

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 9<sup>th</sup> 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:**  
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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:34 A.M. He then asked Commissioner Tamayo 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 March 5, 2004, at 4:20 P.M.:

**(1) PUBLIC COMMENTS**

**NONE WERE PRESENTED**

**PRESENTATION**

**(2) ACKNOWLEDGMENT OF A LOCAL EVENT AT THE CAMERON COUNTY COURTHOUSE ON MAY 4<sup>TH</sup>, 2004 CONDUCTED BY TEXAS FOSTER FAMILY ASSOCIATION (TFFA) RAISING AWARENESS FOR THE NEED OF FOSTER PARENTS**

Ms. Elizabeth Garza Higgins, Department of Family Protective Services, requested authorization to hold part of statewide event at the steps of the courthouse on May 4, 2004, adding that the Local Foster Parent Associations of each county would hold similar events. She stated that May was National Foster Care Month and that a Proclamation would be done as part of the public awareness campaign. Ms. Higgins explained that approximately 1,600 balloons representing each child in foster care would be released to raise awareness about the impact of child abuse and the tremendous need for foster homes. She stated that Cameron County has between 250 and 300 children in foster care and that the same number of blue balloons would be released. Mrs. Higgins noted the need for Foster Homes in our community.

Commissioner Tamayo commented that foster parents were special people and thanked foster families for their compassion and kindness. She stated that the San Benito Rotary Club does a picnic for the children to which people are invited and some recruited as foster parents.

Mrs. Higgins added that the Rotary Club's picnic was held every November, Adoption Month, and introduced Mrs. Minnie Quintanilla, Local Foster Parent Association Treasurer and Foster Parent.

Mrs. Minnie Quintanilla informed that balloons were available for sponsorship at a \$2.00 cost.

Mrs. Higgins explained that the Local Foster Parent Association benefits from the proceeds.

Commissioner Benavides commended them for their wonderful job.

Mrs. Higgins stated that this was the first event to be held for awareness of foster care.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the local event at the Cameron County Courthouse on May 4<sup>th</sup>, 2004 conducted by Texas Foster Family Association (TFFA) raising awareness for the need of foster parents was acknowledged and supported.

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

Commissioner Garza moved that the Budget Amendments, Line Item Transfers and/or Salary Schedules be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

**The documents are as follow:**

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(5) **CONSIDERATION AND POSSIBLE ACTION  
REGARDING THE RECLASSIFICATION OF AN  
EMPLOYEE IN THE COMPUTER CENTER**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza, and carried unanimously, the reclassification of an employee in the Computer Center was approved.

**The Salary Schedule is as follows:**

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(6) **CONSIDERATION AND APPOINTMENT OF A REVIEW COMMITTEE FOR THE COLLECTION SERVICES FOR DELINQUENT COURT COSTS AND FINES (CAMERON COUNTY COURTS) RFP NO. 1300**

Mr. Remi Garza, County Administrative Assistant, explained that five (5) proposals were submitted and recommended that the following individuals be appointed Review Committee:

County Court at Law Judge Daniel Robles;

Mrs. Aurora De La Garza, District Clerk;

Mr. Joe G. Rivera, County Clerk;

District Judge Ben Uresti; and

Mr. Xavier Villarreal, Budget Officer.

Commissioner Garza requested that Mr. Tony Yzaguirre, Tax/Assessor Collector, be appointed member of the Review Committee, and moved that the following individuals be appointed Review Committee for the collection services for delinquent court costs:

County Court at Law Judge Daniel Robles;

Mrs. Aurora De La Garza, District Clerk;

Mr. Joe G. Rivera, County Clerk;

District Judge Ben Uresti;

Mr. Xavier Villarreal, Budget Officer; and

Mr. Tony Yzaguirre, Tax/Assessor Collector.

The motion was seconded by Commissioner Wood and carried unanimously.

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(9) **IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH ANDRES CABALLERO TO IMPROVE BLUM LANE (TABLED)**

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

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(10) **CONSIDERATION AND PRELIMINARY APPROVAL OF A GRANT PROPOSAL TO BE SUBMITTED TO THE MEADOWS FOUNDATION FOR FUNDING FOR THE CAMERON COUNTY YOUTH AND FAMILY LEARNING CENTER PROGRAM FOR PROGRAM YEAR 2004-2005**

Mr. Hilario Diaz, Title V Program Director, proposed submission of a grant proposal to the Meadows Foundation to incorporate activities of the Title V Program and Learning Center to provided services in Brownsville and Commissioner Precinct No. 4. He explained that the grant would fund staff salaries, supplies, and a coordinator for rural area Family Learning Centers with travel expenses. Mr. Diaz stated that according to the Texas Criminal Justice Office all equipment could be kept by the Title V Program as long as children continued to be served. He noted the total cost of the program to be \$358,000.00, excluding in-kind contributions and that the grant being requested totals \$262,000.00, but was subject to change.

Commissioner Garza noted the need to ensure that services provided elsewhere were not compromised.

Mr. Diaz responded that funding was allocated to operate activities during the summer, and stated that the final proposal would be presented to the Court latter in the week. He added that the Advisory Committee would continue having fundraisers to obtain supplementing funds.

Commissioner Tamayo informed that the Rio Hondo/Lozano Advisory Committee raised \$580.00 during the weekend.

Commissioner Garza questioned if the \$96,000.00 identified was available.

Mr. Xavier Villarreal, Budget Officer, responded that \$96,000.00 was budgeted for learning centers' staff.

Commissioner Tamayo moved that the preliminary grant proposal to be submitted to the Meadows Foundation for funding for the Cameron County Youth and Family Learning Center Program for Program Year 2004-2005 be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

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(11) **CONSIDERATION AND ACTION REGARDING THE PREPARATION OF A PARKS MASTER PLAN FOR ISLA BLANCA PARK ON SOUTH PADRE ISLAND, TEXAS**

Mr. Javier Mendez, Parks System Director, requested authorization to prepare an RFP for creation of a master plan.

Commissioner Wood noted the need to plan long range since Cameron County was more of an urban county, and added that creation of a master plan for this park was a good start to determine what must ultimately be developed.

**NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.**

Commissioner Garza questioned if the proposed master plan would considers removal of all or partial facilities available.

Mr. Mendez responded that some facilities would be relocated.

Commissioner Garza suggested that public involvement be considered if such actions would be taken.

Mr. Mendez requested authorization to prepare the RFP and explained that authorization to advertise the RFP would be requested in the future.

Judge Hinojosa suggested that a Resolution be adopted to authorize preparation of the RFP for creation of a master plan.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Resolution authorizing preparation of a Parks Master Plan for Isla Blanca Park on South Padre Island, Texas, was adopted.

