

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 22<sup>nd</sup> day of June 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 Hinojosa at 9:31 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 June 18, 2004 at 10:35 A.M:

Judge Hinojosa informed of the death of Mr. Ibanez and suggested that a resolution be adopted to honor his family and him. He reported that Mr. Pete Sepulveda, Department of Transportation Director, and the Office of Senator Cornyn called to inform him that the FONSI had been issued and that publications began yesterday. Judge Hinojosa stated that if everything went well the Presidential Permit for the West Rail Relocation Project should be obtained in about 30 to 60 days. He informed that Commissioner Tamayo and he made a presentation to the Harlingen City Council regarding the North Rail Relocation Project and the Regional Mobility Authority (RMA), adding they showed much interest. Judge Hinojosa noted the need to start building expectation in the community concerning the RMA because of the need to invest in order to make the RMA operational. He reported that an announcement was made that the SCAAP allocation for Cameron County would increase from \$221,393.00 to \$460,229.00.

Commissioner Wood expressed concern with SCAAP funds being deducted from the cost of housing federal inmates by the U.S. Marshal's Office when determining the daily reimbursement rate. He stated that both Senator Cornyn and Senator Hutchinson's Offices were interested in reviewing the matter to determine if something different could be done.

Judge Hinojosa informed that notification was received that \$886,000.00 was allocated in the Senate to complete the realignment of the intercostals canal, and that Senators Hutchinson and Edwards have been very helpful in the matter. He explained that the design could be started once the studies were complete.

Commissioner Tamayo congratulated Ms. Cindy Vela for being recognized "Ms. Cameron County" and stated that she would now represent the county in the "Ms. Texas Pageant". She announced that Dr. Blandina Cardenas was selected President of UT-Pan-Am.

Judge Hinojosa stated that Mrs. Cardenas was extremely intelligent and that she as President would be looked back upon as someone who helped make that institution the quality institution that it has the potential to be.

Commissioner Garza informed that meetings were being held with Laguna Madre residents regarding the park and that information would be provided to the Court.

Commissioner Wood stated that a meeting was held with Cameron Park residents regarding solid waste collection and animal control, among other issues. He stated that they expressed support for the November election because they were looking forward to having waste collection.

Judge Hinojosa asked if opposition has been observed.

Commissioner Wood expressed concern with confusion among individuals who reside within cities limits that might think that the referendum might affect them, and suggested that the Court examine what to do if these residents vote to defeat the referendum.

Judge Hinojosa noted the need for the referendum to make clear that the county was requesting that people vote on whether or not rural trash collection should be mandated as done for city residents.

Commissioner Benavides informed that the Boys and Girls Club Boxers arrived yesterday and that boxing matches would begin tonight at the Brownsville Civic Center.

Commissioner Tamayo stated that Commissioner Garza's son was elected President of the Regional FFA Group.

Commissioner Garza stated that Mrs. Alejandra Ontiveros, San Benito resident, passed away this week at 107 years of age.

Sergeant David Johnson, Sheriff's Department, introduced Bruno, a 2 year old German Shepard and briefed as to his training and qualities. He explained that normal hours of service vary between six and sixteen hours per day and that toys were used as a form of reward.

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(1) **PUBLIC COMMENTS**

None was presented.

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**PRESENTATION**

(1) **DISCUSSION REGARDING COUNTY ANNEX IN HARLINGEN, TX**

Mr. Remi Garza, Assistant County Administrator, informed that the process was started and could hopefully be accelerated. He stated that meetings were held with all agencies housed at the Harlingen County Annex and with Gignac & Associates to discuss space requirements. Mr. Garza stated that preliminary numbers were put together, and that work was ongoing to identify the request of each department in order to begin moving the space allocation into the budget amount. He asked if Commissioner Tamayo was requesting office space at the said facility.

Commissioner Tamayo responded that she was not ready to request space at this time, although there might be a future need to transfer the office.

Mr. Garza explained that the possibility of setting up a meeting room that would be available to the commissioners and community was discussed.

Commissioner Tamayo questioned the total office space that would be available.

Mr. Garza responded that by the Architect identified about 13,600 square feet were as available space. He stated that the cost per square footage was significantly above budget, and that research would be done to learn of possible economies in programming and sharing space.

