allen explained that floor stock was limited to a three (3) to five (5) day supply, that all other prescription were ordered from Huntsville and delivered the next day by UPS, and that a contract was kept with a local vendor to fill prescriptions in the event of an emergency.

Commissioner Tamayo asked what decreased wait times made reference to.

Mr. Allen explained that decreased wait time meant that patients could consult a specialist through Tele-Medicine in less time. He emphasized that Tele-Medicine and electronic medical record were intended to minimize the times that the inmates must travel for medical treatment, adding that this significantly reduce overtime pay.

Commissioner Garza asked if UTMB networks with local specialist.

Mr. Allen responded in the affirmative and explained that they contract with hospital groups and local physicians to provide specialized services consisting of cardiology, orthopedics, and internal medicine.

Judge Hinojosa explained that historically the infirmary was operated by the Sheriff's Department and that the Health Department took over operation because it was best to have someone with health background experience operating it. He stated that transportation cost and overtime were significant problems to the County, and noted that Tele-Medicine was important because it could decrease costs and provide more effective medicine. Judge Hinojosa asked if county personnel would be hire by UTMB.

Mr. Allen stated that they would attempt to employ as many county employees as possible who meet minimum qualifications. He reiterated that he was unsure that Tele-Medicine could provide better services from what was currently available.

Commissioner Garza asked how much time was needed to prepare an assessment of what could be done.

Mr. Allen stated that an assessment could be prepared in about three (3) weeks.

Commissioner Garza asked if new legislation permits UTMB to work with counties.

Mr. Allen responded that UTMB Board of Regions did not allow working with Counties prior to being requested by Dallas County.

Commissioner Garza asked how UTMB could alleviate the high cost of medication.

Mr. Allen stated that cost of medications was alleviated by working with the providers to ensure that they understand that they were working with a correctional facility and reiterated that they benefit from the 340B/Public Health Service pricing, adding that it could be passed on only to none profit organizations, primarily for Indigent Health Care Program.

Commissioner Garza asked if inmates must qualify individually.

Mr. Allen responded negatively and explained that an agreement would stipulate that coverage would be provided to inmates while incarcerated for a number of years, pursuant to the population not exceeding a specific number that would be agreed. He added that Texas Tech contracts with UTMB in order to benefit from the 340B/Public Health Service pricing as well.

Commissioner Garza asked if Disease Management Guidelines were used by Tele-Medicine and on site providers.

Mr. Allen responded in the affirmative.

Commissioner Garza stated that the services would be more sellable to him if better quality of clinical services could be provided.

Commissioner Tamayo requested an organizational chart of how bureaucracy was avoided.

Mr. Allen stated that such information could be provided, and added that a new site might be provided for South Texas.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Presentation by Mr. John D. Allen, University of Texas Medical Branch Representative, regarding possible Jail Infirmity Services Coordination was acknowledged.

The Report is as follows:

**(2) PRESENTATION BY DR. VICTOR M. GONZALEZ,
CAMERON COUNTY HEALTH AUTHORITY,
REGARDING INFLUENZA**

Dr. Victor M. Gonzalez, Jr., MD, FAAFP, highlighted the following Report concerning Influenza:

Dr. Gonzalez reported that there was a shortage of Influenza vaccines across the country, and that the Health Department had approximately 80 dosages. He stated that the Texas Department of Health was attempting to coordinate efforts to reroute vaccines available through various physicians. Dr. Gonzalez advised that Influenza was a deadly disease and that 36,000 individuals die annually as a result, adding that this year the number of deaths was expected to double.

Commissioner Tamayo asked if deaths were caused by complications.

Dr. Gonzalez responded in the affirmative, and explained that in most cases only minor symptoms would be experienced, adding that the vaccine would be sufficient protection if a person's immune system was where it should be.

Commissioner Benavides stated that he thought it was too late to be immunized and asked if an individual could become ill from the vaccine.

Dr. Gonzalez explained that becoming ill was physiologically impossible because vaccines were made of killed viruses, side effects may cause you to believe that you were becoming ill.

Commissioner Benavides asked how much time was needed for the vaccine to take effect.

Dr. Gonzalez responded that protection begins two (2) weeks from being immunized, and reiterated that the Texas Department of Health was in contact with the Center for Control Disease in Atlanta to determine how many more vaccines may be available.

Commissioner Garza explained that production of the vaccine took approximately four (4) months.

Dr. Gonzalez agreed and added that it was too late to produce additional vaccines. He reported that BISH reported approximately 1,200 cases of influenza or influenza like symptoms, and that an aggressive campaign was held in nursing homes to administer the influenza vaccine.

Commissioner Garza stated that pneumonia was one complication that was life threatening, especially among the elderly. He added that this too could be resolved with the vaccine; therefore, the vaccine should be encouraged.

Dr. Gonzalez stated that this flu season was anticipated to be a severe season across the United States, and that there were two (2) Influenza Programs: 1) one operated through the County and the other through the Texas Vaccine for Children Program, noting that State has sufficient vaccines available for children between the ages of six (6) months and 23 months.

Commissioner Benavides asked what could happen if two (2) vaccines were obtained.

Mr. Gonzalez responded that there would be no consequences.