**The Resolution is as follows:**

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(12) **CONSIDERATION AND AUTHORIZATION TO RELEASE FUNDS FOR THE PURCHASE OF THE LEVI STRAUSS & CO.-SAN BENITO PROPERTY ON THE CORNER OF WILLIAMS ROAD AND EXPRESSWAY 77/83**

Commissioner Wood moved that the release of funds be authorized for the purchase of the Levi Strauss & Co.-San Benito property on the corner of Williams Road and Expressway 77/83.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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(13) **CONSIDERATION AND AUTHORIZATION TO RELEASE FUNDS FOR THE PURCHASE OF LOT "A", BLOCK 1, TARPON CENTER SUBDIVISION, A SUBDIVISION IN THE CITY OF PORT ISABEL, CAMERON COUNTY, TEXAS, ACCORDING TO MAP OF PLAT THEREOF RECORDED IN CABINET 1, SLOT 2086-B OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS**

Judge Hinojosa explained that the property was located next to the County Annex in Port Isabel.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the purchase of Lot "A", Block 1, Tarpon Center Subdivision, a subdivision in the City of Port Isabel, Cameron County, Texas, according to Map of Plat thereof recorded in Cabinet 1, and Slot 2086-B of the Map Records of Cameron County, Texas, was authorized.

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## **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.32 Pete Sepulveda, Director of Transportation Department, requested that this item be **TABLED**.

ITEM NO. 17 Commissioner Garza asked if the recommendation was to accept the low bid. Mr. Javier Mendez, Parks System Director, recommended that all bids be rejected.

ITEM NO.15 Mr. Mark Yates, County Auditor, presented the following late claims: Warrant No. 00112335, payable to CTAT, in the amount of \$100.00; and Warrant No. 00112336, loan to Fund No. 21, in the amount of \$20,000.00.

Commissioner Tamayo moved that the following "Consent and Travel Items", be approved, inclusive of the late claims, and that Item No. 32 be **TABLED**.

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

AYE: Commissioners Benavides, Wood, and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00112213, payable to Laguna Madre Water District, in the amount of \$65.33; and Commissioner Garza as to Warrant No. 00112233, payable to The Medicine Shoppe, in the amount of \$1,171.47.

- (15) **APPROVAL OF CLAIMS:**  
**The Affidavits follow:**
- (16) **ADOPTION OF A RESOLUTION SUPPORTING THE CONSOLIDATION OF THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT'S TAX COLLECTIONS WITH THE OFFICE OF THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR;**  
**The Resolution follows:**
- (17) **AUTHORIZATION TO REJECT BID PROPOSALS RECEIVED ON THE CONSTRUCTION OF THE ISLA BLANCA PARK – REFURBISHING CONEY ISLAND RESTROOMS:**
- (18) **AUTHORIZATION TO ISSUE A RENEWAL BEACH VENDOR PERMIT TO MELISSA BROWN, D/B/A SUNSHINE EXPRESS:**
- (19) **APPROVAL OF AMENDMENT TO THE SUBRECIPIENT GRANT AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE FOR THE CONSTRUCTION OF CABANA'S INSIDE THE ISLA BLANCA PARK TO EXTEND TERM TO AUGUST 2004;**  
**The Amendment follows:**
- (20) **APPROVAL OF AMENDMENT TO THE SUBRECIPIENT GRANT AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE FOR THE REFURBISHING OF THE CONEY ISLAND RESTROOMS INSIDE THE ISLA BLANCA PARK TO EXTEND TERM TO AUGUST 2004;**  
**The Amendment follows:**
- (21) **AUTHORIZATION TO RENEW A CONCESSION LEASE AGREEMENT BETWEEN CAMERON COUNTY (PARKS) AND ALFONSO SALAZAR D/B/A SEA RANCH GROCERY AND TACKLE;**  
**The Agreement follows:**
- (22) **ACKNOWLEDGMENT OF DISTRICT CLERK'S OCTOBER, NOVEMBER AND DECEMBER'S MONTHLY FEE AND FINES REPORT;**  
**The Report follows:**
- (23) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS:**  
**A. MOSQUITO INSECTICIDE – ANNUAL BID NO. 2430.**  
**The Tabulation follows:**
- (24) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ:**  
**(A) FOOD: MEATS – QUARTERLY BID NO. 2170-2;**  
**(B) ROAD MATERIALS: COLD PATCH – ANNUAL BID NO. 2566;**  
**(C) ROAD MATERIALS: EMULSION OILS – ANNUAL BID NO. 2540;**  
**(D) ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID NO. 2560;**  
**(E) ROAD MATERIALS: LIQUID STABILIZER – ANNUAL BID NO. 2574;**  
**(F) ROAD MATERIALS: SURFACING – ANNUAL BID NO. 2580;**  
**(G) WASTE DISPOSAL OF SOLIDS– PARKS DEPT. S.P.I.–ANNUAL BID NO. 1970; AND**  
**(H) DANCY BUILDING INTERIOR RESTORATION OLD CAMERON COUNTY COURTHOUSE – BID NO. 031201.**