Judge Hinojosa stated that research would be done prior to relocating departments to the Levi Building.

Commissioner Garza noted the need to plan the building in a way that additional office space could be constructed.

Judge Hinojosa suggested that the money allocated for construction of the Health/Engineering Building be used to address the funding issues that derived from the jail issues. He agreed with Commissioners Garza's and Tamayo's suggestions to plan for the future to avoid problems similar to those were encountered with the Juvenile Detention Center.

Commissioner Garza questioned the status of the appraisals for the properties.

Mr. Doug Wright, Commissioners' Court Legal Counsel, informed that contact was made with Roberts and Duffy, but that the status of the appraisals was unknown to him.

Mr. Garza stated that the information would be presented in Executive Session upon being receipt.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the discussion regarding the County Annex in Harlingen, Texas, was acknowledged.

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**(3) DISCUSSION REGARDING THE VINE PROGRAM**

Ms. Veronica De La Fuente, County Judge's Offices, presented and highlighted the following memorandum regarding the VINE Program:

Commissioner Tamayo asked who would inform the victims of the availability of the VINE Program.

Ms. De La Fuente responded that victims were notified thru the crisis center, the District Attorney's Office and/or the County Clerk's Office.

Commissioner Garza asked if the recommendation includes all public information to be provided.

Ms. De La Fuente responded in the affirmative. She explained that the VINE Program informs the victims of occurrence with the offender and that the victim can thereafter disable the system to avoid continuous phone calls. Ms. De La Fuente explained that Harris County has two staff persons administering the program and ensuring that reports were submitted to State; them being, one from the District Attorney's Office and one from the County Judge's Office.

Commissioner Benavides moved that the discussion regarding the VINE Program be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

## **ACTION ITEMS**

**(4) PRESENTATION REGARDING THE STATUS OF THE COLONIA FUND PROGRAM PROJECTS**

Mr. Pete Sepulveda, Department of Transportation Director, informed that the Del Mar Heights project was on hold pending the FEMA Buy Out Program. He reported that the Bingley Road Project was complete and was now pending the outcome of the inspection by the Texas Department of Transportation (TXDOT). Mr. Sepulveda stated that the Ebony Road, Thomae Lane, and Eva Palmer Road Projects were complete and that right-of-way certification was submitted for almost every project since TXDOT indicated that the same was pending for all projects. He stated that the Arroyo Alto Project includes reconstruction of three streets; however, coordination was taking place with TXDOT to determine if an overlay would suffice. Mr. Sepulveda stated that the Santa Rosa No. 3 Project was approximately 10% complete and that a request to extend the project limits from the canal up to FM 506 had been approved by TXDOT. He explained that coordination was taking place with TXDOT because they indicated that one road in Santa Rosa might need some reclamation after submittal of the 95% plan to them, and that coordination was taking place. Mr. Sepulveda stated that a decision should be reached with TXDOT in the next day or two with regards to both Santa Maria and Arroyo Alto in order to proceed with the projects. Mr. Sepulveda stated that PUB was basically complete with their plans for utilities in Cameron Park and that consultants were now incorporating said plans into the county plans. He explained that the plan was to bid the project out as one, and noted the

need for an interlocal agreement with PUB to divide the road and drainage portion to be paid by the county and the utility relocation to be paid by PUB.

Commissioner Wood questioned if a cost estimate for relocation of utilities was available.

Mr. Sepulveda responded that a cost estimate was available thru PUB and that the intent was to bid the Cameron Park project on August 1, 2004. He explained that an item would be placed on the Agenda to obtain authority to bid out Phase I of the Cameron Park Project and that Phase II and III were being worked on with PUB. Mr. Sepulveda stated that PUB informed him that they presently lack funding to relocate the utilities and that possible funding sources were being research in order to proceed.

Judge Hinojosa explained his understanding to be that the portion of Del-Mart Heights to be improved was not part of buy out program.

Mr. Sepulveda stated that the condition of the road would be examined and that perhaps an overlay would suffice to extend the life of the road to nearly fifteen years, resulting in savings from the \$350,000.00 budget.

Judge Hinojosa asked if the remaining balance could be reprogrammed.

Mr. Sepulveda responded that the reprogramming could be done with approval from TXDOT. He stated that upon there being a consensus he could submit a letter to TXDOT informing them of the savings and requesting authorization to reprogram the funding. Mr. Sepulveda explained that such request might have to go to the Highway Commission.