Commissioner Tamayo moved that the Presentation by Dr. Victor M. Gonzalez, Jr., MD, FAAFP, regarding Influenza be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

**(3) PRESENTATION OF PRELIMINARY REPORT
REGARDING JAIL ISSUES**

Judge Hinojosa provided a memorandum drafted by his Office, and briefed that issues were raised with respect to overtime pay; them being, transportation of inmates for arraignments; transportation of inmates for medical care; staff management at the jail, the Rubio/Camacho trials requiring two (2) guards to one (1) inmate suicide watch; and, the inmate population. He stated that attempts were made to deal with each issue individually, and explained that the actual overtime incurred within the current fiscal year was not \$109,000.00, but rather half of that amount. Judge Hinojosa explained that \$54,894.00 had been incurred by October 1, 2003, meaning that overtime must have been incurred prior to the new fiscal year, although it reflects in the new Budget. He stated that \$431,000.00 was spent in overtime last fiscal year due to inadequate staffing. Judge Hinojosa stated the Court believed that the new Detention Officer Positions would eliminate the overtime issue, yet they did not; therefore, meetings were held over the last two (2) weeks with jail staff, Justices of the Peace, Municipal Judges, District Judges, a County Court at law Judge, Indigent Defense Coordinator, staff from Computer Center, and the Auditor's Office to develop a plan as to how to get the overtime issue under control. He stated that at this time he was troubled by the inmate population because the federal inmate population was budgeted at 350 in order to receive revenue that would pay above the cost of incarceration. Judge Hinojosa stated that the County was negotiating an increase to the reimbursement rate with the U.S. Marshall's Office, but problems have been encountered in terms of what their Auditor determined the cost to be and what the consulting service, hired by the County, determined the actual cost to be, that being \$38.00 per day. He stated that a budget problem might be created upon the said revenue being below projections and that the County staffed for a full jail but did not have a full jail as a result. Judge Hinojosa explained that the U.S. Marshall's Office indicated the low inmate population was because some inmates were being housed at the new jail facility in Willacy County, noting that regardless the county would be impacted unless the issue was resolved. He stated that the County tried to drop the inmate population in order to possibly consolidate the jail operations and decrease costs, noting that this could result in possible lay-off of some Detention Officers. Judge Hinojosa stated that his office was unable to meet with the District Attorney's Office because of an ongoing trial and the grand jury; nevertheless, a meeting would be scheduled. He explained that a schedule was prepared for Justices of the Peace to do arraignments at the jail, instead of transporting inmates to the courthouse;

thus, decreasing cost. Judge Hinojosa suggested that the courtroom at the Carrizales/Rucker Detention Center have a bench and seats installed. He added that Justices of the Peace and a County Court at law Judge agreed to do jail dockets at the jail in order to save transportation cost as well. Judge Hinojosa stated that the inmate population included 180 misdemeanors that must be housed since the new jail was opened, adding that many misdemeanors did not have to be in there. He stated that the County would monitor individuals who have immigration holds to ensure that INS picks them up in order to avoid further cost, adding that INS must house these individuals at their facility and that doing so would impact the inmate population. Judge Hinojosa stated that Justices of the Peace and Municipal Judges would be monitoring inmates' bonds more often and that a Pre-trial Release Officer would be housed at the Sheriff's Department for purpose of individuals being released faster. He stated that the County was working with Municipal Judges for them to sign-off on Pre-trial Releases recommended by Probation Officers. Judge Hinojosa added that they met with Dr. Lentz, the Health Department, and the infirmary to discuss the issue of doctor visits and Dr. Lentz indicated that he would examine what could be done to minimize time needed to take inmates to the doctor, adding that upon implementing the UTMB services such time would be eliminated. He informed that in the meantime the Sheriff's Department would schedule staff who transport inmates to ten (10) hour shifts to reduce overtime.

Commissioner Garza requested additional back-up information concerning the overtime issue being overstated.

Mr. Remi Garza, County Administrative Assistant, stated that the information could be provided.

Judge Hinojosa stated that \$54,000.00 was a lot of money even if it was half of the total amount, and noted the need to have control of the situation. He explained stated that there was no reason for Justices of the Peace not to be able to assist at the jail since sufficient car allowances were provided.

Commissioner Garza commented that the auto allowance provided to Justices of the Peace was not solely for this purpose.

Judge Hinojosa agreed and explained that Justices of the Peace would have sufficient compensation if asked to do arraignments at the jail on a rotating basis.

Commissioner Tamayo commended the County Judge's staff for providing the information, and asked how many hours were needed to get the information.

Judge Hinojosa stated that between 50 and 60 hours were used by his staff and staff from the Emergency Management Department. He stated that he was not worried about the overtime anymore because the jail was told no more overtime; however, his biggest fear was the inmate population. Judge Hinojosa stated that his Office was committed to permanently monitor the inmate population.

Commissioner Tamayo expressed concern with the cost to provide the information as a result of mismanagement and commended Judge Hinojosa for addressing the problem.

Judge Hinojosa stated that the total overtime paid last year could have been significantly decreased if the recommended procedures had been implemented in the past. He recommended that these procedures be a permanent structure for handling the inmate population.

Judge Hinojosa explained that the Indigent Defense Coordinator must identify inmates who do not have counsel and assign them one when they have been in jail above the required time without being indicted, adding that under Texas law after being incarcerated over 90 days without being indicted an inmate is entitled to be released on a personal recognizance bond. He added that the Indigent Defense Coordinators must file a writ of habeas corpus and have a judge assigned to hear the writ of habeas corpus followed by that inmates release. Judge Hinojosa stated that there was a three (3) fold problem that they would work to fix: one being that the computer system in the jail was not operating adequately; therefore, the needed information was not always available on time. He stated that the information would be provided to the Indigent Defense Coordinator before the 90 day period in order for the case to be heard and processed as quickly as possible in order for inmates not to be housed longer than needed.

