

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of February 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

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:34 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and he 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 February 8, 2005, at 3:37 P.M.:

NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME

(1) PUBLIC COMMENTS

Mr. Sam Lozano, Former Harlingen Mayor, expressed concern with the restoration plan for the Santa Maria Church that would convert it to museum/information center and would prohibit church related activities from being held. He pleaded that the building remain as a chapel, and asked how the project got the Commissioners Court due to the difficulty to get funding for church related building, adding that he has every intention of speaking to the Bishop to see that the Chapel stays as is.

The form is as follows:

Mr. Doug Wright, Commissioners' Court Legal Counsel, suggested that the Court meet in Executive Session prior to discussion in open session.

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 9:42 A.M., to discuss the following matters:

(29) EXECUTIVE SESSION:

- B. Confer with Commissioners' Court Legal Counsel concerning a possible lease with the Catholic Diocese for the Santa Maria Catholic Church, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 9:53 A.M., to discuss the following matters:

(30) ACTION RELATIVE TO EXECUTIVE SESSION:

- B. Confer with Commissioners' Court Legal Counsel concerning a possible lease with the Catholic Diocese for the Santa Maria Catholic Church, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.**

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

At this time, Judge Hinojosa briefly recapped Mr. Lozano's concerns regarding the possible restoration of the Santa Maria Church. He explained that there was a difficult balancing that the county was engaging upon because it dealt with religion and history, both being very important to the community although sometimes by law they do not go together. Judge Hinojosa clarified that the church, build by Oblates that were a big part of our history, was over 100 years old and sits on land leased long-term to the County, adding that the park and community center located on the same part of land go around the church. He noted the need to restore the severely deteriorated church because it would otherwise soon fall if not preserved and protected. Judge Hinojosa stated that the building was a historical site and a prominent part of the history of Cameron County that will be lost if not preserved and protected. He explained that his brother, Mr. Manuel Hinojosa, Architect and member of the Historical Commission, examined the church and expressed concerns, and worked very closely with the Historical Commission, to determine available options for restoration of the church. Judge Hinojosa informed that dialogue

regarding the church has taken place for years with Brownsville Diocese, and that available funding from State was finally identified for preservation or restoration of the church with the understanding that it be restored back to its original form. Judge Hinojosa explained that this meant its physical aspect would not change but its function would, preventing provision of religious services or any type of marriage ceremonies, baptisms, etc. He stated that this would preserve the church to its original form and would keep it as a museum where its history could be held.

Mr. Lozano responded that most likely he was not thinking with his head but rather with the heart, and reiterated that he could not picture the chapel being turned into a museum just to receive funding. He asked if a committee was appointed to ensure that the building remain a chapel and requested an opportunity to make further studies. He commented that community centers were usually hidden agendas for more votes and that he had no agenda other than to see that the chapel remain as so. Mr. Lozano asked for any opportunity to further study and find options to keep the chapel as a church.

Commissioner Tamayo stated that the “perfect answer” would be if private funds were raised to restore the Chapel, and at this point the county did not know if it was able to proceed.

Judge Hinojosa questioned the estimated cost for the renovation project.

Mr. Frank Bejarano, PD&M Director, responded that current figures were unavailable due to incomplete preliminary studies and that in the early 1990’s the estimated cost for renovation was about \$200,000.00.

Judge Hinojosa commented that the amount has probably doubled at this time. He stated that there were two things that could be done and one thing that could not be done. Judge Hinojosa stated that the county would love the possibility of funding being secured by the private sector because it would prevent the county from walking on a fine line with respect to legal issues. He explained that upon this occurring then the church could be used however it seems fit; however if the community wants the county to preserve the church to its original state it could do so but religious activities could not be held there.

Mr. Lozano asked why the item was before Commissioners Court.

Judge Hinojosa explained that the county has waited a long time for somebody to fix the church and that no one came forward and now the church would be restored by the county because otherwise it would fall down. He suggested that Mr. Lozano be appointed member of the Historical Commission in order for him to oversee the original preservation of the building and added that he would place an item on the next agenda.

