

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 4th day of January 2005, 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

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 9:35 A.M. He then asked Commissioner Tamayo, for the invocation, and she then led the Court and audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on December 30, 2004, at 4:15 P.M.

Judge Hinojosa stated that Mr. Tommy Ramirez, Chief Juvenile Probation Officer, informed him that the Texas A&M Singing Cadets would perform at Lopez High School on January 11, 2005. He added that tickets were available for \$8.00 and that host families were being requested to house the cadets for two days.

Mr. Tommy Ramirez, Chief Juvenile Probation Officer, noted that all proceeds of the event would remain in the Rio Grande Valley.

NOTE: COMMISSIONER WOOD JOINED THE MEETING AT THIS TIME.

(1) PUBLIC COMMENTS

None was presented.

SUPPLEMENTAL ITEMS

(1) CONSIDERATION AND ACTION ON REQUEST BY COUNTY AND DISTRICT ATTORNEY TO RECLASSIFY VARIOUS POSITIONS AND ADJUST SALARIES (AV-DA)

Judge Hinojosa introduced Mr. Armando Villalobos as the new District Attorney.

Mr. Armando Villalobos, District Attorney, introduced Mr. Patrick Christensen, who will represent the Office of the District Attorney in Commissioners' Court and Mr. David Gonzalez as his supervisor. He explained that he was attempting to create two first assistant slots, one in charge of the Criminal Division, Mr. John Blaylock and the second to be in charge of the Administrative Division, Mr. David Gonzalez, adding that he did away with the Chief Felony Position and reclassified the title. Mr. Villalobos stated that he created two new positions to be funded from hot check monies and drug fund monies for purposes of placing an investigator in each District Court and an investigator for hot checks to cover the entire county for hot checks.

Commissioner Tamayo asked what was being eliminated by creation of these positions.

Mr. Villalobos responded that no positions were being eliminated. He explained that he only tapped into the funds to create another position and that the anticipated revenue to be generated from the creation of the Hot Check Investigator Position was expected to be enough to fund both positions being created.

Commissioner Garza moved that the request by County and District Attorney to reclassify various positions and adjust salaries be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

The Salary Schedules are as follows:

At this time, Judge Hinojosa recognized the following newly and re-elect county officials: Sheriff Omar Lucio and his administration, Justice of the Peace Linda Salazar, Constable Robert Lopez, Constable Frank Robles, Commissioner Benavides, Commissioner Garza, Constable Abelardo Gomez, and District Clerk Aurora De La Garza. He commented that Mr. David Garcia was newly hired by Mr. Pete Sepulveda, Department of Transportation Director, as his new assistant. Judge Hinojosa welcomed everybody and asked that they let the Court know what could be done to operate their respective offices more efficiently for the betterment of the community.

ACTION ITEMS

(7) **DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR LEGAL OPINION FROM CIVIL LEGAL DIVISION IN REGARDS TO APPROVING TEMPORARY MAGISTRATE POSITION (DG- COMM. PRECINCT 3)**

Judge Hinojosa – “You placed that?”

Commissioner Garza – “Right. After reviewing the information sent to me or given to me last week from Douglas Wright, our Chief Legal Counsel, and looking where that section came from in the Vernon Texas Statutes and Codes and after placing a call to the Texas Association of Counties Legal Division you know, I reached a conclusion that I think that we should at least explore looking at this. If we use this particular code or rule to appoint the magistrate that we did, we have in my opinion after reading and I’m not a lawyer but I’d like to ask for legal to review it. I think we might have a problem with the position we filled because this law relates to individuals being replaced that are in office and we have an office created for. I did get two calls this weekend from different JPs of the county and they also expressed a similar concern in regards to the issue. And I don’t know if Doug needs more time to look at it, but I definitely do not want to compromise any occurrence in which we have a magistrate doing business for this county that we would jeopardize the county or put us in any kind of legal situation that would be a problem.”

Mr. Doug Wright, Commissioners’ Court Legal Counsel – “Well I don’t think at this point that I’m going to be able to do anymore research. I did talk to AG’s Office. I talked to the JP education committee at the State level. I recognize it, I don’t have the legislative history on the Statute to know what the legislature intended. I guess it was a little bit before Christmas, the County Judge had asked me to look at the Statutes to see if there was some way that some relief could be obtained with regard to the magistrating of inmates at the facility. And the only

Statute that relates to that type of the situation in the one that was provided to you Commissioner and I think the rest of the commission received a copy of it. It could be argued that it is not the intent of that Statute because it does talk about disability. But the legislature did not choose to define disability in that Statute and what I think has been done is you've found that there is a problem at the facility. That we do need to magistrate those people more quickly than what's been done in the past."

Commissioner Garza – "Well please understand that my question is not in regard to there being a need to do this; my question is to make sure we don't jeopardize any action taken out there to be construed as another potential claim against the county. And that's where I'm coming from. Because you know, I tried to read this, and I want to reiterate, I'm not a lawyer and I can just read what I read, but the Statute is very specific to replacing a JP that is in office and a vacancy occurs for. Not creating a new one. In essence this Court is creating a new position to magistrate law and you know. I called, the only people I knew to call yesterday was the Association of Counties. They could not give me an answer immediately. They did express a concern. I'd be more than happy to give you the name of the gentleman that I spoke to, which was Rex Hall. And he said to please, he would be doing some work on it for me and trying to find a Statute that we could possible use to be able to create the position and fill it. But magistrates are elected by the people or not magistrates, JPs under this Statute need to be elected by the people of the State of Texas and we can only fill those positions in their absence for the reasons stated in this particular code, which comes from the JP section of the code, not the Commissioners Court section of the code or the legislative section of the code."