Commissioner Garza asked who does the computer software.

Commissioner Wood responded that the Eagle System has been in place for the last five (5) to six (6) years.

Commissioner Garza asked if the County's Computer Center was involved with the Eagle System.

Judge Hinojosa responded in the affirmative, and explained that the Eagle System was old and in need of replacement.

Commissioner Wood suggested that if computer systems were not operating then the County must go back to documenting the time that inmates have been incarcerated. He stated that he did not see the reason for overtime since adequate jailers were employed.

Commissioner Garza requested a report concerning the Indigent Defense Program.

Judge Hinojosa stated that his Office would provide a monthly report on the matter because of the budgetary risk, and would have monthly meetings with corresponding parties to prevent issues at the end of the fiscal year. He stated that the Court must ultimately answer to tax payers at the beginning of the new fiscal year when the budget does not balance regardless of what happens in the Sheriff's Department.

Commissioner Wood explained that the Eagle System does not work well and that a new expensive system has been looked at. He noted the need to monitor the federal inmate population very closely, and for that the County to seriously look at whether it wants to continue housing federal inmates if unable to recoup the. Commissioner Wood stated that not housing federal inmates may create a problem for the federal government; however, the county

was unable to continue subsidizing them. He stated that the County must determine how to repay the Federal Government if they opt neither to house the agreed number of inmates nor to pay the actual cost for housing inmates.

Judge Hinojosa stated that the U.S. Marshall's Office agreed to pay retroactively. He explained that once procedures were implemented and carried out continuously the problem should be taken care off. Judge Hinojosa stated that if it was concluded that the cost was above the budgeted revenue then some cuts must be made and the inmates must be consolidated into one (1) or two (2) jails, in addition to possibly privatizing the kitchen for which the County has been told that \$300,000.00 could be saved. He stated that privatizing the kitchen had the same principles as the UTMB contract.

Commissioner Garza asked if savings could be incurred through the Commissary.

Judge Hinojosa stated that the matter must be reviewed by the Sheriff's Department.

Commissioner Garza requested a general ledger printout of budget to actual after every pay period.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Presentation of Preliminary Report regarding jail issues was acknowledged.

The Report is as follows:

ACTION ITEMS

**(4) BUDGET AMENDMENTS, LINE ITEM TRANSFERS
AND/OR SALARY SCHEDULES**

Upon motion by Commissioner Benavides moved that Salary Schedules be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Salary Schedules are as follow:

(5) **APPROVAL OF MINUTES FOR:
(A) OCTOBER 28, 2003-REGULAR MEETING**

Commissioner Garza requested that the Minutes be provided in a different format due to the timely delays experienced in opening the minutes through electronic format.

Commissioner Tamayo requested that printouts be provided.

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

(6) **CONSIDERATION AND POSSIBLE ACTION
REGARDING RFQ NO. 031002 (REGIONAL
MOBILITY AUTHORITY-LEGAL SERVICES) AND
AUTHORITY TO NEGOTIATE CONTRACT**

Commissioner Wood stated that both firms had many qualifications and proposed that Bickerstaff, Heath, Smiley, Pollan, Kever and Mc Daniel, L.L.P. be selected based on the price schedule and changes to the law regarding the RMA.

Commissioner Garza stated that the expertise offered by Lock, Liddell & SAPP L.L.P had more depth and seem to be very competent on the project. He stated that he could not see the same type of experience for Bickerstaff, Heath, Smiley, Pollan, Kever and Mc Daniel, L.L.P other than their involvement. Commissioner Garza stated that both firms had been involved in redrawing legislation and that having someone with experience doing what needs to be done would work a lot faster and possibly costing less.

Mr. Doug Wright, Commissioners' Court Legal Counsel, advised that rates or fees not be considered at this.

Commissioner Tamayo asked if a cap would be placed on the cost.

Judge Hinojosa stated that doing so was at the discretion of the Court.

Commissioner Wood stated that negotiations would take place since the County was trailblazing on the project. He stated that Bickerstaff, Heath, Smiley, Pollan, Kever and Mc Daniel, L.L.P. might have more experience in our area.

Commissioner Wood moved that negotiation with the Firm of Bickerstaff, Heath, Smiley, Pollan, Kever and Mc Daniel, L.L.P be authorized.

The motion was seconded by Commissioner Benavides and the vote was as follows:

AYE: Commissioners Benavides and Wood,

NAY: Commissioners Garza and Tamayo,

ABSTAIN: Judge Hinojosa.

Commissioner Garza moved that negotiation with the Firm of Lock, Liddell & SAPP L.L.P be authorized.

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

AYE: Commissioners Benavides, Garza, and Tamayo,

NAY: Commissioner Wood,

ABSTAIN: Judge Hinojosa.

At this time, Mr. Wright was instructed to negotiate with the firm.