Judge Hinojosa suggested that such action take place upon the Commissioners being in agreement and upon authority being given by TXDOT.

Commissioner Wood stated that discussions took place regarding the possible reprogramming of funds and the possibility of restarting issuance of construction permits for constituents who will continue to live in Del Mar Heights.

Commissioner Garza suggested that some savings be used to fund the paving of Ebony Road since only  $\frac{3}{4}$  of the road was selected as the projects.

Mr. Sepulveda stated that most projects exclude roads needing work, yet Mr. Mario Jorge, TXDOT District Engineer, has allowed extensions of projects, however additions of new roads, new colonias or new subdivisions would require authority from the Highway Commission. He reiterated that upon getting a consensus he could submit a letter to Mr. Jorge to begin reprogramming the funds.

Judge Hinojosa explained the problem to be that the County had incorrect construction cost for the projects. He asked when the Cameron Park Phase I Project was scheduled to be bid out.

Mr. Sepulveda responded that it would be bid out by August 1, 2004 at the latest and that construction might commence about thirty days after that. He stated that the two year time line set by TXDOT would not be met; therefore, correspondence had been submitted to amend the agreement to go beyond the two years time line.

Commissioner Garza clarified that the two year time line was for projects to be started rather than complete.

Judge Hinojosa questioned the difficulty for PUB to identify the funding for realignment of the utilities.

Commissioner Wood stated that the relocation of utilities would cost millions of dollars, and it was not budgeted within PUB's five year budget.

Commissioner Garza commented that when State comes thru a city they do not ask if the entity has funding to relocate utility lines, but rather that they inform the entity of the project and set a time line for it to enlarge, change, or alter the utility lines and they then begin construction regardless.

Commissioner Wood stated that upon the county proceeding then many residents would get their utilities disconnected and PUB would not have money to reconnect them.

Commissioner Garza noted the need to place some responsibility on those providing the utility services.

Judge Hinojosa questioned the status on Phase I and II and expressed concern because this situation could jeopardize other projects.

Mr. Sepulveda stated that the Water Development Board might be able to assist.

Judge Hinojosa suggested that a meeting be scheduled with the Water Development Board in Austin to discuss the matter.

Commissioner Garza stated that Mr. Sepulveda has done an excellent job in having monies reallocated, that he was trusted to some degree in Pharr, and they are able to work with him. He stated that a meeting was scheduled in Austin for Thursday and that they would meet with the Transportation Department where an announcement of the next Proposition II call was expected. Commissioner Garza stated that Cameron County was ahead of all counties with regards to the colonia project.

Mr. Sepulveda stated that the next call would be best because of the experience already acquired.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Presentation regarding the status of the Colonia Fund Program Projects was acknowledged.

**The Report is as follows:**

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

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

The motion was seconded by Commissioner Wood.

Commissioner Garza expressed concern with increasing the Civil Counsel II Litigation Position's salary from \$74,160.00 to 120,000.00, which was much less than Chief Civil Counsel.

Judge Hinojosa noted that the Department Head had agreed.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated the intent was to address the general problem with outside counsel. He explained that he analyzed the problem over the last seventeen months and found that the county has incurred about \$200,000.00 in outside counsel fees and that said expenditures had been significantly less when Mr. Richard Burst, Attorney at Law, was employed with the County. Mr. Wright stated that funding was identified and that the changes proposed to take effect July 2, 2004 were incorporated in to the Civil Division Budget for next fiscal year. He stated that a reduction of about \$40,000.00 could occur if improvements done while Mr. Burst was employed with the County could be done again. He explained that the incoming District Attorney shares his concern and that together they might be able to basically eliminate outside counsel in almost every situation.

Commissioner Garza stated that a different Sheriff was in Office in the past and that most of the work load has resulted from that department.

Mr. Wright stated that in-house talent permits budgeting for a set amount.

Commissioner Garza expressed concern with in-house talent being valued above every District/County Court at Law Judge and all county personnel. He stated that he prefers hiring two (2) people for half the dollar amount.

Judge Hinojosa stated that the salaries for the attorneys hired by the Cities of Brownsville and Harlingen exceed \$110,000.00. He stated that Mr. Burst has over thirty years of experience in Civil Rights Litigation.