Mr. Wright – "Well I agree with almost everything you said Commissioner as far as being able to interpret this particular Statute. I looked (Inaudible) and could not find any cases pin point that would define specifically the issue that we have before us. All I could rely on is the language of the Statute itself and it simply said that the justice is temporarily unable to perform a function of the office. And according to the information I received, I believe the JP for that precinct has sent a letter to the Judge requesting that if we want a full time magistrate there or to serve the magistrate function as a JP that she needs help to do that. That she cannot possibly be there on a fulltime basis. I did because I couldn't find any case log, contact the Attorney General's Office. I did talk with John Fuller, who we rely on on a regular basis. I also had a call in to Brooks but was not able to talk to him for some reason he hasn't gotten back to me as of the time of the meeting today. I can't give you a definitive answer that it is within what the legislature intended the Statute to speak to. It's the only thing that I can come up with that the Court can use on a temporary basis to satisfy the problem that you have and I can't tell you that down

the line somebody wouldn't raise the issue as to the appropriateness of the problem. That could be done. It could be challenged, but..."

Judge Hinojosa – "Let me just say this, well you know. I trust our attorney's legal opinion more than I trust yours Mr. Garza."

Commissioner Garza – "I'm not an attorney, okay."

Judge Hinojosa – "And I recognize that. There is no question if you talk to the people in the Sheriff Department that have gone into the jail recently to see the conditions of the jail and the level of over crowdedness that we have right now and the need for use to drop that population as much as possible and also the need that we have to preserve the space that we've got for the federal inmates to ensure not only that we keep the inmates that we've got today but also expand that population as much as possible. That there is a dire need to have a full time magistrate at the jail and there is no JP in Cameron County that has the ability to be a full time magistrate in the county jail because they've got other duties and responsibilities at the courthouse. They've got a big civil docket. They've got eviction. They've got people coming in on an ongoing basis to see them on problems not even dealing with specific cases, but you know one of the things that JPs are used for by the population in Cameron County and all across the State of Texas is just to come in for advice; to talk to them to deal with the issues that are confronting them on an everyday basis. That requires them to be here at the courthouse to be able to see that population not sitting all day long magistrating people, going through the files, finding out who in fact has been there, whose bond, needs to be re-looked at. Working closely with the District Attorney's Office and the Sheriff's Department to find out, you know who we can move out of there as quickly as possible, whose been sitting in jail longer than what the law allows for and so on and so forth. And so that was the reason why we did this. You know we cannot continue in the current conditions that we have at the county jail. We cannot continue to have people sleeping on the floors as you found them when you came in on the first. That is not only not right but it's illegal for us to be doing that and until we get a handle on that, we are going to be in violation of state and federal law. So the only way to resolve that in my opinion is to put someone there full time to do it. And no one else can do it but someone who is appointed as a special JP to do it. If some how this is not going to be something that works we'll go back and take a look at it, but because of the immediate problem that we are facing today we needed to proceed and we had the opportunity to do it and that's why I asked Doug to do this. And I think it is, in the long run one; it's gonna take care of our over crowding population situation at Carrizales/Rucker, and two I promise you it will save us two or three times the amount of money that we're spending for the positions that we have authorized for that."

Commissioner Garza – "And I don't disagree with you Judge."

Commissioner Wood –“I think that we all realize that we have a problem with the jail with crowding and we have a problem with the people who come in there as inmates in trying to get them moved through the system. Because the system sometimes get bogged down because of the number we have and the process as we’ve been using. And I realize that the JPs and I really think that all the JPs who for quite a while now have been going to Carrizales/Rucker an hour a day on a rotating basis to magistrate these inmates as they come in and to get them through the system as quickly as possible. But that one or two hours a day that they spend out there although has helped tremendously it hasn’t helped the problem the way it needs to be helped and it certainly hasn’t solved the problem. If you’re out there between ten and eleven a.m., or ten till noon and then you have twenty more inmates come in in the afternoon they’ve got to sit there till the next one comes in. And the more of these people that we can keep out of the system, out of the jail the more the less cost it’s gonna be for use, the less crowded problems we’re going to have and the better control we’re going to have on operating the facility out there. And I was concerned about the Statute is written. I have to be honest about that; however, I see that this morning having a letter from Judge Salazar indicating of her inability to be out there. Because I know that she has a tremendous court load, she will have a tremendous court load here in the courthouse taking care of the precinct where she’s been elected to. Just as a lot of the JPs have tremendous load and this was actually affecting their ability to work by having to travel from the north part of the county or from Port Isabel or wherever they had to travel from to get to Carrizalez to magistrate these guys and women. With her indication that she is going to be unable to do it I think that’s where we fall into the Statute you know that we’ve been advised now by a JP whose duty it is to do this that there’s not the time or the ability because of all the other duties to take care of this also. And this is where we need to be hanging our shingle out to be sure that we’re doing what needs to be done. And I think this system will work and it’s probably gonna have some kinks to start with but with the cooperation of the Sheriff and the DA and the JPs I think it’s gonna work well. And the District Clerk, and County Clerk, we’re going to have to include everyone to make it work appropriately.”

Commissioner Tamayo – “I think we’ve gone through this several times and we are all aware of the problem that we have there and we want to find a solution. I don’t like to just talk about a problem, I like to take action and do something about it. I realize Commissioner Garza’s concern. I made some phone calls yesterday. Our own legal counsel is the first office that I called. Then I called the Attorney General’s Office. This is a grey area. But just because it’s never been done before it doesn’t mean it can’t be done. That’s the way I’m interpreting it and especially because of the fact perhaps it’s not an illness and as you read the information that we have before us it’s referring to illness and the reasons that you can replace a JP. But I think we have a void there that needs to be

taken care of. And I agree with you Commissioner Wood. Last week I thanked the JPs for the time they've given and it's not their fault they have a job to do in their own office. So they did the best they could, but it's not good enough. And I'm extremely concerned about the situation we have there. And we've heard from the Sheriff also with his concerns, our new DA, so I'm in favor of going ahead with it."

Judge Hinojosa – "Let me point something out just for the record. On numerous occasions Judge Tullos has come to me and to members of this Commissioners Court about the need to create another JP slot in Brownsville because of the fact that the two Brownsville JPs are handling a population of over 150,000 people. The population they serve is double the size per judge of any other precinct in Cameron County."

Commissioner Wood – "It's probably three times."

