THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 2nd day of March 2004, there was conducted a REGULAR Meeting of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

9:30 A.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

The meeting was called to order by Judge Hinojosa at 9:37 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 February 27, 2004, at 1:32 P.M.:

At this time there was a brief discussion concerning the Charro Days Events and Parade that took place over the weekend.

Judge Hinojosa congratulated Commissioner Tamayo and Dr. Ruben Gallegos for excellent the coordination of all Mr. Amigo events.

Judge Hinojosa reported that roads in Laguna Heights had been repaired and that residents thanked him for so, but were now requesting street lights and speed humps. He added that he prefers to delay installation of speed humps until it was known if Proposition II Funding could be obtained for curb and gutter.

Commissioner Tamayo expressed concern with not having a County Policy regarding speed humps.

Judge Hinojosa stated that a policy pertaining to speed humps exist. He added that speed humps increase safety for children, although there would always be pleased and unpleased individuals.

Commissioner Garza informed that a hearing would take place in El Paso on Thursday; that he would meet with Mr. Amadeo Saenz; and that there might be a second call for Proposition II Funds. He recommended that the County be prepared.

Commissioner Wood stated that Proposition II Funding could be used in many areas within the County

Commissioner Benavides reported that repairs to Vermillion Road were commenced; although TXDOT was examining the possibility to redo the same since it connects two (2) major thoroughfares.

Judge Hinojosa stated that meetings were being held with TXDOT to place Vermillion Road on the MPO.

Judge Hinojosa reported that his Office was trying to turn the closing of the detention center from a bad thing into a good thing, adding that good opportunities might derive as a result. He added that major repairs would be done to the detention center and that everything would be consolidated into the Carrizales/Rucker Detention Center. Judge Hinojosa stated that he would present a plan to the Court.

Commissioner Wood noted the need to repair the facility. He stated that if the federal government elects not to return the inmates to the county jail then the facility could be leased for purposes of gainig revenue.

Judge Hinojosa stated that the facility has existed for 25 years without having any major repairs; therefore, the need to repair and to increase security, noting that repairs would be funded through Bond Issue Funds.

Commissioner Tamayo asked if problems have consistently occurred at the facility.

Judge Hinojosa responded that escapes have occurred from the recreational area but not from the living area. He reiterated that the facility would be repaired to avoid issues with respect to the Court's responsibilities; however the human factor could not be addressed by the Court.

Commissioner Garza clarified that the escapes were not caused by lack of maintenance.

Judge Hinojosa agreed, and reiterated the need to repair the Detention Center facility. He proposed that all

detention center facilities be repaired and that all inmates be consolidated into Carrizales/Rucker Detention Center.

Commissioner Benavides questioned the type of material used on the detention center's ceilings.

Judge Hinojosa responded that the ceilings were made of one (1) inch cement with mesh wire.

Commissioner Garza stated that the County was incurring fixed costs regardless.

Judge Hinojosa stated that his Office was reviewing all options available to reduce cost, and emphasized that this was an issue of Sheriff's Department that must be addressed by the Court since ultimately it must prepare the Budget. He stated that meetings were being held and that the Sheriff's Department was cooperating. Judge Hinojosa stated that laying off over 37 employees would total savings that could make up for loss revenue, and that more changes would be done to further reduce costs.

Mr. Doug Wright, Commissioners' Court Legal Counsel, advised that the comment time period being used by the Court was going beyond what was legitimate and that the County District Attorney would get involved upon the Court not retracting. He noted that the Court must follow rules that prohibit general discussion of subjects of public concern. Mr. Wright recommended that an Agenda Item be placed for discussion of the matter.

Judge Hinojosa stated that the matter would be placed on the Agenda, and clarified that the Court was not making any decision. He commented that the public needs to know what was happening and that this was an example of how they run open county government.

Commissioner Wood agreed that the Court should not stray as it does.

Commissioner Benavides informed that Early Voting was ongoing until March 5, 2004 and that Election Day would take place March 9, 2004.