Commissioner Garza explained that the matter was on the agenda because the county has a lease for the property surrounding the church and that this was merely an extension of the property. He stated that county does not have an agreement with the Diocese of Brownsville to proceed with project and suggested that perhaps upon the

county being unable to proceed, that the effort could be continued through people such as Mr. Lozano who believe on this project, noting that a legal definition was still pending.

Commissioner Tamayo clarified that although the county's only interest was to preserve the church, it does not have sufficient funding for the project; therefore, it turned to state for funding, which restrains the building from hosting any form of religious events. She stated that Santa Maria residents prefer having the building restored as a chapel, yet they support seeing the chapel restored rather than watching it fall before their eyes.

Commissioner Wood stated that someone like Mr. Lozano working along with the Oblates might be able to successfully restore the structure to where it could be a functioning church, and offered his assistance in any form possible.

Mr. Lozano thanked the court for its efforts.

Commissioner Benavides informed that the grand opening of Browne Road Park would take place Saturday February 12, 2005, at 10:00 a.m., and invited everyone to attend. He stated that the event would include participation from local high school bands and mariachis.

Judge Hinojosa informed that Commissioner Tamayo opened the Rio Hondo Family Learning Center over the weekend.

PRESENTATIONS

(1) **DISCUSSION REGARDING TRAFFIC CONTROL
ISSUES ASSOCIATED WITH THE TAX OFFICE IN
HARLINGEN (COMM. COURT)**

Mr. Remi Garza, County Administrative Assistant, explained that a letter was received from Mr. Paul Lee Wiley, County Resident, regarding the traffic issues associated with the drive-up window at the Harlingen Annex.

Mr. Tony Yzaguirre, Tax-Assessor Collector, stated that the problem has existed for many years, and that the alley was made “one way” after contacting the City of Harlingen. He explained that during the latter part of the month the traffic blocks the entrance to Mr. Wiley’s property, he proposed that concrete barriers block the alley, traffic be given access to the window come through ten parking spaces to be eliminated that vacant property be used as parking spaces.

Judge Hinojosa suggested that the Engineering Department develop a plan that alleviates the problem and does not cost much.

Commissioner Wood questioned that the Engineering Department meet with Mr. John Hudson.

Judge Hinojosa commented that TEDSI Infrastructure was also available for consulting.

Commissioner Garza questioned the average time spent by a vehicle at the drive-thru window.

Mr. Yzaguirre responded that approximately 125 windshield stickers were issued daily and that about 100 tax payments were processed daily, noting that the numbers increase at the end of the month.

Judge Hinojosa stated that the problem was present at all county tax offices, and reiterated his suggestion for the Department of Transportation to examine the matter and provide recommendation.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the discussion regarding traffic control issues associated with the Tax Office in Harlingen was acknowledged.

Commissioner Garza requested that Mr. Wiley be contacted and informed that the Court was “moving” on the problem.

Judge Hinojosa responded that a letter informing him of the Courts’ action would be mailed to him

The Report is as follows:

ACTION ITEMS

**(2) 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 as presented.

The motion was seconded by Commissioner Garza and carried unanimously.

The documents are as follow:

**(3) APPROVAL OF MINUTES FOR:
A. JANUARY 10, 2005-SPECIAL MEETING**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Minutes for the Special Meeting held on January 10, 2005, were approved.

**(4) CONSIDERATION AND APPROVAL OF
RESOLUTION AUTHORIZING THE SHERIFF'S
DEPARTMENT TO APPLY TO THE DEPARTMENT
OF TRANSPORTATION FOR A SELECTIVE TRAFFIC
ENFORCEMENT PROGRAM (STEP) GRANT (OL-
SHERIFF DEPT.)**

Commissioner Garza moved that the Resolution authorizing the Sheriff's Department to apply to the Department of Transportation for a Selective Traffic Enforcement Program (STEP) Grant be adopted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Mr. Xavier Villarreal, Budget Officer, informed that the program would begin next fiscal year, thus the match would be needed then.