The Proposals are as follow:

(7) **CONSIDERATION AND SELECTION OF A CONSULTANT FOR THE PROCUREMENT OF NEW SOLID WASTE COLLECTION SERVICES IN CAMERON COUNTY; TO NEGOTIATE A CONTRACT WITH SUCH CONSULTANT; AND TO DESIGNATE A FUNDING SOURCE**

Commissioner Garza indicated that Brown, Vence, & Associates provided a good study for the County and had done a number of projects throughout the southern United States, adding that he made two (2) calls that were very positive in terms of how they treated their clientele.

Mrs. Grace Salinas, County Judge's Office, informed that NAD Bank did not have funding and that grant funding could not be used for consulting services.

Judge Hinojosa stated that the original proposal included an administration fee that would fund the consulting services.

Commissioner Garza moved that contract negotiations be authorized with Brown, Vence, & Associates and that the administrative fee to be charged be designated as the funding source.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Proposals are as follow:

(8) **IN THE MATTER REGARDING DISCUSSION AND POSSIBLE ACTION ON PARKING LOT AT CAMERON COUNTY COURTHOUSE IN BROWNSVILLE, TEXAS (TABLED)**

Commissioner Garza proposed that the cost to repair the parking lot of the Courthouse be revived.

Mr. Esteban Bazan, Interim Public Works Director, presented a proposed layout of the parking lot.

Judge Hinojosa questioned the timeline for removal of the railroad tracks.

Mr. Remi Garza, County Administrative Assistant, stated that the Port of Brownsville must restart the process because an administrative step.

Judge Hinojosa agreed that the condition of the parking lot was on inconvenience; however, he could not see the county spending funds on its repair until other issues were under control. He suggested that the City of Brownsville be approached with the possibility of closing 10th Street between Harrison and Tyler Streets in order to have one straight parking lot. Judge Hinojosa noted that it made no sense to spend funding now rather than doing things right in the near future.

Commissioner Garza commented that this investment would not go to waste.

Judge Hinojosa suggested that the matter be postponed until information on the railroad was available.

Mr. Doug Wright, Commissioners' Court Legal Counsel, expressed concern with the lack of parking for top level.

Judge Hinojosa noted that the matter was not on the agenda.

Commissioner Garza expressed support for the project based on the fact that in 60 days it would be known when the railroad track would be removed.

Mr. Pete Sepulveda, International Bridge System Director, suggested that a traffic analysis be prepared in the mean time.

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

(9) CONSIDERATION AND POSSIBLE APPROVAL OF INTERLOCAL AGREEMENT WITH THE CITY OF SAN BENITO TO DO REPAIR WORK ON A PORTION OF PENNSYLVANIA ROAD

Commissioner Garza explained that the repair work for Pennsylvania Road consisted of filling in pot holes on the side of the road, adding that about 92% of the road belongs to the County.

Judge Hinojosa explained that this was a Commissioner initiated project, and that at the time Public Works Department and the Vehicle Maintenance Department were merged he requested a listing of priority projects. He requested a work plan, and suggested that the Pennsylvania Road Project be approved within the said plan. Judge Hinojosa added that the Interim Public Works Director must be allowed to provide a plan as to what streets must be addressed; otherwise, the work would never be complete. He recommended that the matter be tabled until such was provided.

Mr. Esteban Bazan, Interim Public Works Director, stated that Commissioners gave him lists of projects for which he would provide a cost analysis.

Judge Hinojosa suggested that Mr. Bazan and Mr. Pete Sepulveda International Bridge System Director review the proposed projects, to determine if they would improve transportation and present recommendations to the Court.

Commissioner Garza explained that an Interlocal Agreement was needed because the city annexed 100 feet along both sides of the road.

Commissioner Tamayo expressed concern because equalization of equipment has not been seen and noted the need to determine if equipment was available.

Commissioner Benavides recommended that this project be approved.

Judge Hinojosa questioned the time needed to prepare a priority list that includes projects that could be done with the funding, equipment, and manpower available.

Commissioner Garza stated that this project was not different from Papaya and Limon Streets and that having a crowd come before the Court could be arranged because when that happened previously the County Judge's Office mobilized the Public Works Department to get the work done. He reiterated that the repairs consist of filling in pot holes on sides of the road, and explained that the matter was brought before the Court because the City of San Benito wanted to participate by contributing \$2,400.00.

Judge Hinojosa asked how long it would take to provide a priority list for recommendation.

Mr. Bazan responded that a list could be provided within two (2) weeks.

Judge Hinojosa asked why the project could not be delayed two (2) weeks.

Commissioner Garza questioned the reason for not doing this project since it might be complete prior to the priority list becoming available.

Judge Hinojosa stated that approving this project was contrary to prior discussions, and not the need for projects to be initiated by the Public Works Department in accordance to a plan. He suggested that Commissioners wanting to address a road in their Precincts that the roads be included the plan in order to budget for the fiscal year.

Commissioner Garza noted that funding was budgeted for maintenance of roads, and explained that the matter was submitted to Legal Counsel because an Interlocal Agreement was not available in the Engineering Department. He noted that he did not initiate this project.

Judge Hinojosa disagreed.

Commissioner Tamayo questioned the process to be followed from this day forward.

Mr. Bazan suggested that a priority list be prepared through discussions with each Commissioner.

Commissioner Garza moved that the Interlocal Agreement with the City of San Benito to do repair work on a portion of Pennsylvania Road be approved.

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

AYE: Commissioners Benavides, Garza, and Tamayo,

NAY: Commissioner Wood and Judge Hinojosa.