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(1) PUBLIC COMMENTS

Mr. Francisco Sinfuentes, County resident, concurred with Legal Counsel. He stated that the Court's efforts to be open were very commendable, yet there were many legal issues involved. Mr. Sinfuentes stated that he was afraid because if the Court was unable to do anything about the issues then who could. He commented that law enforcement was not needed in the Charro Days Parade. Mr. Sinfuentes added that the District Attorney could examine what is happening in the Sheriff's Department, and noted that someone must take the stand to make this a better county. He requested that the Court stop all issues, and commented that taxes would most likely increase to pay for legal expenses.

PRESENTATION

(2) PRESENTATION REGARDING THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT

Ms. Veronica De La Fuente, County Judge's Office, informed that the Health Service District met to discuss three (3) options presented by the Texas A&M Rural Health Center, and decided to construct the facilities in Cameron County and in McAllen as planned in legislation. She added that the HSD has examined the possibility of changing legislation to relocate the Harlingen facility to Brownsville if a session takes place. Ms. De La Fuente added that as part of the Strategic Plan the Board must present a letter to Commissioner Sanchez to indicate what the HSD would do and what plan they would take action on. She stated that once the letter was submitted to the Texas Department of Health then the HSD must prepare an operational plan within 45 days, noting that the Health Department would prepare the operational plan and present it during the next meeting. Ms. De La Fuente stated that the Health Department would have assistance from the South Texas Hospital and Texas Department of Health in laying out the operational plan, which would be presented to the Court. She stated that payments for professional services were issued and received from Cameron and Hidalgo Counties, noting that the Board would meet again next week. Ms. De La Fuente stated that a letter regarding the issue of procurement of professional services was prepared and that a final invoice should be received from Mr. Ricardo Morales, adding that the HSD decided to keep the services of Mr. Morales.

Judge Hinojosa asked who would be responsible for payment.

Ms. De La Fuente stated that she did not know and that she informed the HSD that Cameron County would not pay for professional services incurred after February. She stated that the Board believed that Cameron County was attempting to tell them how to do business and that she clarified that Cameron County was merely following procedures to approve payments.

Commissioner Tamayo moved that the Presentation regarding the Rio Grande Valley Health Service District be acknowledged.

The motion was seconded by Commissioner Wood and carried unanimously.

The Report is as follows:

(3) PRESENTATION BY MRS. LUCY CANALES, ATTORNEY PARTNER, WITH LINEBARGER GOGGAN BLAIR & SAMPSON LAW FIRM REGARDING DELINQUENT PROPERTY TAX REPORT

Mr. Tony Yzaguirre, Tax Assessor/Collector, reported an increase for tax collections and delinquent tax collections had increased.

Commissioner Garza stated that the only bad news was that many people took advantage of the discount, causing revenue loss of about $104,000.00.

Ms. Lucy Canales, Law Offices of Linebarger Goggan Blair & Sampson L.L.P., highlighted a Report for the time period starting December 1, 2003, thru February 20, 2004. She reported that the efficient and effective delinquent tax program in place was visible in the collection data, based on the 1.7% increase in collections when compared to last year.

Judge Hinojosa informed that the Court was contemplating elimination of the Property Manager position and to transfer its function to the Law Firm of Linebarger Goggan Blair & Sampson L.L.P. He requested that a plan on how to do this be presented with the understanding that the first priority was to get properties back on the tax roles.

Ms. Canales responded that a plan could be presented next month, noting that the tax resale process was always part of the delinquent tax program.

Judge Hinojosa stated that Law Firm would be paid from the 15% share of the taxes.

Commissioner Garza questioned the number of pending petitions in the real category and what was needed on behalf of the County to move them from pending status.

Ms. Canales responded that the burden was on the Law Firm. She reported that her budget was recently approved with three (3) new positions for Cameron County.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Presentation by Mrs. Lucy Canales, Attorney Partner, with Linebarger Goggan Blair & Sampson Law Firm regarding Delinquent Property Tax Report was acknowledged.

The Report is as follows:

ACTION ITEMS

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

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Budget Amendments, Line Item Transfers and/ or Salary Schedules were approved.