Commissioner Garza stated that the cities have merely one attorney.

Mr. Wright stated that Mrs. Dylbia Jeffries, Contract Attorney, would continue to work as a part time attorney. He explained that Mrs. Jeffries, Mr. Burst, and he working as a team from a stand point of risk

management was a great county asset in preventing litigation, yet this was not possible at this time from a staff stand point.

Commissioner Garza asked if the other assistant was gone.

Mr. Wright responded that the assistant would leave on July 2, 2004.

Commissioner Garza asked what Mr. Burst's salary was prior to leaving the county.

Mr. Wright responded that his salary was at about \$83,000.00.

Commissioner Garza stated that the boss could not earn less than the employee.

Mr. Wright stated that the proposed budget and the hiring of Mr. Burst were in the interest of the County.

Commissioner Garza stated that he would like to re-hire Mr. Burst but at a salary lower than the one being proposed. He reiterated that a staff attorney could not be worth more than many other key people in the County.

Judge Hinojosa stated that the matter was a question of not only comparing the positions but ultimately of how money was saved for the county and protecting its best interest.

Commissioner Garza asked if the position had been posted.

Mr. Wright responded that this was the best plan that he could prepare and reiterated that hiring Mr. Burst was in the best interest of the County.

Commissioner Garza stated that the Court as a matter of record has posted a job opening for ten days before hiring anyone to allow people the opportunity to submit an application in order to at least appear to be an equal opportunity employer. He stated that he would have hoped that this process would have at least been followed.

Judge Hinojosa noted that the same thing was done Mr. Mike Leinart was hired to run the jail system due to the crisis.

Commissioner Garza stated that there would be instances where outside counsel must be hired due to conflicts, thus the line item would not be eliminated from the budget.

Mr. Wright agreed that conflict may occur; however, he explained that the incoming DA's willingness to assist allows for outside counsel to be basically eliminated.

Upon motion duly made by Commissioner Benavides that the Budget Amendments, Line Item Transfers and/or Salary Schedules be approved.

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

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

NAY: Commissioner Garza

**The Documents are as follows:**

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- (6) **APPROVAL OF MINUTES FOR:**
- (a) **APRIL 13, 2004-REGULAR MEETING**
  - (b) **APRIL 29, 2004-SPECIAL MEETING  
(TABLED)**
  - (c) **MAY 4, 2004-REGULAR MEETING**
  - (d) **MAY 11, 2004-REGULAR MEETING  
(TABLED)**

Commissioner Garza moved that the Minutes of the April 13, 2004, Regular Meeting and of the May 11, 2004, Regular Meeting be approved, and that the Minutes of April 29, 2004, Special Meeting, and May 11, 2004, Regular Meeting.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (7) **CONSIDERATION AND AUTHORIZATION TO APPROVE A CELLULAR PHONE AND SERVICE FOR THE NURSE OF THE JUVENILE PROBATION DEPARTMENT FROM COUNTY FUNDS.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the cellular phone and service for the nurse of the Juvenile Probation Department from county funds were approved.

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- (8) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH TIME WARNER FOR BULK MULTI-CHANNEL VIDEO SERVICES TO THE OLD CAMERON COUNTY JAIL FACILITY AND EASEMENT GRANTING TIME WARNER ACCESS TO THE JAIL**

Mr. Remi Garza, Assistant County Administrator, explained that Cameron County has had a contract with Time Warner to provide Cable TV at the jail for many years. He explained that the services were continued after the agreement lapsed although the agreement was not re-approved. Mr. Garza explained that Time Warner was requested to provide services after renovations were done; however, some work was needed to accommodate the service. He explained that if the work was done prior to approval of the agreement then Time Warner would charge based on an hourly rate; therefore, renewal of the agreement was being requested. Mr. Garza stated that there were thirteen (13) units at a cost of \$7.95 per each one.

Commissioner Tamayo expressed concern with accommodating inmates with Cable TV.

Mr. Garza explained that the service was an accommodation and a control feature.

Mrs. Dylbia Jeffries, Contract Attorney, informed that she assumes that the contract was for the old county jail because she received another contract exactly the same for Detention Center I and II.

Mr. Garza stated that featuring each agreement independently was best in the event that alterations were needed.