Judge Hinojosa – "It's probably three times the size. And so we're asking them to do all this work and there is just two of them. And Carrizales/Rucker is in their jurisdiction. So it's unfair to require one JP. What we would be doing is basically taking one of the two JPs and parking he or she at Carrizales/Rucker and then have the other JP handle the entire docket, civil docket here at the courthouse, which would be an impossible task. They wouldn't be able to do it, you know. And so I just think we've reached a critical stage and you know... And let me just say one other thing is that in the whole crisis involving the jail over the last you know eighteen months that we've been working on we've been presented with situations that we've never seen before in more than one case. And we've had to become creative in how we deal with them. One of the issues that recently came up is the money that we have spent to renovate the facilities in order to get the federal inmates back. You know we needed to find money within the county's budget to be able to spend up to a million and a half dollars but it wasn't clear whether we could use existing bond money to do that. We got an opinion from our attorney. When we went to bond counsel we got an opinion of that and we followed certain procedures that have not been done before and it worked for us and we were able to expend that money. And what happened as a result of that? We filled up the county jail. I understand it'll be very short period of time before you know we're gonna get another hundred and fifty inmates into the component... We shouldn't even call it DC I and DC II anymore because it's one facility now, but we need to get a new name for that. I guess the new Ruben Torres Facility. And it has changed the financial situation of Cameron County significantly. Where before we were looking at some major deficits at the end of the fiscal year, we now may be able to, if things work out, give the employees a much deserved raise and deal with some of the financial issues that we've been presented with."

Commissioner Benavides – "And may I say this Judge that throughout the eight years that I've been here... I think I've mentioned this last meeting... We hear about inmates falling through the cracks. Instead of staying

there three days they stay there three months, you know something went wrong and all that stuff. But you know I get a sense of satisfaction because I feel and correct me if I'm wrong, that if in six months this system is not working, we can stop it you know almost immediately or if whatever..."

Mr. Wright – "As legal counsel, I would say that you definitely need to pursue a legislative program that approaches what Harris County or even Comal County has done. Because there is an example of doing this same type of thing except getting some special legislation to do it and it definitely needs to be pursued if you decide. And the questioned that Commissioners raise is a legitimate issue its just I don't know unless you use this process I don't know I am unaware of any other way to attack the problem that you have right now. And I did talk with John Fuller who spends a lot of time in this area. He did say other counties have used this Statute for that purpose. I talked to him again just this morning and he reiterated that. The problem with that is it isn't a case that I can hand to you and you can feel solid on with regard to that, so I would recommend that you do pursue a legislative program."

Judge Hinojosa – "And we'll be getting with our District Attorney on that and coming up with some proposed legislation to deal with that as well and our different legislatures to make sure that we've got something in place that absolutely clarifies it and it will be a local bill at worst and I think that we can resolve any questions. But I don't think that anybody can complain that this is not in the best interest of the public."

Commissioner Tamayo – "What I wanted to clarify and you referred to it is the manner in which we made the motion, that it would be a temporary position in order to find out what kind of well track record we get, if it's working and so on and so on. The report that we get, did we say six months?"

Judge Hinojosa – "We said ninety days. Let's see how we go."

Commissioner Tamayo – "And well I would expect a report in ninety days and see the results."

Commissioner Garza – "Well Judge, I want you to understand that I don't disagree with any of that. I voted for creating that position. I went on record saying yes we need to do something about the situation we have. The only reason that I put this item on the agenda was for discussion amongst us. So that hopefully it would be clarified to me that any action taken will not result in future potential litigation for this county by that individual or the person that we put out there. That's it. My interest is to protect the county as best as we can. If there is already a law or a Statute in place that can be utilized to do what we can fine. But I don't want to compromise the legality of a potential claim against this county, which we all know we've had plenty of the last four years because we did something and we didn't explore that possibility."

Commissioner Tamayo – “I don’t think any of us want that to happen, Commissioner. That’s why we go ahead and make phone calls and try and check. I think it’s gonna work. I think the end result is that the county would be functioning in a much better manner. ”

Judge Hinojosa – “Okay. Do I hear a motion...? I guess to acknowledge discussion? We’ve already taken action.”

Commissioner Wood – “So moved to acknowledge.”

Commissioner Tamayo – “Second.”

Judge Hinojosa – “Motion by Commissioner Wood, second by Commissioner Tamayo all those in favor signify by stating aye.”

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

Judge Hinojosa – “Motion carries.”

Commissioner Garza – “Thank you for your time.”

Judge Hinojosa – “Yes sir.”

The Report is as follows:

(9) **IN THE MATTER REGARDING CONSIDERATION
AND POSSIBLE ACTION ON CAMERON COUNTY
PARK RANGERS (DG- COMM. PRECINCT 3)
(TABLED)**

Judge Hinojosa - "That's your item again Commissioner"

Commissioner Garza - "Yes. Sir I put that item on the agenda Judge. We've had a lot of changes that have occurred on South Padre Island in regards to jurisdictions. We've had the town of Port Isabel annexed the south end of South Padre Island, the north end of South Padre Island; they have come in and annexed the majority of our Park Systems as it stands now. There is now, you know, some responsibility by the town of Port Isabel to provide some services to this County. And because of that I would think that we should consider looking at reducing the numbers of Park Rangers that we have in that area and allowing the City of Port Isabel to take some of the responsibility up in doing some of those patrols in those areas. I would go as far as saying that we should consider you know, doing away with those Park Ranger Positions and just giving them to our Sheriffs Department and let the Sheriff take care of that. It's a law enforcement action that they need there's times of the year when we have large populations on the island that come in. Who more adequately is staffed than the Sheriff's Department to be able to take care of additional requirements during Spring Breaks or during Semana Santas or things of that sort than the Sheriff's Office? It is possible for the Parks Department to contract with them to provide services for them and to augment the Sheriff's Department's budget and have folks out there. I think that you know the Sheriff's Department during those times could assign folks during those peak periods to the island to more adequately protect the folks out there. And I just wanted to put it up for discussion. I don't know if I'm the only one that feels that way, I don't know."

Commissioner Tamayo - "Well, I have a concern because there's other parks besides the Padre Island. And I talk to the Sheriff about my concerns in my own precinct. And so we need protection and we haven't gotten it in other parks. And it's not just spring break. We're talking about, and one of them is in your precinct over in Arroyo City, Commissioner. And also there's parks... El Ranchito has a big problem."

Commissioner Benavides - "Browne Park is coming up."