- (25) **AUTHORIZATION TO RENEW THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR:**
- (A) **ARMORED CAR SERVICES – ANNUAL BID NO. 1180;**
  - (B) **VEHICLE LEASE – ANNUAL BID NO. 1480;**
  - (C) **FINANCING FOR EQUIPMENT – ANNUAL RFP NO. 1420; AND**
  - (D) **FIRE EXTINGUISHER MAINTENANCE – ANNUAL BID NO. 1430.**
- (26) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS :**
- (A) **ROAD MACHINERY: RENTAL – ANNUAL BID NO. 1710;**
  - (B) **ROAD MATERIALS: DIRT, SAND, LIME – ANNUAL BID NO. 2515; AND**
  - (C) **ROAD MATERIALS: CONCRETE – ANNUAL BID NO. 2510.**
- The Tabulation follows:**
- (27) **APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER IN THE AMOUNT OF \$1,917.00 TO VALLEY MORNING STAR;**
- (28) **AMENDMENT TO SUBDIVISION RULES & REGULATIONS CORRECTING MAINTENANCE BOND REQUIREMENT THAT THE SUBDIVIDER SHALL PROVIDE OR CAUSE TO BE PROVIDED TO THE COUNTY A MAINTENANCE BOND UPON COMPLETION OF THE CONSTRUCTION OF ROADWAYS AND DRAINAGE IMPROVEMENTS TO BE DEDICATED TO THE COUNTY IN THE AMOUNT OF 15% OF THE TOTAL COST OF THE IMPROVEMENTS;**
- The Amendment follows:**
- (29) **AUTHORIZATION TO FILL VACANT TOLL COLLECTOR POSITION AT THE INTERNATIONAL BRIDGE SYSTEM;**
- (30) **APPROVAL OF THE COUNTY’S PARTICIPATION AND MEMBERSHIP IN THE ALLIANCE FOR I-69 ORGANIZATION;**
- (31) **AUTHORIZATION TO ALLOW THE INTERNATIONAL BRIDGE SYSTEM TO USE QUOTES FOR THE PURCHASE OF THREE (3) LAWNMOWERS FOR AN AMOUNT GREATER THAN \$15,000.00 BUT LESS THAN \$25,000.00;**
- (32) **IN THE MATTER REGARDING APPROVAL OF SUBDIVISION CONSTRUCTION AGREEMENT FOR UNBUILT SEPTIC SYSTEMS TO COMPLY WITH THE MODEL SUBDIVISION RULES FOR MATTHEW BAILEY SUBDIVISION, PRECINCT NO. 4; (TABLED)**
- (33) **APPROVAL OF SUBDIVISION CONSTRUCTION AGREEMENT FOR UNBUILT SEPTIC SYSTEMS TO COMPLY WITH THE MODEL SUBDIVISION RULES FOR LA CANADA/THE DELL SUBDIVISION, PHASE I, PRECINCT NO. 4;**
- The Agreement follows:**
- (34) **APPROVAL OF SUBDIVISION CONSTRUCTION AGREEMENT FOR UNBUILT SEPTIC SYSTEMS TO COMPLY WITH THE MODEL SUBDIVISION RULES FOR LA CANADA/THE DELL SUBDIVISION, PHASE II, PRECINCT NO. 4;**
- The Agreement follows:**
- (35) **PRELIMINARY AND FINAL APPROVAL:**
- A. **PRECINCT NO. 4- CHELSEA ESTATES, PHASE II, BEING A 6.7 ACRES OUT OF BLOCK 207, AND 5.00 ACRES OUT OF BLOCK 208, ADAMS GARDENS SUBDIVISION “C”, CAMERON COUNTY, TEXAS.**
- (36) **PRELIMINARY APPROVAL:**
- A. **PRECINCT NO. 2- RESACA VISTA SUBDIVISION, BEING A TRACT 1: 45.28 ACRES IN BLOCK FOUR (4), EL JARDIN SUBDIVISION, IN SHARE 19, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS.**

## TRAVEL ITEMS

**(37) 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) Three (3) Assistant County/District Attorneys to attend the “2004 TDCAA Investigation and Prosecution of Drug Offenses Course” in Kerrville, Texas, March 31- April 2, 2004;
  - (B) Unified Narcotics Intelligence Task-Force Agent to attend the “Analyst Notebook I2 Training”, in Sacramento, California, March 28- April 2, 200;
  - (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 – April 2, 2004;
  - (E) Human Resources Employee to attend the “Texas Schools Risk Managers Association Seminar”, in San Antonio, Texas, March 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.
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- (15) APPROVAL OF CLAIMS.  
The Affidavits are as follow:**

- (16) **ADOPTION OF A RESOLUTION SUPPORTING THE CONSOLIDATION OF THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT'S TAX COLLECTIONS WITH THE OFFICE OF THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR.**  
**The Resolution is as follows:**

- (19) APPROVAL OF AMENDMENT TO THE SUBRECIPIENT GRANT AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE FOR THE CONSTRUCTION OF CABANA'S INSIDE THE ISLA BLANCA PARK TO EXTEND TERM TO AUGUST 2004.**  
**The Amendment is as follows:**

- (20) **APPROVAL OF AMENDMENT TO THE SUBRECIPIENT GRANT AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE FOR THE REFURBISHING OF THE CONEY ISLAND RESTROOMS INSIDE THE ISLA BLANCA PARK TO EXTEND TERM TO AUGUST 2004.**  
**The Amendment is as follows:**

- (21) **AUTHORIZATION TO RENEW A CONCESSION LEASE AGREEMENT BETWEEN CAMERON COUNTY (PARKS) AND ALFONSO SALAZAR D/B/A SEA RANCH GROCERY AND TACKLE.**  
**The Agreement is as follows:**

- (22) **ACKNOWLEDGMENT OF DISTRICT CLERK'S OCTOBER, NOVEMBER AND DECEMBER'S MONTHLY FEE AND FINES REPORT.**  
**The Report is as follows:**

- (23) AUTHORIZATION TO AWARD THE FOLLOWING BIDS:**  
**A. MOSQUITO INSECTICIDE – ANNUAL BID NO. 2430.**  
**The Tabulation is as follows:**

- (26) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS :**
- (D) ROAD MACHINERY: RENTAL – ANNUAL BID NO. 1710;**
  - (E) ROAD MATERIALS: DIRT, SAND, LIME – ANNUAL BID NO. 2515; AND**
  - (F) ROAD MATERIALS: CONCRETE – ANNUAL BID NO. 2510.**
- The Tabulation is as follows:**

- (28) AMENDMENT TO SUBDIVISION RULES & REGULATIONS CORRECTING MAINTENANCE BOND REQUIREMENT THAT THE SUBDIVIDER SHALL PROVIDE OR CAUSE TO BE PROVIDED TO THE COUNTY A MAINTENANCE BOND UPON COMPLETION OF THE CONSTRUCTION OF ROADWAYS AND DRAINAGE IMPROVEMENTS TO BE DEDICATED TO THE COUNTY IN THE AMOUNT OF 15% OF THE TOTAL COST OF THE IMPROVEMENTS.**

**The Amendment is as follows:**

- (33) APPROVAL OF SUBDIVISION CONSTRUCTION AGREEMENT FOR UNBUILT SEPTIC SYSTEMS TO COMPLY WITH THE MODEL SUBDIVISION RULES FOR LA CANADA/THE DELL SUBDIVISION, PHASE I, PRECINCT NO. 4.  
The Agreement is as follows:**

- (34) APPROVAL OF SUBDIVISION CONSTRUCTION AGREEMENT FOR UNBUILT SEPTIC SYSTEMS TO COMPLY WITH THE MODEL SUBDIVISION RULES FOR LA CANADA/THE DELL SUBDIVISION, PHASE II, PRECINCT NO. 4.  
The Agreement is as follows:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 10:08 A.M. to discuss the following matters:

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- (12) **CONSIDERATION AND AUTHORIZATION TO RELEASE FUNDS FOR THE PURCHASE OF THE LEVI STRAUSS & CO.-SAN BENITO PROPERTY ON THE CORNER OF WILLIAMS RD AND EXPRESSWAY 77/83**
- (13) **CONSIDERATION AND AUTHORIZATION TO RELEASE FUNDS FOR THE PURCHASE OF LOT "A", BLOCK 1, TARPON CENTER SUBDIVISION, A SUBDIVISION IN THE CITY OF PORT ISABEL, CAMERON COUNTY, TEXAS, ACCORDING TO MAP OF PLAT THEREOF RECORDED IN CABINET 1, SLOT 2086-B OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS**

At this time the clarification was made that Bond Issue 2004 was the funding source, and the Court proceeded into Executive Session at this time.