The Interlocal Agreement is as follows:

(11) **CONSIDERATION AND APPROVAL OF THE 2003-2004 EQUIPMENT LIST**

Mr. Xavier Villarreal, Budget Officer, informed that the equipment list included computers and computer equipment for various Departments and that the memorandum includes recommendation from the Computer Department. He explained that the equipment list was tied to the Road & Bridge because it had to do with funding because what happens in Road & Bridge affects the General Fund. Mr. Villarreal stated that the equipment list was extensive and totaled \$1.4 million, noting that another equipment list remain pending. He cautioned that adding to the equipment list for Road & Bridge would place additional requirements for the Road & Bridge Fund resulting in the need for additional revenues or a shift in taxes and less funding available in the General Fund. Mr. Villarreal explained that \$500,000.00 in equipment had been approved for the General Fund, and that this recommendation totaled \$1.4 million.

Judge Hinojosa questioned how the County could be placed in the same position as today in terms of borrowing money without having to find additional revenues.

Mr. Villarreal clarified that \$1 million could be funded with no additional requirements.

Commissioner Tamayo asked who determined what equipment would be recommended.

Mr. Villarreal stated that the Court instructed Interim Public Works Director and the Vehicle Maintenance Superintendent to determine said needs and to present recommendation.

Judge Hinojosa recognized the need for equipment; however, he indicated that he would be very uncomfortable exceed \$1 million. He suggested that the matter be reviewed mid year, and stated that he was not recommending expenditures in the Computer Department at this time.

Commissioner Wood requested that Item No. 11 be tabled.

Commissioner Tamayo expressed frustration with equipment listed as "aged equipment" for the Computer Center and with no one realizing the need to replace extremely aged equipment in the Public Works Department. She stated that she had no way of knowing if the equipment was needed or if it was a luxury.

Commissioner Wood moved that this Item be tabled.

The motion was seconded by Commissioner Tamayo.

Mr. Roger Ortiz, Elections Administrator, informed that ten (10) laptops were needed for upcoming Primaries.

Judge Hinojosa recommended that the matter be brought before the Court on an individual basis.

Mr. Rudy Juarez, Computer Center Director, explained that one of the most expensive request made by his Department pertains to the HPQ Storage Area Network that was running dangerously low in capacity to store data on existing servers. He noted that this was one of the critical components necessary to do business over the next 12 months without going into crisis mode; therefore, he requested that the Court reconsider its position. Mr. Juarez reiterated that this equipment was critical for a number of Departments, and explained that delaying the matter until mid year would result in crisis situation that he would like to prevent. He advised that the Adult Probation and the County Clerk's Office were running very low in storage capacity.

Commissioner Wood suggested that Mr. Juarez figure out how to accomplish what needs to be done with the available equipment.

Mr. Juarez stated that just as heavy equipment was important to the Public Works Department; computers were very important for the infrastructure of technology on which many County Departments have heavily relied on, adding that failure to provide such needs would cause a situation no different than the overtime issue at the jail.

Commissioner Wood suggested that the matter be looked at much closer.

Mr. Juarez noted that the need had been closely reviewed.

Judge Hinojosa suggested that the matter be brought back before the Court in three (3) months.

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

(13) **CONSIDERATION AND AUTHORIZATION TO TRANSFER FUNDS FROM FUND NO. 100-4350 (DISTRICT COURTS) TO FUND NO. 100-5710 (JUVENILE PROBATION) TO CREATE A POSITION OF STAFF PSYCHOLOGIST FOR THE JUVENILE PROBATION DEPARTMENT**

Commissioner Garza moved that the fund transfer from Fund No. 100-4350 (District Courts) to Fund No. 100-5710 (Juvenile Probation) be authorized to create a position of Staff Psychologist for the Juvenile Probation Department.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(12) **IN THE MATTER REGARDING CONSIDERATION AND APPROVAL OF THE 2003-2004 ROAD & BRIDGE EQUIPMENT LIST AND TO UTILIZE THE TASB BUY BOARD OR THE HGAC INTER-LOCAL COOPERATIVE PURCHASING AGREEMENTS ON CERTAIN ITEMS (TABLED)**

Commissioner Wood requested that this Item be tabled for two (2) weeks.

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

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. 18: Mrs. Yvette Salinas, Health Department Administrator, introduced Ms. Dalia Lovera, R.D., creator of the Peer Dad Program and co-author of a manuscript with the Texas Department of Health and the USDA. She stated that Ms. Lovera was slowly leaving the County.
- ITEM NO. 20 & 21: Mrs. Yvette Salinas, Health Department Administrator, informed that Ms. Noemi Hernandez and Ms. Sandra Lopez were accepted into the WIC Internship Program which would allow them to become Registered Dieticians. Commissioner Garza stated that as a result of the county committing to these individuals for the next eight (8) months they in turn would be committed to the County for the next 40 months. Mrs. Salinas clarified that the employees would be considered County employees while on their internship and that the WIC Program has agreed to supplement 70% of their salary.
- ITEM NO. 14: Mrs. Martha Galarza, Assistant County Auditor, presented the following late claim: Warrant No. 00107841, payable to the State Comptroller, in the amount of \$534.68.
- ITEM NO. 22: Commissioner Garza asked a dollar amount was found on the Agreement with the Harlingen Hispanic Chamber of Commerce. Mr. Pete Sepulveda, International Bridge System Director, responded that an amount was not listed since the work was within budget.
- ITEM NO. 27: Mr. Javier Mendez, Parks System Director, requested that this Item be tabled for one (1) week as suggested by Commissioner Wood. Commissioner Garza questioned if negotiation had begun. Mr. Mendez responded negatively. Judge Hinojosa suggested that the matter be tabled, and noted the need to speed up the process. Commissioner Garza asked why this item was being tabled. Mr. Mendez responded that the item was being tabled due to the lack of commitment from Cameron Works.
- ITEM NO. 33, & 35: Commissioner Garza questioned if all was in order. Mr. Alejandro Sanchez, Engineer in Training, responded in the affirmative.
- ITEM NO. 34: Mr. Alejandro Sanchez, Engineer in Training, stated that there was a conflict on the Report, that the Engineer had been contacted, and recommended approval subject to the Engineer providing a Construction Agreement and that the letter of credit have a date that coincides with the final report for the installation of the septic tanks.