Commissioner Tamayo - "Yeah. So we have more parks than just the ones you've mentioned. So that's my concern. I don't know that we can reduce. I didn't get any background information on this item. So I really don't know the management system that's being used right now. I'd like some information on it, quite frankly."

Judge Hinojosa - "And I think that's really a very good point Commissioner. Let me point out a couple of things. Is that that's something that we have never taken a look at up to now and perhaps needs to be taken a looked

at, which is figuring out a way to ensure that the Park Ranger Department is not only focused on the Island Parks you know. But expands includes other parks as well in some shape or form. You know the day that the Mayor of Port Isabel and the City Manager of Port Isabel come to me and tell me that they have the financial ability to put full-time patrols on the northern part of South Padre Island and take away from their current patrols on Port Isabel is the day that one I'll probably fall off this chair and secondly that we will come and reexamine this issue you know. I mean I think that for whatever reason Port Isabel annexed the northern part of South Padre Island and the southern part of South Padre Island. But I don't think that anybody feels that they have the financial ability at this point today, maybe down the line. Maybe once they start getting those huge revenues with all the developments that are going to go out there that is going to be able to generate enormous amount of taxes for them to pay for increased law enforcement they'll be able to do it. And on that day I'd like to reinitiate this conversation. And it can save us a significant amount of money and we can redirect those resources somewhere else. But, I think that for the time being they don't have the ability to provide those resources. Now the question is I think do we want to have this incorporated into the Sheriff's Department and then allow the Sheriff to do whatever he's gonna do with it. For right now I think the Sheriff's go his plate pretty full. I mean he's taken over a troubled jail that's going to take a lot of work to fix up. He's taken over a troubled department that's going to take a lot of work to fix up. He's got a lot of plans for the future that I know he wants to see work. I think you know, I don't want to place an additional burden on him right now. You know down the line once he's gotten a chance to place his feet back on the ground and fixed some of the situations that exist there and if we feel that that's not going to compromise the mission of the Park Rangers, which is to ensure that there is complete security for the people who are using our Park System and ensure that the focus of those individuals are solely on the parks, if that's not going to be compromised with the transfer, then I'm prepared to reexamine those issues. But right now I think it is not a good time to do any of this stuff. I think, I would like, I don't think we have enough Park Rangers to do the things that need to be done as it is. But for right now I don't have a problem with keeping it the way it is because of the financial restraints that exist in the Parks Department."

Commissioner Tamayo - "Judge"

Commissioner Wood - "When a community does an annexation, immediately, according to annexation laws, immediately, they're supposed to be responsible for policing. You know, not necessarily immediately for other types of infrastructures, like water and sewer and things like this but for policing and fire protection and EMS service, they're immediately responsible for that. I haven't seen that happen with the area that Port Isabel has annexed. I don't know their ability. Whether they have the ability to do the proper policing that we expect in the

Park System on South Padre Island that's I guess up in the air. I do know that their annexation is currently being questioned. In fact there was a hearing yesterday. I don't know what the outcome or what happened to it yesterday in the courts. There was a hearing on the Port Isabel annexation on the north part of South Padre Island. But if we're going to be looking at the Park Rangers expanding in throughout the rest of the county and taking care of the security in the other parks throughout the county then obviously we're going to have a need for them. If we're not going to do that then Port Isabel needs to belly up to the bar and take their responsibility. But I haven't seen that happen yet, and that bothers me that I haven't seen that happen yet."

Commissioner Tamayo - "Well what I want. Excuse me, go ahead John."

Commissioner Wood - "But we do need protection out there for the public and if we have to provide it we have a system set up to be able to provide it. And I guess we need to continue that system until we are assured that someone else is either going to take care or if we are going to use the Rangers for other areas of the county then we may have to look at whether or not we have to do that. That's going to be a larger job than what we've been undertaking."

Judge Hinojosa - "Pete, do you have anything to add."

Commissioner Benavides - "I just want to listen to Javier right now."

Mr. Javier Mendez, Parks System Director - "Well I'm not here to argue for or against it, but..."

Judge Hinojosa - "A si?"

Mr. Mendez - "But on the... for the clarification as far as expanding them outside where they're covering right now. There was special legislation that was approved to allow for us to have law enforcement in our parks and it was specific to South Padre Island and Arroyo City. So it's not that we don't want to expand them and provide security or law enforcement in our community parks. It's specific to South Padre Island and Thomaes Park."

Commissioner Tamayo - "Oh so it's just those two areas?"

Mr. Mendez - "Yes ma'am."

Commissioner Tamayo - "Thank you for the information. I didn't have that information."

Judge Hinojosa - "But we really need to look at that as well because we are going to have... You know I think the Commissioner is right. We've got several community parks that are well used."

Mr. Doug Wright, Commissioners' Court Legal Counsel - "I don't think that is quite correct. I think they do have jurisdiction in the county parks and on a county that borders the Gulf of Mexico on a barrier island and the unincorporated areas."

Commissioner Wood – “Well whatever the issue is I also believe that we do have constables throughout the county and maybe some of their efforts have to be geared towards some of the parks.”

Commissioner Garza – “Including South Padre.”

Commissioner Wood – “We need to look at that.”

Commissioner Tamayo – “The point I was gonna make is that I’d like some more information on how it’s coordinated. And what I was going to bring up is that very fact, John. That I think that the Park Rangers if they work beyond the South Padre Island, Arroyo City area, which I hope they do, coordinate efforts with the constables. You know I think we can work a lot smarter than we’ve been working and all of us need to remember that. You know if you work smart you get more things done and you protect people more. And I have a lot of faith in our new Sheriff that he will look at that and help and assist in any manner to where there is more coordination of law enforcement.”

Commissioner Benavides – “I would like also state, Judge. That we’re completing a brand new park for the first time in Precinct one; on the fifteenth we’ll have the ribbon cutting ceremony. So you’re all invited out there.”

Judge Hinojosa – “On the fifteenth of January?”

Commissioner Benavides – “Yes of this month, yes. I hope so Javier. I went to see it yesterday it’s almost completed. I also want to see in the future a combine effort like the rangers and the constables and the Sheriff’s Department, everyone. Because we are going to have a beautiful park there we want to take care of it. I want to see maybe a satellite station with a telephone and you know some office space.”