**(38) EXECUTIVE SESSION:**

- (a) 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;
- (b) Confer with Commissioners' Court Legal Counsel concerning the Agreement for Legal Services between Cameron County and Martinez, Barrera and Martinez for the investigation concerning the Carrizales-Rucker Detention Center issues; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2);
- (c) Confer with Commissioners' Court Legal Counsel concerning possible litigation involving Cameron County versus Faulkner, USA, formerly known as Landmark; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(A)&(2);
- (d) To deliberate the appointment of a Director for the Department of Transportation and the establishment of the duties for said Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.074 & 551.071(2);
- (e) 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
- (f) Confer with Commissioners' Court Legal Counsel regarding the Cameron County Jail System 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 (1)(A)&(2).

**NOTE: COMMISSIONERS BENAVIDES AND GARZA LEFT THE MEETING AT THIS TIME.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened in Regular Session at 11:49 A.M to discuss the following matters:

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

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

Commissioner Tamayo moved that the Title Commitment concerning the possible acquisition of land for the West Rail Project be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

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**(b) Confer with Commissioners' Court Legal Counsel concerning the Agreement for Legal Services between Cameron County and Martinez, Barrera, and Martinez for the investigation concerning the Carrizalez-Rucker Detention Center issues.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the finalization of the Agreement with Martinez, Barrera, and Martinez for the investigation concerning the Carrizales/Rucker Detention Center issues was authorized as discussed in Executive Session, and the County Judge was authorized to sign the contract on behalf of the County.

**The Contract is as follows:**

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- (c) **Confer with Commissioners' Court Legal Counsel concerning possible litigation involving Cameron County versus Faulkner, USA, formerly known as Landmark.**

Commissioner Tamayo moved that the Status Report by Legal Counsel and the filing of the lawsuit by Cameron County be acknowledged, and that Legal Counsel be directed to get with the defendant in this case to discuss possible settlement within a 60 day period.

The motion was seconded by Commissioner Wood and carried unanimously.

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- (d) **To deliberate the appointment of a Director for the Department of Transportation and the establishment of the duties for said Director.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Status Report by Mr. Pete Sepulveda, Department of Transportation Director, was acknowledged.

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

Commissioner Tamayo moved that the execution of the purchase contract from RL Leasing Incorporated be authorized and that the hiring of an appraiser to appraise the property be authorized.

The motion was seconded by Commissioner Wood and carried unanimously.

The clarification was made that the purchase price of \$275,000.00 was to be funded through 2004 Series Bond Issues.

**The Contract is as follows:**

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- (f) **Confer with Commissioners' Court Legal Counsel regarding the Cameron County Jail System 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 the County Judge and Legal Counsel was acknowledged.

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**(3) PRESENTATION OF REPORT REGARDING JAIL ISSUES BY COUNTY JUDGE**

Judge Hinojosa- "I have a memorandum that I will make a part of the record. Essentially just for the record, what everyone knows is that the U.S. Marshal's Services recently decided to their there inmates from the entire County Jail System, the remaining area being the Ruben M. Torres Detention Center. That center, that area has been temporarily depopulated and as a result there has been a staff reduction that was conducted by the Sheriff's Department in order to reduce expenses of that facility. What we're going to do as a result of that depopulation is conduct security upgrades at this time, repairs, with the hope to return the U.S. Marshal's Office back to that facility or any other entity that wishes to house their inmates in our system. And we're in the process of discussions with respect to that. There's a memo by Marcelino... that I should make a part of the record?"

Mr. Doug Wright, Commissioners' Court Legal Counsel – "Yes."

Mr. Remi Garza, County Administrative Assistant – "That will be incorporated in the next Item in the Agenda; one of the action items following."

Judge Hinojosa – "That are some of the enhancements that we want to do in DC-I. Simultaneous with the enhancements that or improvements in Carrizalez Rucker that will also enhance the security of that facility. And we also are going to be working with... have been working with the Sheriff's Department on taking a look at the Policies and Procedures to see if there can be additions or revisions, plus looking at how these additions or revisions or actual existing Policies and Procedures can be implemented to meet any security issues raised by the U.S. Marshal's Office and also any security issues that we have internally. We continue to monitor the population. We are looking at different options to further reduce that population at this point. We're gonna be talking to the Judges and the Sheriff's Department about these additional measures to reduce the population and we will get back to you on that. We do have the system at Carrizales/Rucker Facility is pretty much full. There's only room for about an additional ten (10) inmates as I understand. So we feel that we need to get that population down, probably by another 100 to get us in a much more flexile position to be able to either bring in Federal Inmates or lease out our facilities. And the rest of the discussion relates to Items No. 7 and 14."

Mr. Wright –“Judge, before moving away from the Executive Session Items, the Action Items, we do need, for house keeping purposes, to announce the purchase price on that Purchase Contract at \$275,000.00 and designate the 2004 Series Bonds as the funding source. That should be part of the action.”

Commissioner Wood – “That’s on Item E.”

Mr. Wright – “Item E, yes.”

Judge Hinojosa – “Alright, just so that we can get through the Agenda Item can I hear a motion to acknowledge my Presentation on that.”

Commissioner Tamayo – “So move.”

Commissioner Wood – “I’ll second.”

Judge Hinojosa – “Motion by Commissioner Tamayo; second by Commissioner Wood. Any further discussion? All those in favor signify by stating Aye.”

Commissioners Benavides, Wood, Garza, Tamayo, and Judge Hinojosa – “Aye.”

Judge Hinojosa – “All those opposed? Motion carries.”