Commissioner Tamayo expressed opposition towards approving this item.

Judge Hinojosa explained that the problem was that not having basic cable would result in no TV reception.

Commissioner Tamayo suggested that the inmates be allowed to exercise or to do other forms of activities as consequences.

Judge Hinojosa explained that this could not be done due to the lack of staff.

Commissioner Tamayo stated that changes made in the Texas Youth Commission to eliminate luxuries truly made a difference, and reiterated her concern with accommodating the inmates with Cable TV.

Judge Hinojosa stated that the Texas Youth Commission's facilities probably have basic Cable TV.

Commissioner Benavides stated that providing Cable TV was not a luxury but rather a method to prevent inmates from becoming restless and more dangerous.

Judge Hinojosa stated that all correctional institutions use Cable TV. He explained that county detention facilities have air condition; whereas, none of the Texas Prison System have air condition.

Commissioner Garza moved that the Agreement with Time Warner for bulk multi-channel video services to the Old Cameron County Jail Facility and easement granting Time Warner access to the jail be approved.

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

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

NAY: Commissioner Tamayo.

**The Agreement is as follows:**

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Judge Hinojosa questioned the status of the RFP for kitchen services for the Jail System.

Mr. Mark Yates, County Auditor, stated that the RFP was complete and should be before the Court next week.

Commissioner Garza questioned the status on the healthcare services to be obtained for inmates.

Judge Hinojosa responded that the healthcare services were under negotiations.

Mr. Mike Leinart, Federal Detention Division Director, stated that cable services should be paid from the commissary rather than from county funds and that cable service should be a privilege that may be taken away as needed.

Judge Hinojosa recommended that the volume of the TV be kept down.

Mr. Yates agreed that Cable TV could be paid from the commissary.

Mr. Garza stated that the Federal Detention Division was requested to purchase sound meters to monitor the sound level.

Mr. Yates requested that the claims be approved after Executive Session.

ITEM NO. 14: Commissioner Garza questioned whether the terms of the agreement were a typo or if something was missing, and if the county was able to access the \$348,000.00. Mr. Xavier Villarreal, Budget Officer, stated that the term should read September 2004, and that the funds were obtained.

ITEM NO. 15: Commissioner Garza questioned if the total funding requested was obtained. Mr. Xavier Villarreal, Budget Officer, responded that the application was being submitted and would affect next year's budget.

ITEM NO. 11: Commissioner Benavides recognized Mr. Ybarra who has served the county for the past twenty two years. Judge Hinojosa suggested that all county retirees be recognized during the annual Christmas Party.

ITEM NO. 10: Commissioner Benavides expressed concern with the cleaning up of Boca Chica Beach being neglecting.

Judge Hinojosa stated that the situation was a product of the jail issues, and that many maintenance issues were being neglected because maintenance crews were working on the jails. Judge Hinojosa added that many city officials have asked why the PAW Program was not out in the county. He explained that the jail issues have affected many departments, communities, and beaches. Judge Hinojosa clarified that Boca Chica was owned by the United States government and the State of Texas. He stated that the County has requested that Boca Chica Beach be given or leased to it but such request has been declines numerous times. Judge

Hinojosa added that the County provides maintenance to the beach with county resources although this should be funded by State or Federal Government because its constituents use it.

Commissioner Tamayo expressed concern with county parks were currently not being maintained.

Commissioner Benavides stated that the Boca Chica Beach would continue to be cleaned by the county once all jail issues were addressed.

Commissioner Garza requested that the PAW Program be available at the precinct level at least once a week.

Judge Hinojosa stated that the number one priority at this time with the PAW Program was to address the jail issues.

Commissioner Garza moved that the "Travel and Consent Items" be approved, excluding Item No. 10.

The motion was seconded by Commissioner Tamayo and carried unanimously:

## **TRAVEL ITEMS**

**(9) 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) 197<sup>th</sup> District Court Juvenile Court Coordinator to attend the "Women's Conference", in McAllen, Texas, June 7, 2004;
- (b) PD&M CD Coordinator, to attend Application Workshop for 2004 Texas Community Development Program Colonia Construction Fund and Colonia Planning Fund in San Antonio, Texas, June 25, 2004; and
- (c) Tax Assessor-Collector, Chief of Investigations & Enforcement, and Administrative Assistant to speak at the "Corpus Christi Police Department Auto Theft Task Force Intelligence Sharing Meeting," and discuss title fraud issues with auto theft investigators in Corpus Christi, Texas, on July 7-8, 2004.