Judge Hinojosa – “I thought Arroyo City was your (Commissioner Tamayo) precinct.”

Commissioner Tamayo – “No.”

Commissioner Garza – “Precinct three.”

Commissioner Tamayo – “Well Arroyo City is in my precinct but the park is in...”

Commissioner Garza – “Thomae Park is in precinct three.”

Commissioner Tamayo – “Thomae Park and the Wildlife Refuge is his.”

Judge Hinojosa – “Well see, but that’s a good example. I mean I don’t understand to be honest with you the way Arroyo City is set up because it’s a resort sort of. Everything’s on the water.”

Commissioner Wood – “You were here when it was set up, Judge, I don’t understand why...”

Commissioner Tamayo – “The redistricting caused that.”

Commissioner Wood – “The precinct division.”

Judge Hinojosa – “That’s not what I meant. I meant the way that we use the law enforcement, you know.”

Commissioner Garza – “I voted against that. But again that’s the way the lines are drawn.”

Commissioner Wood – (Inaudible)

Sheriff Omar Lucio agreed with the need to provide adequate patrolling in county parks and agreed to meet with Park Rangers prior to the fourth of July. He indicated that the jail was originally designed to house a court and added that about 100 people that had not been arraigned had already been housed for over fourteen days, thus his staff worked from midnight to six pm to address the matter.

Commissioner Garza – “...with the Sheriff’s Department, the person that was in charge of the Park Rangers is one of the main men for the new sheriff and I figured that it would be worthy of discussion for this court to at least find out learn about it and we can make a decision as to what we want to do. I thank you for your time.”

Commissioner Tamayo – “And I want clarification from legal counsel on where they can monitor, the area that they’re suppose to protect. Cause you were saying one thing and I was hearing something else from Javier.”

Mr. Wright – “I have the Statute right here.”

Commissioner Tamayo – “And I tried getting of you yesterday, Javier, but I think you had some sick children or something.”

Commissioner Benavides – “He’s a family man.”

Judge Hinojosa – “Alright, do I hear a motion to table.”

Commissioner Tamayo – “So move.”

Commissioner Benavides – “Second.”

Judge Hinojosa – “Motion by Commissioner Tamayo, second by Commissioner Benavides, any further discussion? All those in favor signify by stating aye.”

Commissioners Benavides and Tamayo – “Aye.”

Commissioner Wood – “What are we tabling, which item?”

Judge Hinojosa – “Item nine.”

Commissioner Wood – “Okay.”

Judge Hinojosa – “All those signify by stating aye. All those opposed...”

Commissioner Garza – “Nay.”

Judge Hinojosa – “Motion carries.”

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 10:23 A.M. to discuss the following matters:

(27) EXECUTIVE SESSION:

- A. Confer with Commissioners' Court Legal Counsel concerning claim of Juan J. Mireles, for discussion and authority to represent the county; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A) & (2);
- B. Confer with Commissioners' Court Legal Counsel concerning Salvador Arellano, Luis Gonzales, Sebastian Gonzales, Luciano V. Martinez, Abel Ortega, Agapito Ortega, Amado Ortega, Andres Ortega, Gonzalo Ortega, Manuel Ortega, Rodolfo Ortega, Jose M. Rodriguez, Esteban Salinas, Gilbert Salinas, and Juan Villarreal versus Cameron County, Conrado Cantu, Sheriff of Cameron County and Cameron County Deputy, Yochabel Moreno in the 103rd District Court; Cause No. 04-11-05606-D to discuss status report; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)&(2);
- C. Confer with Commissioners' Court Legal Counsel concerning 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. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- E. To deliberate the appointment of Chief Park Ranger; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 11:30 A.M. to discuss the following matters:

NOTE: COMMISSIONER TAMAYO LEFT THE MEETING AT THIS TIME.

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

- A. Confer with Commissioners' Court Legal Counsel concerning claim of Juan J. Mireles, for discussion and authority to represent the County.**

Commissioner Wood moved that the Legal Counsel be authorized to represent Cameron County on this case.

The motion was seconded by Commissioner Garza and carried unanimously.

- B. Confer with Commissioners' Court Legal Counsel concerning Salvador Arellano, Luis Gonzales, Sebastian Gonzales, Luciano V. Martinez, Abel Ortega, Agapito Ortega, Amado Ortega, Andres Ortega, Gonzalo Ortega, Manuel Ortega, Rodolfo Ortega, Jose M. Rodriguez, Esteban Salinas, Gilbert Salinas, and Juan Villarreal versus Cameron County, Conrado Cantu, Sheriff of Cameron County and Cameron County Deputy, Yochabel Moreno in the 103rd District Court; Cause No. 04-11-05606-D to discuss status report.**

NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report was acknowledged and the movement of Cause No. 04-11-05606-D to Federal Court was authorized.

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- C. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark.**
- D. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building.**

Commissioner Wood moved that the Status Report by Legal Counsel be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

-
- E. To deliberate the appointment of Chief Park Ranger.**

(8) CONSIDERATION AND APPOINTMENT OF CHIEF PARK RANGER, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE, SECTION 351.082 (COMM. COURT)

Commissioner Benavides moved that the appointment of Mr. Juan Mendoza as Chief Park Ranger be authorized.

The motion was seconded by Commissioner Tamayo.

Commissioner Garza asked if minimum qualifications set forth by the job description were met by the individuals.

Mr. Javier Mendez, Parks System Director, responded that the individuals lacked one certification from Parks & Wildlife for marine safety, which was done because of the marina being inside Isla Blanca Park. He added that this certification could be coordinated with Texas Parks & Wildlife and would take about two to three weeks.

Mr. Doug Wright, Commissioners Court Legal Counsel, explained that the special provision was added recently because of the Park Rangers not having jurisdiction in the waters where a lot of people were driving jet skies too fast in the marina.

Upon motion duly made by Commissioner Benavides moved that the appointment of Mr. Juan Mendoza as

Chief Park Ranger be authorized.

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

AYE: Commissioners Benavides, Wood, Tamayo and Judge Hinojosa

NAY: Commissioner Garza.