The Resolution is as follows:

(5) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR ROAD NAME CHANGE OF TRAVIS ROAD OUT OF EL JARDIN SUBDIVISION, IN PRECINCT NO. 1, BROWNSVILLE AREA TO N. OKLAHOMA AVE. (PS-DEPT. OF TRANSPORTATION)

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the public hearing for road name change of Travis Road out of El Jardin subdivision, in Precinct No. 1, Brownsville area to N. Oklahoma Avenue was opened for public comment.

Commissioner Benavides informed that he placed this item on the agenda because residents were having trouble receiving their mail as a result of half the road being named Travis Road and the other half being named Oklahoma Avenue, noting that most residents support naming the whole street name Oklahoma Road.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the public hearing for road name change of Travis Road out of El Jardin subdivision, in Precinct No. 1, Brownsville area to N. Oklahoma Avenue was closed.

Judge Hinojosa stated that another road in Bayview had the similar situation with half named Camp Road and another half being different.

(6) CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER ESTABLISHING ROAD NAME CHANGE FROM TRAVIS ROAD OUT OF EL JARDIN SUBDIVISION, IN PRECINCT NO. 1, BROWNSVILLE AREA, TO N. OKLAHOMA AVE. (PS-DEPT. OF TRANSPORTATION)

Commissioner Benavides moved that the Order establishing road name change from Travis Road out of El Jardin Subdivision, in Precinct No. 1, Brownsville area, to N. Oklahoma Avenue be adopted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Order is as follows:

(7) **CONSIDERATION AND ACTION ESTABLISHING A BUDGET RELATING TO THE COUNTY'S LEGISLATIVE EFFORTS IN AUSTIN, TEXAS. (VDL-COUNTY JUDGE)**

Commissioner Garza asked if a budget was set last time.

Ms. Veronica De la Fuente responded that a workshop was held with no action taken and on the matter.

Commissioner Tamayo moved that the establishing of the budget relating to the county's legislative efforts in Austin, Texas, be approved.

The motion was seconded by Commissioner Benavides.

Commissioner Garza questioned the funding source.

Mr. Xavier Villarreal, Budget Officer, responded that there was no money within the General Fund to fund this. He explained that there were three options thus the court must decide on the amount to be approved.

Commissioner Wood stated that the internet fares were discussed in the past.

Ms. De la Fuente stated that the legislative tracking system and the capitol news service was added as the only change

Commissioner Tamayo moved that the establishing of the budget relating to the county's legislative efforts in Austin, Texas, be approved through the internet fare, with the exception of emergency travel.

The motion was seconded by Commissioner Benavides.

Mr. Pete Sepulveda, Department of Transportation Director, stated that funding was available through the operating budget of the Gateway Bridge.

Ms. De la Fuente explained that the request was for a median up to \$15,000.00.

Mr. Doug Wright, Commissioners Court Legal Counsel, suggested that the funding be transferred from Gateway International Bridge to General Fund to be spent from an existing line item in the General Fund and that the Budget Officer be directed to make the changes.

Upon motion duly made by Commissioner Tamayo that the establishing of the budget relating to the county's legislative efforts in Austin, Texas, be approved through the internet fare, with the exception of emergency traveled.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Report is as follows:

(8) CONSIDERATION AND ACTION REGARDING THE PRESENTATION BY THE SOUTH PADRE ISLAND TEXAS SKATEBOARDERS CONCERNING BUILDING A STATE OF THE ART, PUBLIC, CONCRETE SKATEBOARDING FACILITY ON SOUTH PADRE ISLAND. (COMM. COURT)

Mr. Eric Brattin, President of the South Padre Island Texas Skateboarders, (SPITS), requested support from the county to build a concrete skateboarding facility on county land adjacent to the convention centre. He stated that the organization has support from the Town of South Padre Island, and that fundraisers were underway to fund construction of the \$250,000.00 skateboarding facility.