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(7) **CONSIDERATION AND POSSIBLE ACTION  
REGARDING POSSIBLE RENOVATIONS AND  
SECURITY ENHANCEMENTS FOR THE COUNTY  
DETENTION FACILITIES**

Judge Hinojosa – “You have a memo from Marcelino. Marcelino has been working on this issue for quite sometime. There’s two portions of renovations on DC-I that we just kind of need to divide up. One is the interior renovation that are going to deal with some of the security issues that were raised by the escape the last time around, which is replacement of ceilings with steel plates where they came out knocking down the wall that created the blind spot at the bathroom areas; dealing with the plumbing chassis issues; and repairing some of the plumbing in that area, and then painting the facility. That I think is in the memo, and for some reason I don’t have that memo handy. I know that we made it part of the record but for some reason. Oh here it is; I do have it. That’s replacing the air conditioning system, painting ceiling areas that I’ve just described, painting some of the floor areas, some concrete work that needs to be done, electrical work and some carpentry work, the total price tag is between \$170 to \$185, about \$185,500.00, that would be handled in-house. Not including the ceiling area. We want to start that as quickly as possible. Joe Santapetro is coming in tomorrow to look at the ceiling, the roof area I am sorry. He’s going to take a look at the roof to tell us what we need to do. I’d like to go ahead and proceed forward with authorizing Marcelino to do the repairs that are listed in his March 8, 2004 Memo and we just need to designate a funding source if you are all in agreement. And then we will get back to you on the roof as soon as we hear from Santopetro.”

Mr. Marcelino Ibarra, Building Maintenance Superintendent – “Santapetro will be here Thursday morning.”

Commissioner Wood – “Do we have him on some type of contingency?”

Judge Hinojosa – “Well we would have to probably authorize the hiring for him to do that, I’m sorry. He didn’t charge us.”

Commissioner Wood – “Because... I don’t know the guy, but I’ve seen some of the plans that he’s drawn on some other stuff that we’re not going to build, thank goodness. I don’t think he has...”

Judge Hinojosa – “He designed the jail. He was the original Architect that’s why we brought him in.”

Commissioner Wood – “Well it’s held up for 25 years. But I think we need to be cognizant on who we’re gonna be bringing in on these types of things, Judge.”

Judge Hinojosa – “Well and we thought about it. And the reason that we... He is not charging us for the work that he’s done up to now and I don’t know that he’s even going to charge us to give us a recommendation on the roof. Now the roof has to be replaced. And there needs to be a design process, then that’s a different issue and we can bring that to you. But he designed the facility. He also has good working relations with the State Jail Standards Commission, and in fact he cleared the sketches on knocking down the security wall with them so that we could proceed forward on that. In fact I talked to Mr. Julian when we were talking about doing it and I said ‘well you know if Joe Santapetro talks to you is that going to work for you?’ He said ‘no we have a good working relationship. Just have him call us on that.’ Time is of the essence and that’s kind of where we’re headed.”

Commissioner Wood – “I understand.”

Commissioner Tamayo – “You’re just being cautious.”

Judge Hinojosa – “I know, and that’s fine. We’re in a jam. And we need to get out of this jam. And we’re trying to do it as quickly and efficiently as possible. Okay, is that what you want us...? You want authority to go ahead with those issues, Marcelino, and the funding source would be?”

Mr. Xavier Villarreal, Budget Officer – “This kind of ties into the other measures that were taken by the Carrizalez Facility that have to do with the cameras and lights. But the finalization is gonna be later because right now we have preliminary estimates and the vendors that toured the facilities are giving recommendations. Their final numbers are due this Friday. The total between what Marcelino has and the preliminary except what Marcelino has estimated exceeds what we have currently, what is left over, from, I believe, it’s the year 2000, Mark?”

Mr. Mark Yates, County Auditor – “What is the total?”

Mr. Villarreal – “The total that he has right now is \$185,000.00 for the interior work; that’s not including the roof. The estimates that we have for the Carrizalez right now it’s about \$300,000.00.”

Judge Hinojosa – “So is it close to \$500,000.00?”

Mr. Villarreal – “Right.”

Mr. Yates – “Well we have cash of \$550,000.00...”

Judge Hinojosa – “In the Bond?”

Mr. Yates – “...in the remaining of the original Series 2000 Bond Issue that we built the jail with. So we have \$550,000.00 in cash totally unencumbered. So there’s no remaining.”

Mr. Villarreal – “There’d be nothing left.”

Judge Hinojosa – “I mean we’re not going to be able to do the...”

Mr. Yates – “There is going to be a lot of things that we can’t do. Like the fuel site and the vehicle maintenance barn. Things of that nature, but these are priority issues. You need to address them.”

Mr. Villarreal – “So we’d have to use all those funds.”

Judge Hinojosa – “So we do have that money available to do this?”

Mr. Villarreal – “Correct.”

Mr. Yates – “\$550,000.00 available funds to program as the Court sees.”

Commissioner Wood – “Well this is an essential element that’s got to be taken care of.”

Judge Hinojosa – “So let me ask you this; do we go forward on approving the Carrizalez/Rucker security measures or not?”

Mr. Villarreal – “Not yet, because we don’t have the final numbers yet and plus there’s some options as far as in relation to the fencing that they’re gonna be presenting and the Court would decide which option I guess to choose.”

Judge Hinojosa – “Now the only issue that’s remaining and expenditures, but you’re telling me now that we have about \$65,000.00 left, assuming that the numbers on Carrizales/Rucker come out to about \$300,000.00, is the roof replacement at DC I. And let’s see what happens on that and then... But we do have that additional \$65,000.00 available for that.”

Mr. Yates – “DC II roof replacement was about \$108,000.00, I believe.”

Judge Hinojosa – “Okay so we just...”

Commissioner Wood – “How long ago was that, Mark?”

Mr. Yates – “A year or two, I believe.”

Judge Hinojosa – “It was last year when did the replacement of the DC II roof, Marce?”

Mr. Ibarra – “It was almost two years, a year and a half ago.”

Judge Hinojosa – “Okay, well we just have to do what we need to do. We’re gonna be short \$50,000.00,

but we've got to get this done.”

Commissioner Wood – “We still got to get this done.”

Judge Hinojosa – “So with that in mind...”

Mr. Remi Garza, County Administrative Assistant – “If you could just, before the Commissioners Court take action on this, I think Mr. Marcelino included two additional some extra help that he was gonna ask to bring as part of this project. Just to make sure that's part of the motion to authorize him to bring those in.”

Commissioner Wood – “That's part of the contract labor work.”

Judge Hinojosa – “It's in there.”

Commissioner Tamayo – “He would need it.”

Mr. Garza – “And also he's using the PAW Program. If we're gonna be providing him exclusive use of the facility it does takes them away from projects that they currently do in the Commissioners' Precincts and we just wanted to make sure that everybody was aware of that. That if they're working in the jail; they will not be out helping unfortunately in the community like they normally do.”

Commissioner Wood – “Well this isn't gonna take forever.”

Mr. Garza – “No it won't. It will be a temporary thing. But they just wanted you to be aware of this.”