## **CONSENT ITEMS**

**ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.**

- (10) APPROVAL OF CLAIMS (ACTION TAKEN SEPERATELY);**
- (11) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. SANTIAGO YBARRA, JR. ON THE OCCASION OF HIS RETIREMENT;  
The Resolution follows:**
- (12) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MS. CINDY VELA, MS. CAMERON COUNTY 2004;  
The Resolution follows:**

- (13) **CONSIDERATION AND AUTHORIZATION TO RENEW AGREEMENT WITH LONDON AMERICAN RISK SPECIALISTS, INC. FOR THE INTERNATIONAL BRIDGES INSURANCE, (RFP NO. 1458A);**  
**The Agreement follows:**
- (14) **CONSIDERATION AND AUTHORIZATION TO ENTER INTO A BEACH CLEANING AND MAINTENANCE AGREEMENT WITH THE TEXAS GENERAL LAND OFFICE FOR THE STATE FINANCIAL ASSISTANCE FOR FISCAL YEAR 2005;**  
**The Agreement follows:**
- (15) **CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE FOR THE ISLA BLANCA PARK BEACH NOURISHMENT PROJECT;**  
**The Agreement follows:**
- (16) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE ARROYO COLORADO WATER LINE REPLACEMENT PROJECT (TCDP CONTRACT NO. 723109);**
- (17) **CONSIDERATION AND ACTION TO AWARD LOW BID TO J.M. CONSTRUCTION FOR THE COMBES AREA COLONIA SANITARY SEWER PROJECT AND AUTHORIZATION TO NEGOTIATE CONSTRUCTION CONTRACT (TCDP CONTRACT NO. 722025);**  
**The Tabulation follows:**
- (18) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING ANNUAL BIDS/RFP'S:**  
**(A) AIR CONDITIONING PARTS, SUPPLIES, REFRIGERANTS – ANNUAL BID NO. 1998;**  
**(B) ELEVATOR MAINTENANCE, REPAIRS, OPERATIONS – ANNUAL BID NO. 1380; AND**  
**(C) LABORATORY SERVICES – DRUG AND ALCOHOL TESTING – ANNUAL BID NO. 1475-1.**
- (19) **CONSIDERATION AND AUTHORIZATION TO AWARD BID TO BENO'S MEATS FOR THE FOLLOWING:**  
**A. FOOD: MEATS – QUARTERLY BID NO. 2170-3**  
**The Tabulation follows:**
- (20) **CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 22, LOCATED AT THE INTERSECTION OF TRIMPE LANE AND FM 800, FOR FM 800;**
- (21) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VISTA DEL MONTE SUBDIVISION, PRECINCT 4;**
- (22) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL:**  
**A. PRECINCT NO. 1- OCELOT GROVE, SECTION 1, BEING 28.760 ACRES COMPRISED OF 1.073 ACRE OUT OF LOT 2, BLOCK 203, 13.750 ACRES OUT OF LOT 1, BLOCK 303, AND 13.397 ACRES OUT OF LOT 2, BLOCK 303, EL JARDIN SUBDIVISION, SHARES 29, 30, 31 AND 25, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS.**

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## **TRAVEL ITEMS**

### **(NO DIRECT COST TO GENERAL FUND):**

**(23) 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) Juvenile Probation employees (2) to attend “8<sup>th</sup> Annual Drill Instructors Institute” in Austin, Texas, July 25-30, 2004;
  - (b) Juvenile Probation employee to attend “The Ultimate Supervisor” in McAllen, Texas, August 9, 2004; and
  - (c) Park System employee to attend the Department of the “Army Corp. of Engineers – Regional Sediment Workshop”, in Corpus Christi, Texas, June 24, 2004.
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- (11) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. SANTIAGO YBARRA, JR. ON THE OCCASION OF HIS RETIREMENT;**  
**The Resolution follows:**

- (12) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MS. CINDY VELA, MS. CAMERON COUNTY 2004;  
The Resolution follows:**