The documents are as follow:

(5) APPROVAL OF MINUTES:
(A) FEBRUARY 3, 2004- REGULAR MEETING
(B) FEBRUARY 10, 2004- REGULAR MEETING

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Minutes for the Regular Meetings held February 3rd, and 10th, 2004, were approved.

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(6) CONSIDERATION AND AUTHORIZATION TO NETWORK THE ENGINEERING DIVISION AND CONSTRUCTION MANAGEMENT DIVISION WITH THE CAMERON COUNTY COURTHOUSE

Commissioner Garza moved that the Engineering Division and Construction Management Division be authorized to network with the Cameron County Courthouse.

The motion was seconded by Commissioner Wood and carried unanimously.

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(7) CONSIDERATION AND APPOINTMENT OF WILLIAM H. CARD III AS CAMERON COUNTY REPRESENTATIVE TO THE RIO GRANDE VALLEY WATER AUTHORITY

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, appointment of William H. Card III as Cameron County Representative to the Rio Grande Valley Water Authority was authorized.

The Resolution is as follows:

(8) CONSIDERATION AND ACTION REGARDING THE APPOINTMENT OF A COMMITTEE TO WORK TOWARDS OBTAINING A COUNTY-WIDE, PUBLIC SAFETY RADIO SYSTEM

Mr. Tom Hushen, Emergency Management Administrator, recommended that the committee consist of a representative from each of the following departments: County Judge's Office, Sheriff's Department, Emergency Management, Transportation Department, Constable Department, and a small and large city.

Commissioner Wood volunteered to serve on this committee.

Judge Hinojosa recommended that a representative from Commissioners Court be appointed instead of arepresentative from his Office, since Mr. Hushen was from his Office, a representative from the Emergency Department, Sheriff's Department, Transportation Department, and Constable Precinct No. 7.

Upon motion by Commissioner, seconded by Commissioner Benavides and carried unanimously, Representatives from the following departments were appointed as a committee to work towards obtaining a county-wide, Public Safety Radio System:

Commissioner's Court - Commissioner Wood

Emergency Department - Mr. Tom Hushen

Sheriff's Department open

Transportation Department - Mr. Pete Sepulveda or Alejandro Sanchez

Constable Precinct No. 7- Constable Jaime Vasquez

City of Port Isabel open

City of Harlingen Representative - Chief Sid Cantu

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. 10: Mr. Doug Wright, Commissioners' Court Legal Counsel, requested that this Item be tabled.

ITEM NO. 19: Mr. Pete Sepulveda, Transportation Department Administrator, requested authorization to obtain RFP from both firms and to set a date for the Court to interview both firms. He stated that March 16, 2004, was convenient for both firms.
Judge Hinojosa requested that the matter be postponed, and suggested that presentations be made on April 1, 2004 at 8:00 a.m.

ITEM NO. 15: Commissioner Tamayo asked if additional personnel would be needed.
Mr. Tony Yzaguirre, Tax Assessor/Collector, responded that personnel would be funded through the fee to be assessed. He requested that a Resolution be adopted supporting their proposal.
Commissioner Garza suggested that support be provided without the resolution since it was not on the agenda.
Mr. Yzaguirre stated that an item would be placed on the Agenda to adopt the Resolution.

ITEM NO. 26-f: Mr. Remi Garza, County Assistant Administrator, clarified that this item should read 'to travel to San Antonio to tour the communication system in the City of Lima.'

ITEM NO. 9: Mr. Mark Yates, County Auditor, presented the following late claims: Warrant No. 0112079, payable to the U.S. Post Master; in the amount of $825.29; Warrant No. 0112075, payable to Cameron County's Impress Fund, in the amount of $465.60; Warrant No. 0112076, payable to Cameron County Livestock, in the amount of $13,188.00; and Warrant No. 0112078, payable to UTB System, in the amount of $6,622.72.
Mr. Yates informed that Warrant No. 0112076 was for cost incurred for six (6) horses picked up by the Sheriff's Department in a cruelty to animal case. He stated that an additional horse was born and that the seven (7) horses were sold in auction for $2,000.00. Mr. Yates added that the two (2) individuals involved each had restitutions in the amount of $5,000.00; therefore, the County should about break even.