Commissioner Tamayo – “This is something we've got to get done.”

Judge Hinojosa – “You need to give them all to us Commander Rivera. All of them we need them as quickly as possible. On the repairs that are listed there, Marce, what kind of a time line can you give us?”

Marcelino Ibarra – “Well we're talking about a couple of months. We're getting started as soon as possible, maybe tomorrow.”

Mr. Garza – “Is he saying two months for everything?”

Judge Hinojosa – “Two months for everything.”

Mr. Garza – “If we need to work the schedule so where that people can be housed in there we can do that too, Judge.”

Judge Hinojosa – “Well you need to... I mean we need to work it... Some of the things that need to be done really quick, Marce are things that we can do now so that we can get inmates in there if necessary, okay.”

Mr. Ibarra – “I already, I'm working on it. My concern is about the air conditioner and don't know how long it takes because on the delay from the roof I don't know how long it take. If they're gonna fix the roof or leave it the way it is. I need to find out.”

Commissioner Tamayo – “That'll determine some of the work that you will be doing.”

Mr. Ibarra – “Yeah because if they're gonna do something to the roof I need to put a hold on the air

conditioning system until they fix the roof and then put it back in place, the air conditioners. So that's where I'm at right now."

Mr. Garza – "We should have some direction by next week on the roof."

Commissioner Tamayo – "Okay."

Mr. Ibarra – "On the ...(inaudible), but the only thing is gonna be the air condition systems, because we need to place twelve units. Six-seven tons and six-six tons."

Judge Hinojosa – "Yeah, except that doesn't take that long does it?"

Mr. Ibarra – "What."

Judge Hinojosa – "To replace the air conditioning system?"

Commissioner Wood – "You've got to get them ordered."

Judge Hinojosa – "Is the units right."

Mr. Ibarra – "...(Inaudible).."

Judge Hinojosa – "Oh they go on the roof."

Mr. Ibarra – "...and we need to get three (3) bids to buy the whole equipment because we're looking about \$40,000.00 \$45,000.00 just on equipment by itself. So we need to go through the procedures."

Judge Hinojosa – "Alright, esta bueno."

Commissioner Tamayo – "Thank you, Marcelino."

Judge Hinojosa – "Thank you Marce. So we're only gonna pass something on seven that relates to DC-I, which is the recommended repairs by Marcelino funded through the original Bond Issue for the Carrizalez/Rucker Facility."

Commissioner Tamayo – "So moved."

Judge Hinojosa – "Motion by Commissioner Tamayo, and second by Commissioner Wood?"

Commissioner Wood – "Second."

Judge Hinojosa – "All those in favor signify by stating aye."

Commissioners Benavides, Wood, Garza, Tamayo, and Judge Hinojosa – "Aye."

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

**(8) CONSIDERATION AND IMPLEMENTATION OF POSSIBLE COST SAVING MEASURES AND BUDGET ADJUSTMENTS TO INCLUDE, BUT NOT LIMITED TO, RESTRICTIONS ON TRAVEL REQUESTS, THE ISSUANCE OF FUTURE PURCHASE ORDERS AND REALLOCATION OF LAPSE SALARIES AND FRINGE BENEFITS**

Judge Hinojosa – “There’s a list. I don’t know did you all get the...? There’s a list of things that we believe will result in some savings.”

Commissioner Tamayo – “And what is your time line on this?”

Commissioner Wood – “They’ve got some issues with the hiring freeze also if you’re talking about that throughout the County. We don’t have any control over Elected Officials other than whether they agree to it or not as long as they have a slot. I guess if we remove the slot...”

Mr. Doug Wright, Commissioners’ Court Legal Counsel – “If you determine you want to remove those monies you can remove the slot then. But it’s got to be removed to another line item.”

Judge Hinojosa – “That’s an easy one they all get removed to the County Jail.”

Commissioner Wood – “Is that another line item in their budget?”

Mr. Wright – “No, it can be anywhere.”

Commissioner Wood – “The General Fund Budget or something?”

Judge Hinojosa – “So what do we do? Well let’s just go we’ll come back. The lapse salaries is a no brainer that’s gonna have to be pulled out and set into the...”

Mr. Xavier Villarreal, Budget Officer – “General Administration.”

Judge Hinojosa – “Okay, so but does it go to General Administration or to the Sheriff’s Department Budget?”

Mr. Villarreal – “No it just goes to General Administration.”

Judge Hinojosa – “So we agree to do that, yes?”

Commissioner Wood – “But are we able to remove the lapse salaries from another Elected Officials Department.”

Mr. Wright – “If you move money from an existing item, it simply gots to be moved to another line item and it can be moved between departments. You just can’t create another fund without declaring an emergency.”

Commissioner Wood – “So we go to the General Fund with it?”

Judge Hinojosa – “Okay so the motion would be to remove the lapse salaries and put into General Fund?”

Mr. Villarreal – “General Administration.”

Commissioner Wood – “General Administration.”

Judge Hinojosa – “General Administration, okay. And then what is... The workers compensation, that would we do the same thing with that?”

Mr. Villarreal – “On that I would actually have to go and change the budgeted amounts under work man comp based on the new rates that we have received and then the difference between what was budgeted and what the new rate is for the year. Transfer that also to General Administration.”

Commissioner Wood – “We’ve also got to take into consideration what we’ve already committed out of that.”

Mr. Villarreal – “Correct that’s why the dollar amount there is a \$100,000.00. Cause you had already taken

some of the funding...”

Judge Hinojosa – “So what do we do on the \$100,000.00 now?”

Mr. Villarreal – “I’ll just have to amend the budget or the line items within all the departments to the new rate that we have been given by TAC for the workers comp premium for this year.”

Judge Hinojosa – “And do we pass a Resolution putting that into General Administration as well then?”

Mr. Villarreal – “Yes.”

Judge Hinojosa – “Okay, and then the only other issue... I mean you know, in the hiring freeze what are you saying we can do?”

Commissioner Wood – “As long as the other Elected Official has a line item...”

Mr. Wright – “As long as the line item is there, the money is in the position been created you can not tell the Elected Official he can’t fill that position. So if there are positions that are open that because of budgetary issues evolved, you elect to change those monies over to the line item you can do that.”

Judge Hinojosa – “Can we do that today? Can we take all open positions right now and transfer them over to General Administration?”

Mr. Wright – “You need to identify what those are.”

Mr. Villarreal – “I’d have to identify them. When I looked at it yesterday, the day before yesterday, there really weren’t all that many of them. Excuse me.”

Judge Hinojosa – “Algo es algo.”