Commissioner Tamayo moved that the following "Consent and Travel Items", be approved, inclusive of the late claim, that Item No. 34 be approved subject to the above changes being made, and that Item No. 27 be **TABLED** for one (1) week.

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

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

NAY: None,

ABSTAIN; Commissioner Wood as to item No.30.

- (14) **APPROVAL OF CLAIMS;**
- (15) **APPROVAL OF ADDENDUM TO PERSONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND HIDTA CONTRACTOR LEOLA MCKENNA;**
The Addendum follows:
- (16) **AUTHORIZATION FOR SHERIFF'S DEPARTMENT SPECIAL WEAPONS AND TACTICS UNIT (SWAT) TO ACCEPT (2) ARMORED TRUCKS FROM ROCHESTER ARMORED CAR CO. INC.;**
- (17) **APPROVAL OF EQUIPMENT LOAN AGREEMENT TO TRANSFER HOMELAND SECURITY EQUIPMENT TO BROWNSVILLE MEDICAL CENTER, VALLEY REGIONAL HOSPITAL, VALLEY BAPTIST HOSPITAL, AND HARLINGEN MEDICAL CENTER, IN CAMERON COUNTY;**
The Contract follows:
- (18) **AUTHORIZATION TO ALLOW DALIA LOVERA, R.D., TO SUBMIT A MANUSCRIPT ENTITLED *INSIGHT FROM A BREASTFEEDING PEER SUPPORT PILOT PROGRAM FOR HUSBANDS AND FATHERS OF TEXAS WIC PARTICIPANTS* (MS# 1054.03) FOR PUBLICATION AND TO SIGN COPYRIGHT OWNERSHIP LETTER;**
The Manuscript follows:
- (19) **APPROVAL OF A RENEWAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND RIO HONDO INDEPENDENT SCHOOL DISTRICT TO PROVIDE WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM SERVICES;**
The Agreement follows:
- (20) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND NOEMI HERNANDEZ TO PARTICIPATE IN THE TEXAS DEPARTMENT OF HEALTH DIETETIC INTERNSHIP PROGRAM;**
The Contract follows:
- (21) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND SANDRA R. LOPEZ TO PARTICIPATE IN THE TEXAS DEPARTMENT OF HEALTH DIETETIC INTERNSHIP PROGRAM;**
The Contract follows:
- (22) **APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE HARLINGEN HISPANIC CHAMBER OF COMMERCE FOR THE PROMOTION OF THE FREE TRADE BRIDGE AT LOS INDIOS;**
The Contract follows:
- (23) **APPROVAL OF A RESOLUTION AUTHORIZING THE SHERIFF'S DEPARTMENT TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ENVIRONMENTAL AWARENESS EDUCATION AND TRAINING PROJECT;**
The Contract follows:
- (24) **APPROVAL OF A RESOLUTION AUTHORIZING THE DISTRICT CLERK'S OFFICE TO SUBMIT A GRANT APPLICATION TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A RECYCLING PROJEC;**
The Contract follows:
- (25) **APPROVAL OF A CONSULTANT SERVICES AGREEMENT WITH MGM ENGINEERING GROUP, LLC FOR THE COLONIA CORONADO AREA PLANNING STUDY (TCDP CONTRACT NO. 723025);**
The Contract follows:
- (26) **ACTION FOR THE APPOINTMENT OF RAYMOND F. BRANDRIFF RESERVE DEPUTY CONSTABLES FOR PCT. No.1 IN COMPLIANCE WITH THE FINDING**

THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER;