Judge Hinojosa asked how much monies were raised in parking lot fees during Charro Days.
Mr. Pete Sepulveda, Transportation Department Director, responded that $3,200.00 was obtained.
Commissioner Benavides noted that parking should have been free to the public.

Commissioner Tamayo moved that the following "Consent and Travel Items", be approved inclusive of the late claims, and that Item No. 10 be **TABLED**.

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

AYE: Commissioners Benavides, Wood, and Tamayo,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 0011931, payable to the Laguna Madre Water District, in the amount of $10,046.16 and, Commissioner Garza as to Warrant No. 00111954 payable to The Medicine Shoppe, in the amount of $918.30.

(9) APPROVAL OF CLAIMS;
The Affidavits follow:

(10) IN THE MATTER REGARDING APPROVAL OF LEGAL SERVICES AGREEMENT WITH MARTINEZ, BARRERA AND MARTINEZ FOR THE INVESTIGATION

CONCERNING THE CARRIZALEZ-RUCKER DETENTION CENTER ISSUES; (TABLED)

(11) APPROVAL OF AGREEMENT WITH BMW ENGINEERING, INC., FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS AT THE FATHER JOSEPH O'BRIEN CLINIC SITE AND INTERIOR RESTORATION;
The Agreement follows:

(12) AUTHORIZATION FOR COUNTY JUDGE TO SIGN STORAGE LEASE AGREEMENT FOR ITEMS FROM THE FATHER O'BRIEN HEALTH CLINIC;
The Lease follows:

(13) ADOPTION OF A PROCLAMATION DECLARING MARCH 2004, AS "RED CROSS MONTH" IN CAMERON COUNTY, TEXAS;
The Proclamation follows:

(14) ADOPTION OF A RESOLUTION DECLARING FEBRUARY 29, 2004 THROUGH MARCH 6, 2004 AS "SEVERE WEATHER AWARENESS" WEEK IN CAMERON COUNTY, TEXAS;
The Resolution follows:

(15) AUTHORIZATION TO ALLOW THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR TO SUBMIT A PROPOSAL TO CONSOLIDATE AND COLLECT TAXES FOR THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT'S TAX COLLECTIONS WITH THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE;

(16) AUTHORIZATION TO FILL VACANT SECURITY GUARD POSITIONS AT THE INTERNATIONAL BRIDGE SYSTEM;

(17) AUTHORIZATION TO ACCEPT RIGHT OF WAY DEEDS FOR IOWA GARDENS ROAD BRIDGE NO. 882, PARCEL 3, AND SAN VICENTE DRAIN BRIDGE NO. 368, PARCELS 2 AND 5;

(18) AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR IOWA GARDENS ROAD BRIDGE NO. 882, PARCEL 2, SAN VICENTE OUTFALL BRIDGE NO. 367, PARCELS 1, 2, AND 3, AND SAN VICENTE DRAIN BRIDGE NO. 368, PARCEL 4;

(19) AUTHORIZATION TO REVIEW THE LETTERS OF INTEREST RECEIVED AND TO REQUEST RFP'S FROM THE FIRMS SUBMITTING LETTERS OF INTEREST;

(20) AUTHORIZATION TO FILL VACANT SIGN TECHNICIAN POSITION AT THE PUBLIC WORKS DIVISION;

(21) PRELIMINARY APPROVAL:

A. PRECINCT 3- SUGARLAND ACRES SUBDIVISION SECTION II, BEING A 8.861 ACRES OUT OF BLOCK 161, FRESNOS LAND & IRRIGATION COMPANY SUBDIVISION IN SHARE 22 OF THE ESPIRITU SANTO GRANT, RECORDED IN VOLUME 3, PAGE 9, CAMERON COUNTY, TEXAS.