Mr. Villarreal – “Well there were three. One of them was Child Welfare and one of them was a Home Maker and I would feel very uncomfortable removing that position because it deals, they’re going through with the Court System. One of them was a Health Inspector within the Health Department and a Registered Nurse in the Infirmary, in looking at the General Fund. I can do it as time goes on as vacancies become available and then do it at that time.”

Commissioner Tamayo – “This won’t... What about the engineer, I mean we need to get an engineer on board as soon as possible.”

Judge Hinojosa – “What about the... One of the things that we talked about in Executive Session was this whole issue of the knocking down of the percentage of administration in the Sheriff’s Department that related to the lay offs. So how can we handle that as part of the resolution? Because they should be the Administration of the Sheriff’s Department at Carrizales/Rucker, I’m sorry at DC I, when DC I was full, was \$6.15 per inmate now it’s at \$10.00 dollars and what?”

Mr. Remi Garza, County Administrative Assistant – “Well Judge, the system for the administrative charges of the administrative services provided for the entire system when all four facilities are operating the cost of that is roughly \$6.15 per bed. Now that the two facilities have sort of depopulated, two of our facilities are depopulated, our active capacity bed is \$8.44 which brings that administrative rate to \$10.12 per day per bed. So I mean if the Court were to ask us to amend that rate so that the administrator services was at \$6.15 at \$8.44 we’d have to find a reduction between the different...”

Judge Hinojosa – “But how can we force that? I mean I think if our guards are laid off because of the closing of this facility it needs to apply across the board. How do you force this issue?”

Commissioner Tamayo – “Eliminate positions.”

Mr. Villarreal – “Eliminate positions that are... (Inaudible).”

Mr. Wright – “You have an obligation to make sure that your budget is balance and if there is an over

expenditures as a result of the expenses or the lack of revenues coming in it's probably within your discretion to direct that those positions not be funded and you move monies from those line items to another line item within your Budget."

Judge Hinojosa – "So can we pass a resolution where we direct the Budget Officer to reduce the administrative budget in the Sheriff's Department in the amount that would put it at the \$6.15 per inmate cost of the pre-depopulation period of DC I?"

Mr. Wright – "We're working on Item No. 8, Judge."

Judge Hinojosa – "I know that."

Mr. Wright – "I don't think that there's that issue spoken to in eight."

Judge Hinojosa – "Well it says 'possible cost saving measures and budget adjustments to include, but not limited to, restrictions on travel requests, the issuance of future purchase orders and reallocation of lapse salaries and fringe'. It says to include but not limited to."

Commissioner Tamayo – "One of the key words is adjustments. There budget adjustments."

Mr. Wright – "Well the ideal thing to do would be to... It's a close question."

Judge Hinojosa – "Well I would err on the side of the budget saving amendment now. Look as I understand for example the lay off, this is what I was told and I don't know if it is true or not, when the lay offs occurred at DC I not everybody got laid off, including for example the person that was in charge of that facility. Now how does that happen? If this security guard gets laid off, but the guy that is in charge of the facility does not get laid off. Why is it that happening? That does not make any sense to me."

Commissioner Tamayo – "Who is his supervisor?"

Judge Hinojosa – "Well yeah that's right. How is it that they were able to work that thing out? I mean I don't think that, I mean I think that... When I sat here with all that security, with all the correction officers yesterday I mean nobody was happy about getting laid off. But what made it even more difficult for them was they felt that it did not apply across the board, that it did not apply to everybody that supposedly was going to get laid off as a result of the depopulation of DC I and so you know if we're going to do this in an equitable way and we are going to save money to balance the budget at time of budget crisis, then it needs to apply across the board. And to me that is part of the problem you don't have lay offs, you don't have a reduction in administration in this Department. In fact the administrative costs are close to 40% higher than they were much earlier."

Mr. Wright – "I am not arguing against your rational Judge. I'm just saying that I..."

Judge Hinojosa – "Well I'd like to do it. And if we can include that as part of our motion; I would ask that be included as a part of the motion, if that's alright with everybody here."

Commissioner Tamayo – "I so move."

Judge Hinojosa – "Somebody is going to have to second it."

Commissioner Tamayo – "I feel comfortable with it because of the wording."

Judge Hinojosa – "Alright, so and then you are not comfortable with freezing any slots at this point."

Mr. Villarreal – "No I'm not saying that."

Judge Hinojosa – "Freezing any of the slots that you mentioned that are opened."

Mr. Villarreal – "It's up the Court, its just..."

Mr. Wright – "I don't think as long as the money remains there you can freeze them, Judge."

Judge Hinojosa – "Well what I am saying. Well we're eliminating those slots and then have them come back to us if they want to justify filling them as to why they are important. Why can't we do that?"

Mr. Wright – “So you are going to transfer the money to another fund?”

Judge Hinojosa – “All into General Administration of all open slots and if somebody wants to fill those slots they have to come to us and justify them.”

Mr. Fidel Calvillo, Infirmary Supervisor – “For the Health Department; the Health Inspector we’re pending TDH to send us some the funding for the Program Supervisor... (Inaudible).”

Commissioner Wood – “Well this is an issue that I’ve been talking ever since Ray left, that why do we still have that slot available to start with. If TDH doesn’t want to pay for it in total we need to let it go.”

Mr. Calvillo – “Okay I spoke with TDH and they told me within two weeks we’d get something (Inaudible)... to transfer the funding, which we’re getting 65% of whatever... (Inaudible).”

Judge Hinojosa – “When you do that then come back to us; then we’ll talk about it then. Alright so that’s part of the Resolution as well.”

Mr. Wright – “Okay.”

Mr. Villarreal – “So in relation to the administration of the Sheriff’s Office do you want us to bring back a calculation or savings in positions that need to be eliminated or what have you...?”

Mr. Garza – “When we’re saying the Sheriff’s Administration we’re talking about Jail Administration and not the Sheriff’s Department?”

Judge Hinojosa – “Well the administration that relates to the Sheriff’s Department Administration of the Jail is what I think is the way it’s calculated out.”

Mr. Garza – “Yes.”

Judge Hinojosa – “We’re passing the Resolution. When you come back with the budget amendments and so on and so forth just certify our statement... Now a couple of my staff persons have travel here that well we probably need to knock out guys, I mean that’s you know, and that is Item No. C.”

Mr. Garza – “Judge on this, on the freezing of the travel as it relates to the Items that were approved earlier there are some expenditures. Item C obviously we were planning on taking a county vehicle and so you what you’d be saving would be on hotels and that’s not a problem on Item No. C, I’m sorry, but there’s another Item A.”

Judge Hinojosa – “So on C, then you’ll agree just to go just using the gas, a county vehicle, and that’s it? And not spending any hotel expenses or what?”