- (13) CONSIDERATION AND AUTHORIZATION TO RENEW AGREEMENT WITH LONDON AMERICAN RISK SPECIALISTS, INC. FOR THE INTERNATIONAL BRIDGES INSURANCE, (RFP NO. 1458A);  
The Agreement follows:**

- (14) **CONSIDERATION AND AUTHORIZATION TO ENTER INTO A BEACH CLEANING AND MAINTENANCE AGREEMENT WITH THE TEXAS GENERAL LAND OFFICE FOR THE STATE FINANCIAL ASSISTANCE FOR FISCAL YEAR 2005;**  
**The Agreement follows:**

- (15) CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AGREEMENT  
BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE  
FOR THE ISLA BLANCA PARK BEACH NOURISHMENT PROJECT;  
The Agreement follows:**

- (17) **CONSIDERATION AND ACTION TO AWARD LOW BID TO J.M. CONSTRUCTION FOR THE COMBES AREA COLONIA SANITARY SEWER PROJECT AND AUTHORIZATION TO NEGOTIATE CONSTRUCTION CONTRACT (TCDP CONTRACT NO. 722025);  
The Tabulation follows:**

- (19) CONSIDERATION AND AUTHORIZATION TO AWARD BID TO BENO'S MEATS FOR THE FOLLOWING:**
- A. FOOD: MEATS – QUARTERLY BID NO. 2170-3**
- The Tabulation follows:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 11:12 A.M. to discuss the following matters:

**(20) EXECUTIVE SESSION:**

- (a) Deliberation regarding real property concerning: Brownsville-original town site Lot 2, Block 95 and Brownsville-Colonia Acacia Lot 26, Block 5, Pursuant to V.T.C.A. Government Code Section, 551.072;
- (b) Confer with Commissioners' Court Legal Counsel concerning claim made by Cora Cabler Ramirez, pursuant to V.T.C.A. Government Code, Section 551.071(1)(A);
- (c) Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers, pursuant to V.T.C.A. Government Code, Section 551.071(2); and
- (d) Confer with Commissioners' Court Legal Counsel concerning Antonio N. Ruiz versus Cameron County and H.W. Marshall Construction, in the 404<sup>th</sup> District Court; Cause No. 2004-06-003070-G, for discussion and assign counsel, pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)&(2).

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 11:57 A.M.

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

- (a) **Deliberation regarding real property concerning: Brownsville-original town site Lot 2, Block 95 and Brownsville-Colonia Acacia Lot 26, Block 5.**

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

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (b) **In the matter regarding confer with Commissioners' Court Legal Counsel concerning claim made by Cora Cabler Ramirez. (DENIED)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the claim by Cora Cabler Ramirez was **DENIED**.

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- (c) **Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers.**

Commissioner Tamayo moved that the Status Reports by various individuals be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

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(d) **Confer with Commissioners' Court Legal Counsel concerning Antonio N. Ruiz versus Cameron County and H.W. Marshall Construction, in the 404<sup>th</sup> District Court; Cause No. 2004-06-003070-G, for discussion and assign Counsel.**

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

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(10) **APPROVAL OF CLAIMS**

Mr. Mark Yates, County Auditor, presented a listing of late claims.

Commissioner Garza moved that the claims be approved.

The motion was seconded by Commissioner Wood.

Commissioner Garza asked if any of the funds received tie directly to any reporting that the county does for the federal government.

Mr. Yates responded in the affirmative.

Commissioner Garza asked who did the reporting.

Mr. Yates responded that the booking department generates the reports through the Eagle System Software.

Judge Hinojosa stated that the newly implemented changes may have decreased the population of undocumented detainees which in turn may decrease the SCAAP Funds to be received next time around. He stated that it might not be so bad because the U.S. Marshall's Office deducts the SCAAP Funds from the county's expenses for housing their inmates.

Commissioner Garza stated that it made no sense that such deduction takes place because the County was paying to house the other inmates and noted the need to work with the Senators' Offices to ensure that legislation preventing that the SCAAP Funds be considered.

Commissioner Garza moved that the claims be approved.

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

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

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00119179, payable to Southwest Key La Esperanza, in the amount of \$\$97,249.00.

**The list and Affidavit are as follow:**

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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 12:04 P.M.

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**APPROVED** this 31<sup>st</sup> day of **August 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**