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

Mr. Xavier Villarreal, Budget Officer, explained that the salary schedules include the temporary position of the magistrate under the Justice of the Peace, Precinct No. 2, Place No. 1, with the same salary as the JP, and the District Deputy Clerk Position at the starting salary for the same with duration of March 31, 2005.

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

The Documents are as follow:

- (3) **APPROVAL OF MINUTES FOR:**
- A. **NOVEMBER 9, 2004-REGULAR MEETING**
 - B. **NOVEMBER 30, 2004-SPECIAL MEETING**
 - C. **DECEMBER 7, 2004-REGULAR MEETING**
 - D. **DECEMBER 14, 2004-REGULAR MEETING (TABLED)**

Commissioner Garza moved that the Minutes of the Regular Meetings held November 9, 2004, December 7, 2004, and the Special Meetings held November 30, 2004, be approved and that approval of the Minutes for the Regular Meeting held December 14, 2004, be **TABLED**.

The motion by seconded by Commissioner Wood and carried unanimously.

- (4) **CONSIDERATION AND DESIGNATION OF TIME OF DAY AND DAY OF THE WEEK OF THE COMMISSIONERS' COURT REGULAR MEETING. (GH-COUNTY JUDGE)**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Order designating that the Commissioners Court Meetings be held every Tuesdays at 9:30 A.M. was adopted.

The Order is as follows:

(5) CONSIDERATION AND APPOINTMENT OF COUNTY JUDGE PRO-TEM (GH-COUNTY JUDGE)

Commissioner Wood moved that Commissioner Benavides be appointed as Judge Pro-tem.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(6) CONSIDERATION AND ACTION REGARDING THE COMPOSITION OF THE SALARY GRIEVANCE COMMITTEE, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE, SECTION 152.014 (GH-COUNTY JUDGE)

Mr. Remi Garza, Administrative Assistant, explained that the Court must determine the composition of the salary grievance committee based on the following options: a committee composed of the County Judge, Sheriff, Tax Assessor Collector, County Treasurer, County Clerk, District Clerk, County Attorney or District Criminal Attorney, and whatever number needed to provide (9) nine voting members or to select nine (9) public members to conform the committee.

Commissioner Wood moved that the composition of the Salary Grievance consisting of nine (9) public members be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

(10) DISCUSSION AND AUTHORIZATION TO SET POLICY THAT THE HUMAN RESOURCES DEPARTMENT DISTRIBUTE AN EMPLOYEES FINAL PAYCHECK AS PART OF AN EMPLOYEE'S EXIT INTERVIEW. (MY-AUDITOR)

Commissioner Benavides moved that the Policy setting that the Human Resources Department distributes an employees' final paycheck as part of an employee's exit interview be adopted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Policy is as follows:

(11) **CONSIDERATION AND AUTHORIZATION TO APPROVE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SET UP A SYSTEM OF BRINGING IN SOME MONEY AND THE AUDITOR'S OFFICE TO SET UP AN ACCOUNT AND USE THESE FUNDS TO DEVELOP A VOCATION TRAINING PROGRAM. (TR-JUVENILE PROBATION)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Cameron County Juvenile Probation Department was authorized to set up a system of bringing in some money and the Auditor's Office was authorized to set up an account and to use these funds to develop a vocational training program.

(12) **CONSIDERATION AND AUTHORIZATION TO APPROVE CELLULAR PHONES FOR THE THIRD SURVEILLANCE TEAM OF THE JUVENILE PROBATION DEPARTMENT FROM COUNTY FUNDS (TR-JUVENILE PROBATION)**

Mr. Xavier Villarreal, Budget Officer, clarified that funds were available within the department's budget.

Commissioner Garza asked if the first and second surveillance teams already acquired cell phones.

Mr. Tommy Ramirez, Juvenile Probation Department Director, responded in the affirmative.

Commissioner Benavides moved that cellular phones to be funded from county funds for the Third Surveillance Team of the Juvenile Probation Department be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(13) **IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE ACTION REGARDING THE BROWNE ROAD SOCIAL SERVICES CENTER AND TO ACCEPT A PROPOSAL FROM JAMAIL CONSTRUCTION. (TABLED)**

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

(14) **CONSIDERATION AND AUTHORIZATION TO
AWARD THE FOLLOWING BIDS/RFP /RFQ FOR:
(MF-PURCHASING)
A. CELLULAR PHONES & SERVICE – ANNUAL
RFP NO. 1740**

Judge Hinojosa stated that he was aware that the committee met and was recommending that the County stay with Sprint; however, Mr. Remi Garza, Administrative Assistant, indicated to him that Cellular One was approximately \$50,000.00 less. He noted the need for the component of the Public Works Department working along the river to remain with Sprint since it provides better service there, them being about six (6) phones. Judge Hinojosa suggested that Cellular One be used in order to obtain the \$50,000.00 in savings if the issue with the service near the river could be resolved.

Mr. Mark Yates, County Auditor, questioned if all county cellular phones would now fall under the proposed services from Cellular One.

Judge Hinojosa responded in the affirmative, with exception of cellular phones needing service along the river.

Mr. Yates stated his understanding to be that service in some areas of the county from Cellular One was picked up by roaming and that cost for so was not figured into the evaluation.

Judge Hinojosa noted that the same happens with sprint.

Commissioner Wood questioned the cost for change of instruments.

Mr. Yates responded that all the costs for switching phones were included in the proposal. He added that there would be additional costs above the set fee which could be experienced for two years.

Commissioner Tamayo questioned if concern with the service near the river was the only concern of the committee.

Mr. Yates explained that the committee believed that there would be some hidden costs with Cellular One as well. He indicated that law enforcement wanted radio services which were now available through Sprint due to their merger with Nextel.

Commissioner Wood stated that the radio services would be available for law enforcement in the near future through the radio system.

Commissioner Garza asked if the contract stipulate that the county not incur hidden costs. He stated that the contract states that no roaming charges would be incurred while in the Rio Grande Valley and questioned where

the hidden cost would be.

Mr. Yates responded that he was merely relaying concerns expressed by the committee. He explained that he was present during the committee's discussions and listened to all the concerns, noting most of the committee recommended staying with Sprint.