B. PRECINCT 4- LA TINA COUNTRY ESTATES, PHASE II, BEING A 1,672.67 ACRE TRACT OF LAND IN TRACT FIFTY (50), (SET APART TO MARIE GROGAN DANA AS TRACT 50, SUBDIVISION "G" BY ORDER OF THE DISTRICT COURT OF JEFFERSON COUNTY, TEXAS, IN CAUSE NO. 7588, CHARLES B. COMBE, ET. AL, VERSUS JOHN H. BROOCK, ET. AL., A COPY OF WHICH ORDER IS OF RECORDED IN VOLUME 11, PAGE 57, ET. SEQ., OF THE DEED RECORDS OF CAMERON COUNTY, TEXAS) OF PARTITION SHARE 19 OF THE ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS.

(22) FINAL APPROVAL:

A. PRECINCT 4- GUAJARDO SUBDIVISION, BEING A 3.04 ACRE TRACT OF

LAND OUT OF THE WEST 10.00 ACRES OF BLOCK FIFTY-TWO (52), ADAMS GARDENS SUBDIVISION "B", CAMERON COUNTY, TEXAS.

(23) APPROVAL TO PURCHASE A 2004 FORD FREESTAR CARGO VAN FROM HOUSTON AND GALVESTON AREA COUNCIL OF GOVERNMENT INTERLOCAL PURCHASE AGREEMENT FOR WIC PROGRAM SERVICE;

(24) AUTHORIZATION TO APPROVE PAYMENT FOR AMERICAN RED CROSS WITHOUT PURCHASE ORDER NUMBER IN THE AMOUNT OF $260.00; AND

(25) AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ

(A) COLLECTION SERVICES FOR DELINQUENT COURT COSTS AND FINES (CAMERON COUNTY COURTS) RFP NO. 1300.

TRAVEL ITEMS

(26) 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) These three (3) assistant County/District Attorneys to attend the "2004 TDCAA Investigation and Prosecution of Drug Offenses Course", in Kerrville, Texas, March 31, 2004 thru April 2, 2004;

(b) Unified Narcotics Intelligence Task-Force Agent to attend "Analyst Notebook I2 Training", in Sacramento, California, March 28, 2004 thru April 2, 2004;

(c) County Extension Agent to support and assist the "Cameron County 4-H ER's in the Houston Livestock Show", in Houston, Texas, March 5-7, 2004;

(d) Human Resources Director to attend the "County Management Institute 2004 Seminar", in Austin, Texas, March 31, 2004, thru April 2, 2004;

(e) Human Resources Employee to attend the "Texas Schools Risk Managers Association Seminar", in San Antonio, Texas, April 14-16, 2004;

(f) Three (3) County Judge Employees to tour Communication System at San Antonio Police Department", in Live Oak, Texas, February 26-27, 2004; and

(g) County Judge to attend meeting with the "Texas Commission on Jail Standards", in Austin, Texas, February 5, 2004.

(9) APPROVAL OF CLAIMS;
The Affidavits follow:

(11) APPROVAL OF AGREEMENT WITH BMW ENGINEERING, INC., FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS AT THE FATHER JOSEPH O'BRIEN CLINIC SITE AND INTERIOR RESTORATION;
The Agreement follows:

(12) AUTHORIZATION FOR COUNTY JUDGE TO SIGN STORAGE LEASE AGREEMENT FOR ITEMS FROM THE FATHER O'BRIEN HEALTH CLINIC;
The Lease follows:

(13) ADOPTION OF A PROCLAMATION DECLARING MARCH 2004, AS "RED CROSS MONTH" IN CAMERON COUNTY, TEXAS;
The Proclamation follows:

(14) ADOPTION OF A RESOLUTION DECLARING FEBRUARY 29, 2004 THROUGH MARCH 6, 2004 AS "SEVERE WEATHER AWARENESS" WEEK IN CAMERON COUNTY, TEXAS;
The Resolution follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:33 A.M. to discuss the following matters:

(27) EXECUTIVE SESSION:

(a) Confer with Commissioners' Court Legal Counsel concerning claim of Carlos Alberto Taylor; pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.071(1)(A)&(B);