Judge Hinojosa asked if the land in question was presently leased to South Padre Island.

Mr. Dan Quant, South Padre Island Conventional Visitors Bureau Executive Director, responded in the affirmative.

Judge Hinojosa asked if the request was a modification to the lease agreement to allow the park facility.

Mr. Quant explained that the county established a separate lease agreement sometime ago between the Town of South Padre Island and Sea Turtle Inc., to try to expand it., north of the convention centre, noting that the agreement did not go thru and has since expired. He explained that at any land currently being leased to South Padre Island by the county must come before the court for approval of any "unique use," such as a skateboarding facility.

Judge Hinojosa asked if the mechanics would be that essentially the county would amend its lease agreement with South Padre Island and that South Padre Island would in turn lease it to the SPITS Organization.

Mr. Quant responded in the affirmative, and added that the discussion was merely for informational purposes to make the county aware of the project. He stated that South Padre Island would consider a formal lease agreement with SPITS Organization once funding issues were resolved and that the agreement would be brought back before the court for approval.

Judge Hinojosa noted the need for some type of Resolution from the Town of South Padre Island showing the request for modification and he requested a conventional drawing of the project and the mechanics of implementing the project. He noted the need to examine legal liabilities to the county since skateboarding was a dangerous sport. Judge Hinojosa stated that he would have no problem with the proposed park, as long as the motif was in place and upon the location not upsetting future development.

Mr. Quant reiterated that the intentions were for informational purposes at this time and not for court approval.

Commissioner Benavides expressed support towards the project, and suggested that a similar facility be considered for Browne Road Park.

Mr. Brattin explained that in 1995 skateboarding was federally recognized, as a “dangerous sport” as shown on the information he provided, that being Chapter 75 of Civil Practice and Remedies Code. He added that liability was eliminated when a municipality operates a skateboard facility, and it must be at no cost except through concessions.

Judge Hinojosa suggested that all information be gathered and be brought back before the court.

Commissioner Garza commented that the same chapter protects the City of San Benito from liability issues since it too was in the process of developing a skateboarding park.

Commissioner Tamayo moved that the Presentation by the South Padre Island Texas Skateboarders (SPIT) concerning building a state of the art, public, concrete skateboarding facility on South Padre Island, was acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

Judge Hinojosa suggested that Mr. Brattin work with the Parks System Director, whom would present it before the court for approval when ready.

The Report is as follows:

(9) IN THE MATTER REGARDING CONSIDERATION AND AUTHORIZATION TO PURCHASE ASPHALT ZIPPER AZ480HD UTILIZING H-GAC CONTRACT (PS-DEPT OF TRANSPORTATION) (TABLED)

Mr. Pete Sepulveda, Department of Transportation Director, informed that a presentation of the equipment in question was held last week.

Commissioner Benavides stated that he was happy with the performance of the Asphalt Zipper AZ480HD, but not with operating technique it entails. He suggested that the purchase of a large and small machines be considered since the county was too big for the small machine alone.

Commissioner Tamayo agreed that the county was too big for the small machine which requires more than two people to operate it in a safe manner. She stated that the county would lose money on the long and that the ideal situation would be that both machines be purchased, noting that the county would incur savings on the long road by purchasing the large machine that was self contained.

Mr. Sepulveda stated that purchasing the large machine would be ideal if funding was available and that they have been looking at a used 2000 or 2001 BOMACK cost price at about \$160,000.00.

Commissioner Tamayo stated that a used BOMACK machine was available for \$95,000.00.

Mr. Sepulveda explained that said equipment would not be in the best interest to the county because it has over 2,000 hours used.

Commissioner Tamayo asked if the number of miles that the machine would be has been analyzed.

Mr. Sepulveda responded negatively and explained that the total miles known, yet the machine would only be used on asphalt road.