Mr. Garza – “Right and then if...”

Commissioner Wood – “He’s got to have hotel.”

Mr. Garza – “Well originally when it was placed on the agenda we had anticipated being reimbursed for hotel expenditures, but I think that, there are two things one is if we decide to go and stay at a hotel then as employees we are responsible for our own housing arrangements and you know either stay with families or whatever, depending on if we’re able to do this or if the Commissioners Court in alternative could state that if it is an approve travel and at the end of the year there’s an opportunity to reimburse there’s funds available from whatever savings were able to accomplish that then that could be submitted for reimbursement later...”

Judge Hinojosa – “Okay that’s fine.”

Commissioner Tamayo – “I doubt that there will be anything.”

Mr. Garza – “I do too, but I mean/think. We requested that the trip be approved and obviously if we don’t get funds for the hotel that’s something that we take on ourselves because going to see what we’re going to see is important enough. I know I’m willing to pay for my own hotel charge on that trip, but the other individuals may or may not.”

Judge Hinojosa – “What about Item No. 1? One of my staff is going to the BTA Conference”

Mr. Garza – “The airline tickets have already been purchased for that; I would recommend that that be approved as is.”

Judge Hinojosa – “So from here on out we just need to do the freezing.”

Mr. Garza – “It’s a freeze and any item that’s going to be an exception comes before the Court and you all...”

Mr. Villarreal – “Is this just specific to the General Fund or are you talking about all funds? Because some grants might have their separate funding...”

Commissioner Tamayo – “Well if it’s a grant and they have their own money.”

Judge Hinojosa – “If it’s a grant funding... All General Fund funded travel will be frozen, except by specific request of the Commissioners.”

Commissioner Wood – “Because there are obviously going to be some that come up from time to time that are imperative that someone be there.”

Judge Hinojosa – “Not that you can’t travel but now we got to approve specifically any request with the understanding that they are probably not going to be approved unless...”

Commissioner Tamayo – “There’s strong justification.”

Judge Hinojosa – “Yeah.”

Mr. Garza – “We’ll place them as Action Items rather than in Consent Item.”

Mr. Wright – “So for instance Item G you’re not affecting. You’re gonna approve Juvenile Travel?”

Mr. Villarreal – “Yes.”

Mr. Mark Yates, County Auditor – “Are they gonna rescind their action? They’ve already taken action.”

Mr. Wright – “Well that’s what I’m saying. You need to clarify with regards to your travel because the Juvenile Department has already been provided the money and the Juvenile Board makes that decision. You really don’t have to...”

Judge Hinojosa – “Okay from here on out, okay?”

Mr. Villarreal – “Regardless, on the Juvenile Board, I don’t think they can freeze that anyway.”

Commissioner Tamayo – “After today.”

Judge Hinojosa – “After today, alright. Okay and the other thing is deferred health insurance premium. Remi, can we just go ahead and pass that if the recommendation is that? Because even if we fix everything we’re still gonna have a shortfall and we got to make it up. So if we make a determination that the fund is healthy enough to withstand a two (2) month deferral on the premium can we go ahead and pass that assuming that it is and if not can you come back to us?”

Mr. Garza – “Yeah, Judge I would recommend that those not necessarily be consecutive months. If you hold off one deferral and make sure that it is not going to have a detrimental impact to the Fund Balance and then maybe skip a month and then the next month, have that, which just authorize it occurring in two...”

Mr. Yates – “They give us no opportunity to look at the reasoning behind this. We’ve not been included in this particular discussion.”

Judge Hinojosa – “On this one?”

Mr. Yates – “On the Employees Benefit Plan. I’d like to have an opportunity to look at that. I’ve had some discussion with our TDPA, who also advises me on employee benefits funds. I’d like to look at that before you all make that obviously big of a decision. I know we are sitting, not necessarily sitting on, but we’re probably at where

we need to be with regards to reserves. 90 to 100 a day; 90 to 100 any day in about a month period. So we've not raised our rates. We've changed our Plan. I know that we need funds, but let's look at that issue and bring it back next week."

Judge Hinojosa – "Okay."

Mr. Garza – "And just for Mark's edification that the decision on that was not done just because we thought well ain't it great we have \$4 million. We've been consulting the Personnel Director who handles our insurance aspect and his been working with Mr. Malleck to find out whether or not it was going to have a detrimental impact."

Judge Hinojosa – "Well we'll defer that a week and see what you can come up with. But that is what we'd like to do. Okay, and then the other... I would want to wait on any increase on the toll bridge at this time."

Mr. Garza – "Those are just revenue suggestions."

Judge Hinojosa – "And then the kitchen privatization."

Commissioner Tamayo – "That's in process."

Judge Hinojosa – "What is this fed rate back to? Oh we're negotiating that. Yeah that's something we haven't confirmed yet. Alright can I have a motion to impose those cost savings measures that we've just agreed to, except for the health insurance deferred premium."

Commissioner Tamayo – "Except for No. 6. So move."

Judge Hinojosa – "Is there a second."

Commissioner Wood – "Second."

Judge Hinojosa – "There's a motion and a second. Any further discussion? All those in favor signify by stating Aye."

Commissioners Wood, Tamayo, and Judge Hinojosa – "Aye."

Judge Hinojosa – "All those oppose? Motion carries."

**The Report is as follows:**

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(14) **CONSIDERATION AND AUTHORIZATION TO INITIATE PROCESS TO LEASE CAMERON COUNTY DETENTION FACILITIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 263.007**

Judge Hinojosa – “Doug has given us a roadmap on how to do this. It’s listed out on the memo of March 29 from Remi to the Commissioners Court, and I would ask that you all give us authority to go ahead and start the process of making a request for proposals.”

Mr. Remi Garza, County Assistant Administrator – “Sealed proposals.”

Judge Hinojosa – “Sealed proposals for the leasing out of County Detention Facilities along the lines as set out in the March 19<sup>th</sup>, 2004, memo. Going through all the procedures set out there.”

Commissioner Tamayo – “So move, following that criteria.”

Judge Hinojosa – “yes.”

Commissioner Wood – “Second.”

Judge Hinojosa – “Motion by Commissioner Tamayo, second by Commissioner Wood. Any further discussion? All those in favor signify by stating Aye.”

Commissioners Wood, Tamayo, and Judge Hinojosa – “Aye.”

Judge Hinojosa – “All those oppose? Motion carries.”

**The Memo is as follows:**

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There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the meeting was **ADJOURNED** at 12:29 P.M.

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**APPROVED** this 27<sup>th</sup> day of **April 2004**.

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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**