Judge Hinojosa noted the need to stipulate the matter concerning roaming charges in the contract.

Commissioner Garza moved that the bid be awarded to Cellular One and that the contract include language that protects the county from incurring anything other than what is stipulating in the contract and that the six (6) cellular phones needed by the Public Works Department for use near the river keep service with Sprint.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(15) **IN THE MATTER REGARDING CONSIDERATION AND AUTHORIZATION TO ALLOW PUBLIC WORKS DIVISION TO PROVIDE ONE TIME MAINTENANCE TO A PRIVATE ROAD BETWEEN HOCKADAY AND FLORIDA ROAD FRONTING ON BROWNE AVENUE AND OUT OF ALFONSO DIAZ SUBDIVISION (TABLED)**

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

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

ITEM NO. 18/20: Mr. Remi Garza, Administrative Assistant, requested that two vans included in Item No. 20 be rejected and included within Item No. 18.
The Court agreed.

ITEM NO. 16: Mr. Mark Yates, County Auditor, reported that the Workers Compensation Premium was increased by \$344,000.00 and that the portion of the General Fund was approximately 69% of said amount. He added that the General Fund would have an additional \$178,000.00 of workers compensation premium due based on estimated salaries to be paid. Mr. Yates added that a notice was received from TAC indicating that the unemployment contribution was at a deficit position of \$48,127.93, thus based on the rates being withheld an additional \$48,000.00 were needed. He added that said amount was expected to increase significantly in the next quarter as a result of the recent lay-offs and changes to administration. Mr. Yates added that an overage of \$75,677.00 needing to be paid for unemployment cost was reported in September and that there was \$252,000.00 in over budgeted line items, adding that reimbursement of \$60,122.00 were expected based on Stone Garden operations. He stated that funds for an additional \$494,000.00 were needed for future cost.

Mr. Yates presented the following late claims: Warrant No. 00130551, payable to Jury Fund, in the amount of \$2,235.00.
Judge Hinojosa asked if the additional \$15,000.00 per month from Brady's Duty Free were budgeted within the revenues.
Mr. Yates responded in the affirmative.

ITEM NO. 26: Ms. Veronica De La Fuente, County Judge's Office, added Travel to Austin on January 11, 2005 for the County Judge.

Commissioner Benavides moved that the "Travel and Consent Items" be approved with the changes of the purchase of the two vans to be obtained through the Agreement with Houston-Galveston Council of Governments.

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

AYE: Commissioners Benavides, Wood, Garza and Tamayo,

NAY: None.

ABSTAIN: Judge Hinojosa as to Warrant No. 00130521, payable to Laguna Madre Water District, in the amount of \$9,530.97.

(16) APPROVAL OF CLAIMS.

The Affidavit is as follows:

(17) APPROVAL OF THIS AMENDMENT AND EXTENSION COMMERCIAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND B.P. NEWMAN TO PROVIDE OFFICES FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE AND WHITE SANDS HIDTA LOCATED AT 1100 FM 802, SUITE 101, BROWNSVILLE, TEXAS 78521, FROM JANUARY 1, 2005 THRU DECEMBER 31, 2005. (FB-UNIT)

The Agreement is as follows:

(18) APPROVAL TO UTILIZE THE INTERLOCAL PURCHASING AGREEMENT WITH HOUSTON-GALVESTON COUNCIL OF GOVERNMENTS TO ORDER TWO 15 PASSENGER VANS FOR THE RESTITUTION CENTER. (RS-ADULT PROBATION)

The Agreement is as follows:

(19) ADOPTION OF RESOLUTION RECOGNIZING YEARS OF SERVICE TO CAMERON COUNTY BY ADELA BLANCO, HERLINDA MARTINEZ, AND LUPITA DE LEON. (VDL-COUNTY JUDGE)

The Resolutions are as follow:

(20) AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/ RFQ FOR: (MF-PURCHASING)

A. PICK-UP TRUCK ½ TON-CREW (COMM. PCT. 3)-QTY. 1, PICK-UP TRUCK ½ TON 4X4 CREW (CONST. PCT. 5)-QTY. 1, PICK-UP TRUCK ¾ TON-CREW (BRIDGE)-QTY. 1 AND VAN-7 PASSENGER (DISTRICT CLERKS SEPT.)-QTY. 1 TO CARDENAS MOTORS, PICK-UP TRUCKS-COMPACT (HEALTH-A + ENG. INSP. -2) AND VAN-15 PASSENGER (JAIL)-QTY. 1 TO TIPTON FORD, PICK-UP TRUCKS ½ TON (ENVIRO. HEALTH)-QTY. 3, PICK-UP TRUCKS ½ TON 4X4 (PUBLIC WORKS)-QTY. 1 AND VANS-15 PASSENGER (RESTITUTION)-QTY. 2 WITH TRADE TO TIP-O-TEX CHEVROLET.

(21) AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)

A. FINANCING FOR EQUIPMENT – ANNUAL RFP #1420 TO BANK OF AMERICA
B. POLICE SUPPLIES – ANNUAL BID #2505 TO (G. T. DISTRIBUTORS [CATEGORY A #1-7, CATEGORY B #1-3]), (9MM FIREARMS [CATEGORY B #4]), (CODE BLUE [ALTERNATES B]), (FIRST CHOICE [ALTERNATES C]), (PROTECTIVE PRODUCTS [ALTERNATES A])

- C. ROAD MACHINERY RENTAL – ANNUAL BID #1710 TO EQUIPMENT SUPPLY
- D. ROAD DRAINAGE MATERIALS – ANNUAL BID #2520 TO (CONTECH CONSTRUCTION [CATEGORY A]), (VARMICON [CATEGORIES B-C AND F]), (RIO VALLEY PIPE [CATEGORIES D-E])
- E. ROAD MATERIALS: CONCRETE – ANNUAL BID #2510 TO TRANSIT MIX CONCRETE
- F. ROAD MATERIALS: DIRT, SAND, LIME – ANNUAL BID #2515 TO RUBIO BROS. AND CHEMICAL LIME

The Tabulations are as follows:

- (22) APPROVAL OF TIME EXTENSION FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LOBITAS ESTATES SUBDIVISION PHASE I, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
- (23) APPROVAL OF TIME EXTENSION FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LOBITAS ESTATES SUBDIVISION PHASE II, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
- (24) APPROVAL OF TIME EXTENSION FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VEGA SUBDIVISION PHASE I, PRECINCT 3. (PS-DEPT. OF TRANSPORTATION)
- (25) AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
 - A. PRECINCT NO. 3- SUGARLAND ACRES SUBDIVISION, SECTION II, BEING A 8.861 ACRE TRACT MORE OR LESS, OUT OF BLOCK ONE HUNDRED SIXTY-ONE (161) OF THE LOS FRESNOS LAND & IRRIGATION COMPANY SUBDIVISION, IN SHARE 22 OF THE ESPIRITU SANTO GRANT, AS RECORDED IN VOL. 3, PG. 9 &PA, OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS.