(b) Confer with Commissioners' Court Legal Counsel concerning Juan Cortez versus Cameron County and Conrado Cantu, Sheriff of Cameron County, in the 197th District Court; Cause No. 2004-02-1059-C; pursuant to Vernon Texas Code Annotated (V.T.C.A) Government Code, Section 551.071(1)(A)&(2);

(c) Deliberation regarding Real Property concerning the possible concession renewal for Al's Bait Stand; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;

(d) Deliberation regarding Real Property concerning the possible leasing of the Wetslips at the Marina; pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government Code, Section 551.072;

(e) Confer with Commissioners' Court concerning issues with Colonias; pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government Code, Section 551.071(2);

(f) Confer with Commissioners' Court Legal Counsel regarding University of Texas Medical Branch contract on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter; pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government code, section 551.071(2);

(g) Deliberate the appointment, employment, reassignment of duties, or duties of the Property Management Coordinator; pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government code, section 551.074(A) (1);

(h) Confer with Commissioners' Court Legal Counsel regarding Real Property concerning the possible acquisition of Levi Strauss & Co.-San Benito Property; pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government code, section 551.071(2) & 551.072; and

(i) Confer with Commissioners' Court Legal Counsel concerning the Legal Services Contract with Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, LLP for the Regional Mobility Authority; pursuant to Vernon Texas Code Annotated (V.T.C.A.). Government Code, Section 551.071(2).

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 11:58 A.M. to discuss the following matters:

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

(a) In the matter regarding confer with Commissioners' Court Legal Counsel concerning claim of Carlos Alberto Taylor. (TABLED)

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

(b) In the matter regarding confer with Commissioners' Court Legal Counsel concerning Juan Cortez versus Cameron County and Conrado Cantu, Sheriff of Cameron County, in the 197th District Court; Cause No. 2004-02-1059-C. (TABLED)

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

(c) In the matter regarding deliberation regarding Real Property concerning the possible concession renewal for Al's Bait Stands. (TABLED)

(d) In the matter regarding deliberation regarding Real Property concerning the possible leasing of the Wetslips at the Marina. (TABLED)

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, this Item was **TABLED**, pending an Agenda Item to solicit proposals for the land requested by the two (2) individuals listed on Item C and D.

(e) Confer with Commissioners' Court concerning issues with Colonias.

Commissioner Tamayo moved that the Status Report by Mr. Pete Sepulveda, Transportation Department Director, be acknowledged.

The motion was seconded by Commissioner Wood and carried unanimously.

(f) Confer with Commissioners' Court Legal Counsel regarding University of Texas Medical Branch Contract on a matter in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct Of the State Bar of Texas clearly conflicts with this Chapter.

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.

(g) Deliberate the appointment, employment, reassignment of duties, or duties of the Property Management Coordinator.

Commissioner Wood moved that the position of Property Management Coordinator be eliminated and that the Budget Item be moved into General Administrations.

The motion was seconded by Commissioner Garza and carried unanimously.

(h) Confer with Commissioners' Court Legal Counsel regarding Real Property concerning the possible acquisition of Levi Strauss & Co.-San Benito Property.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the finalizing of the Contract was authorized and the County Judge was authorized to sign the Contract, subject to final review by Commissioners' Court Legal Counsel.

(i) Confer With Commissioners' Court Legal Counsel Concerning The Legal Services Contract With Bickerstaff, Heath, Smiley, Pollan, Kever & Mcdaniel, L.L.P. For The Regional Mobility Authority.

Commissioner Garza moved that Mr. Doug Wright, Commissioners' Court Legal Counsel, be authorized to finalize the Contract with Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, L.L.P. with a cap of $25,000.00

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

AYE: Judge Pro-tem Benavides, Wood, Garza and Tamayo,

NAY: None,

ABSTAIN; Judge Hinojosa

NOTE: JUDGE HINOJOSA WAS NOT PRESENT DURING DISCUSSION OF THIS ITEM IN EXECUTIVE SESSION.

The Affidavit and contract are as follows:

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 12:04 P.M.

APPROVED this **9th** day of **March 2004.**

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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