- (27) IN THE MATTER REGARDING POSSIBLE APPROVAL TO AMEND A PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND GOMEZ, MENDEZ, SAENZ, INC., FOR ARCHITECTURAL SERVICES TO INCLUDE THE DESIGN OF CAMERON WORKS; (TABLED)**
- (28) AUTHORIZATION TO SOLICIT BIDS FOR THE CONSTRUCTION OF THE BATH-HOUSES AT CONEY ISLAND-ISLA BLANCA PARK;**
- (29) POSSIBLE AUTHORIZATION FOR THE PARK SYSTEM TO ENTER INTO AN AGREEMENT BETWEEN CAMERON COUNTY PARKS SYSTEM AND BRITT TURKINGTON, D/B/A S.I. CREATIONS;
The Contract follows:**
- (30) AUTHORIZATION TO AWARD THE FOLLOWING BIDS:
A. FARM LANDS LEASE-BID NO. 031101
The Tabulation follows:**
- (31) AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ:
A. FOOD: MEATS-QUARTERLY BID NO. 2170-1;**
- (32) AUTHORIZATION TO PAY LICENSE FEE RENEWAL FOR THE RIGHT-OF-WAY AGENT/SURVEYOR;**
- (33) AUTHORIZATION FOR PRELIMINARY APPROVAL:
A. PRECINCT 4- KARINA & BIANCA SUBDIVISION, BEING A TRACT CONTAINING 1.53 ACRES OF LAND SITUATED OUT OF BLOCK NUMBER TWO HUNDRED TWELVE (212), OF THE ADAMS GARDENS SUBDIVISION "C", CAMERON COUNTY, TEXAS.**
- (34) AUTHORIZATION FOR FINAL APPROVAL:
A. PRECINCT 3- RUSSEK'S NO. 2, BEING A 10.000 ACRE TRACT OF LAND, BEING ALL OF BLOCKS 52 AND 53, LEELANDS SUBDIVISION, CAMERON COUNTY, TEXAS.**
- (35) AUTHORIZATION FOR PRELIMINARY APPROVAL:
A. PRECINCT 4- ALYSSA SUBDIVISION, BEING THE EAST 19.64 ACRES OF LAND OUT OF BLOCK EIGHTY-EIGHT (88), MINNESOTA TEXAS LAND AND IRRIGATION CO, CAMERON COUNTY, TEXAS.**

TRAVEL ITEMS

(36) 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) County Clerk and Deputy Clerks (2) to attend the “Connect to Your Future 2004 Courts and Local Government Technology Conference,” in Austin, Texas, January 26-29, 2004.
- (b) Early Intervention Officer and Brownsville Police Department employee, to attend “Guiding Good Choices”, parental Education Training Session.” Corpus Christi, Texas, on January 15- 16, 2004;
- (c) Weed and Seed Coordinator to attend “Guiding Good Choices Parental Education Training Session; in Corpus Christi, Texas, on January 15, through January 16, 2004.
- (d) International Bridge System Director, to Attend The Annual I-69 Board Of Directors Meeting in Houston, TX, On December 12, 2003. And
- (e) Pd&M employee to attend the ‘Lower Rio Grande Valley Development Council Professional Advisory Review Panel’ in Mercedes, Texas, On December 10, 2003.

- (15) **APPROVAL OF ADDENDUM TO PERSONAL SERVICES AGREEMENT
BETWEEN CAMERON COUNTY AND HIDTA CONTRACTOR LEOLA
MCKENNA.**
The Addendum is as follows:

- (17) **APPROVAL OF EQUIPMENT LOAN AGREEMENT TO TRANSFER HOMELAND SECURITY EQUIPMENT TO BROWNSVILLE MEDICAL CENTER, VALLEY REGIONAL HOSPITAL, VALLEY BAPTIST HOSPITAL, AND HARLINGEN MEDICAL CENTER, IN CAMERON COUNTY.**
The Contract is as follows:

- (18) **AUTHORIZATION TO ALLOW DALIA LOVERA, R.D., TO SUBMIT A MANUSCRIPT ENTITLED INSIGHT FROM A BREASTFEEDING PEER SUPPORT PILOT PROGRAM FOR HUSBANDS AND FATHERS OF TEXAS WIC PARTICIPANTS (MS# 1054.03) FOR PUBLICATION AND TO SIGN COPYRIGHT OWNERSHIP LETTER.**
The Manuscript follows:

- (19) **APPROVAL OF A RENEWAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND RIO HONDO INDEPENDENT SCHOOL DISTRICT TO PROVIDE WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM SERVICES.**

The Agreement follows:

- (20) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND NOEMI HERNANDEZ TO PARTICIPATE IN THE TEXAS DEPARTMENT OF HEALTH DIETETIC INTERNSHIP PROGRAM.**
The Contract follows:

- (21) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND SANDRA R. LOPEZ TO PARTICIPATE IN THE TEXAS DEPARTMENT OF HEALTH DIETETIC INTERNSHIP PROGRAM.**
The Contract follows:

- (22) **APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE HARLINGEN HISPANIC CHAMBER OF COMMERCE FOR THE PROMOTION OF THE FREE TRADE BRIDGE AT LOS INDIOS.**
The Contract follows:

- (23) **APPROVAL OF A RESOLUTION AUTHORIZING THE SHERIFF'S DEPARTMENT TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ENVIRONMENTAL AWARENESS EDUCATION AND TRAINING PROJECT.**
The Contract follows:

- (24) **APPROVAL OF A RESOLUTION AUTHORIZING THE DISTRICT CLERK'S OFFICE TO SUBMIT A GRANT APPLICATION TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A RECYCLING PROJECT.**

The Contract is as follows:

- (25) APPROVAL OF A CONSULTANT SERVICES AGREEMENT WITH MGM ENGINEERING GROUP, LLC FOR THE COLONIA CORONADO AREA PLANNING STUDY (TCDP CONTRACT NO. 723025).
The Contract is as follows:**

- (29) **POSSIBLE AUTHORIZATION FOR THE PARK SYSTEM TO ENTER INTO AN AGREEMENT BETWEEN CAMERON COUNTY PARKS SYSTEM AND BRITT TURKINGTON, D/B/A S.I. CREATIONS.**
The Contract is as follows:

- (30) AUTHORIZATION TO AWARD THE FOLLOWING BIDS:**
A. FARM LANDS LEASE-BID NO. 031101.
The Tabulation is as follows:

EXECUTIVE SESSION

(37) EXECUTIVE SESSION:

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the

Court met in Executive Session at 12:11 P.M., to discuss the following matters:

- (a) Confer with Commissioners' Court Legal Counsel concerning Juana D. Campbell versus Cameron County in the 103rd District Court of Cameron County Cause No. 2003-05-2513-D, for possible settlement; pursuant; Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(B)&(2);
- (b) Confer with Commissioners' Court Legal Counsel concerning the Colonia La Torre Water Improvement Project on which the duties 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 551.072;
- (c) Deliberation regarding Real Property concerning Ueta and Brady's Duty Free Store, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (d) Deliberation regarding Real Property concerning the possible acquisition of land for the West Rail Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (e) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the Property Management Coordinator and the Port Isabel-Cameron County Airport Manager, pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government Code, Section 551.074(A)(1);
- (f) Confer with Commissioners' Court Legal Counsel Concerning John Roberts versus Wells Fargo Bank, Formerly First Valley Bank, Formerly Raymondville State Bank, Tom Fleming, Dan Huerta, and Rolando Olvera in the 107th Judicial District Court; Cause No. 2003-12-5738-A, for discussion, pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government Code, Section 551.071(1)(A)&(2);
- (g) Confer with Commissioners' Court Legal Counsel concerning Mitchell Kent Sweezy and Pauline R. Sweezy versus Lone Star National Bank and Conrado Cantu, Sheriff of Cameron County, Texas, in the 357th Judicial District Court; Cause No. 2003-11-5679-E, for discussion pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government Code, Section 551.071(1)(A)&(2);
- (h) Deliberation regarding real property concerning the acquisition of property in the Laguna Madre area for a County Annex in Port Isabel; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072; and
- (i) Confer with Commissioners' Court Legal Counsel concerning litigation involving the Father Joseph O'Brien Clinic; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(A).

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 12:51 P.M.

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

- (a) **Confer with Commissioners' Court Legal Counsel concerning Juana D. Campbell versus Cameron County in the 103rd District Court of Cameron County; Cause No. 2003-05-2513-D, for possible settlement.**

Commissioner Tamayo moved that continuation of negotiations be authorized as discussed in Executive Session.

The motion was seconded by Commissioner Wood and carried unanimously.

- (b) **Confer with Commissioners' Court Legal Counsel concerning the Colonia La Torre Water Improvement Project on which the duties 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 Wood, seconded by Commissioner Garza and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, was acknowledged.

- (c) **Deliberation regarding Real Property concerning UETA and Brady's Duty Free Store.**

Commissioner Tamayo moved that the Status Report by Mr. Pete Sepulveda, International Bridge System Director, be acknowledged.

The motion was seconded by Commissioner Wood and carried unanimously.

- (d) **Deliberation regarding Real Property concerning the possible acquisition of land for the West Rail Project.**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, Mr. Pete Sepulveda, International Bridge System Director, was authorized to negotiate with Robertson, Duffy, and Bernard for appraisal services.

- (e) **Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the Property Management Coordinator and the Port Isabel-Cameron County Airport Manager.**

Commissioner Benavides moved that the creation of the Department of Property Management Coordinator/Port Isabel/Cameron County Airport be authorized under the supervision of the Cameron County Commissioners Court to be housed in the Office of Legal Counsel.

The motion was seconded by Commissioner Garza and carried unanimously.

-
- (f) **Confer with Commissioners' Court Legal Counsel concerning John Roberts versus Wells Fargo Bank, formerly First Valley Bank, formerly Raymondville State Bank, Tom Flemming, Dan Huerta, And Rolando Olvera in the 107th Judicial District Court; Cause No. 2003-12-5738-A, for discussion.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, was acknowledged.

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- (g) **Confer with Commissioners' Court Legal Counsel concerning Mitchell Kent Sweezy and Pauline R. Sweezy versus Lone Star National Bank and Conrado Cantu, Sheriff of Cameron County, Texas in the 357th Judicial District Court; Cause No. 2003-11-5679-E, for discussion,**

Commissioner Wood moved that the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, be acknowledged.

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

AYE: Commissioners Benavides, Wood, Garza, and Tamayo,

NAY: None,

ABSTAIN: Judge Hinojosa.

NOTE: Judge Hinojosa was not present during discussion of this Item.

-
- (h) **Deliberation regarding Real Property concerning the acquisition of property in the Laguna Madre area for a County Annex in Port Isabel**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report by Mr. Remi Garza, County Administrative Assistant, was acknowledged, and commencement of negotiations on a certain track of land was authorized.

-
- (i) **Confer with Commissioners' Court Legal Counsel concerning litigation involving the father Joseph O'Brien clinic**

Commissioner Garza moved that the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**(10) CONSIDERATION AND POSSIBLE ACTION
REGARDING THE RE-BID OF THE FATHER JOSEPH
O'BRIEN HEALTH CLINIC PROJECT**

Commissioner Garza noted that the Re-Bidding of the Father Joseph O'Brien Health Clinic Project be authorized.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Mr. David Gomez, Engineering Department, clarified that the deadline for the re-bids would be January 26, 2004.

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 1:00 P.M.

APPROVED this 10th day of **February 2004**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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