TRAVEL ITEMS

- (26) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
 - (A) Assistant County Administrator to attend meetings during the “79th Legislative Session”, in Austin, Texas, January 10-12, 2005;
 - (B) Administrative Assistant for Intergovernmental Affairs to attend meetings during the “79th legislative Session”, in Austin, Texas, January 10-12, 2005;
 - (C) Director of Department of Transportation to attend an interagency meeting with “Mexican Federal Agencies”, in Mexico City, Mexico, January 7, 2005;
 - (D) Juvenile Probation employees (2) to attend “18th Annual Juvenile Law Conference” in Austin, Texas, February 1-3, 2005;
 - (E) Juvenile Probation Employees (2) to attend “2005 Chief’s Conference”, in Austin, Texas, January 18-21, 2005.
 - (F) Juvenile probation employees (4) to attend “Title IV-E Enhanced Administrative Training “, in Austin, Texas, January 19-21, 2005;
 - (G) Juvenile Probation employee, to travel to Austin, TEXAS, on 11/28-12/3/04, to attend “Mock Audits Training.”
 - (H) Juvenile Probation employees (2), to travel to Corpus Christi, TEXAS, on 1/20-21/05, to attend “14th Annual Winter Growth Conference.”

- (I) Unified Narcotics Intelligence Task Force Director, to travel to San Antonio, TEXAS, on 1/4-6/05, to attend Performance Management Training.
 - (J) Weed and Seed Coordinator, to travel to Washington, DC, on 1/10-13/05, to attend the Community Anti-Drug Coalitions of America Leadership Training Conference.
 - (K) Weed and Seed Coordinator and Brownsville Police Dept. Weed and seed coordinator, to travel to Dallas, TEXAS, on 2/6-8/05, to attend "The Safe and Drug Free Communities Annual State Conference."
 - (L) Juvenile Probation Early Intervention Officer and Brownsville Police Dept. Early Intervention Officer, to travel to Dallas, TEXAS, on 2/6-8/05, to attend "The Safe and Drug Free Communities Annual State Conference."
-

- (16) APPROVAL OF CLAIMS.
The Affidavit is as follows:**

- (17) **APPROVAL OF THIS AMENDMENT AND EXTENSION COMMERCIAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND B.P. NEWMAN TO PROVIDE OFFICES FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE AND WHITE SANDS HIDTA LOCATED AT 1100 FM 802, SUITE 101, BROWNSVILLE, TEXAS 78521, FROM JANUARY 1, 2005 THRU DECEMBER 31, 2005. (FB-UNIT)**
The Agreement is as follows:

- (18) **APPROVAL TO UTILIZE THE INTERLOCAL PURCHASING AGREEMENT WITH HOUSTON-GALVESTON COUNCIL OF GOVERNMENTS TO ORDER TWO 15 PASSENGER VANS FOR THE RESTITUTION CENTER. (RS-ADULT PROBATION)**
The Agreement is as follows:

- (19) **ADOPTION OF RESOLUTION RECOGNIZING YEARS OF SERVICE TO CAMERON COUNTY BY ADELA BLANCO, HERLINDA MARTINEZ, AND LUPITA DE LEON. (VDL-COUNTY JUDGE)**
The Resolutions are as follow:

- (21) **AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)**
- A. FINANCING FOR EQUIPMENT – ANNUAL RFP #1420 TO BANK OF AMERICA**
 - G. POLICE SUPPLIES – ANNUAL BID #2505 TO (G. T. DISTRIBUTORS [CATEGORY A #1-7, CATEGORY B #1-3]), (9MM FIREARMS [CATEGORY B #4]), (CODE BLUE [ALTERNATES B]), (FIRST CHOICE [ALTERNATES C]), (PROTECTIVE PRODUCTS [ALTERNATES A])**
 - H. ROAD MACHINERY RENTAL – ANNUAL BID #1710 TO EQUIPMENT SUPPLY**
 - I. ROAD DRAINAGE MATERIALS – ANNUAL BID #2520 TO (CONTECH CONSTRUCTION [CATEGORY A]), (VARMICON [CATEGORIES B-C AND F]), (RIO VALLEY PIPE [CATEGORIES D-E])**
 - J. ROAD MATERIALS: CONCRETE – ANNUAL BID #2510 TO TRANSIT MIX CONCRETE**
 - K. ROAD MATERIALS: DIRT, SAND, LIME – ANNUAL BID #2515 TO RUBIO BROS. AND CHEMICAL LIME**

The Tabulations are as follows:

SUPPLEMENTAL ITEMS

- (2) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF DARIO DIAZ AND JOSAPHAT LOZANO FOR DEPUTY CONSTABLE FOR PRECINCT #4 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE RESERVE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER (MV-HUMAN RESOURCES)**

Commissioner Tamayo moved that the appointment of Dario Diaz and Josephat Lozano for Deputy Constable for Precinct No. 4 be approved in compliance with the finding that it is necessary to appoint the reserve deputy in order to properly handle the business of the Constable's Office that originates in the Constable's Precinct and that the appointment is valid only through the end of the fiscal year in which the appointment is made or the current term of the elected constable which ever ends sooner.

The motion was seconded by Commissioner Garza and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 12:03 P.M.

APPROVED this 1st day of **February** 2005.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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