Commissioner Wood expressed concern with the large machine being unable to maneuver properly in narrow roads or on roads that have special restrictions versus the smaller machine. He stated that he feared purchasing a large machine that would not be used to its full potential.

Commissioner Garza explained that a presentation of the Asphalt Zipper AZ480HD was held in Precinct No. 3 eighteen months ago thanks to Commissioner Tamayo and staff. He stated that the county did not express an interest in purchasing the machine at that time, and that the City of San Benito purchased the equipment since then. Commissioner Garza added that the machine was used in two projects done since then in San Benito in conjunction with the county via an interlocal agreement. Commissioner Garza stated that the one mile was processed in eight hours and that this would be the ideal machine to work the sides of the roads because of moisture accumulations. He stated that Mr. Marroquin, City of San Benito employee, informed him that their machine was operated by only

two persons, thus reducing needed repairs to only one bit, costing \$4.90, during the eighteen months it has been used. Commissioner Garza expressed support towards the purchase of the Asphalt Zipper AZ480HD that could improve the quality of product being built or restored and could protect investments on the roads.

Commissioner Tamayo agreed to having one individual care and operate the machine; however, and expressed concern with the small machine not being adequate for the number of road miles throughout the county.

Commissioner Benavides explained that the small machine merely tears downs the asphalt. He expressed concern with the small machine not being self propelled and with it doing only four feet at a time. Commissioner Benavides stated that the time of operation and manpower needed would supercede the savings gained by purchasing the small machine versus the large.

Mr. Sepulveda explained that although the county has many needs in road work, it too has budget constraints. He stated that the cost of the BOMACK equals 20% of the road materials budget, and suggested that an analysis of the road miles where the equipment could be used, could be prepared if directed by the court.

Judge Hinojosa noted that the county does not pave alleys and that the equipment was needed to do more extensive work on county roads. He explained that he had questions with regards to the maneuvering of the large machine where needed, the cost factor and the financing source. He stated that he was hesitant to sign off in buying a piece of equipment when half of the commissioners involved in road construction do not want it. Judge Hinojosa noted the need to have a consensus with regards to the equipment being purchased for use in the whole county, and suggested that the matter be tabled to explore all available options, adding that he was not interested in purchasing a used machine unless it had a minimal mileage.

Mr. Xavier Villarreal, Budget Officer, informed that the BOMACK was included in the budget, yet the Asphalt Zipper AZ480HD was least expensive and that ultimately the court would decide the funding was available.

Commissioner Wood asked if the BOMACK could be leased as needed.

Mr. Sepulveda responded that possible leasing of equipment would be an option to be explored, inclusive of the cost information.

Judge Hinojosa noted the need to see what the BOMACK can do and to compare of both machines.

Commissioner Tamayo asked if an Asphalt Zipper AZ480HD was being used with Proposition II.

Mr. Sepulveda responded that the cost would be reimbursed upon there being the need to use either machine. He suggested that a contractor could be called to do a demonstration of the BOMACK.

Judge Hinojosa suggested that a demonstration take place, that all other options be examined and that the need be determined.

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

**(9) CONSIDERATION AND ADOPTION OF RESOLUTION
OPPOSING LEGISLATION REDUCING PROPERTY
VALUE APPRAISAL CAPS (COMM. COURT)**

Mr. Remi Garza, County Administrator Assistant - "Judge, HB 784 has been submitted, which essentially reduces the current exemption, I'm sorry, from increases and places and appraisal value cap on homesteads at 10%, HB 784 will reduce that to 5%. But that also will open, would change it from being just a residential homesteads to real property, which will be an expansion on it pretty severely. We're asking the court to..."

Judge Hinojosa - "Have we done an analysis of the bill's financial effect on the revenue that the county can generate on a yearly basis from the increased appraisals under the current 10% caps vis-a-vi the 5% cap and including all the different expanded exemptions that they're looking at Mark?"

Mr. Mark Yates, County Auditor - "Well we were understanding of how it applies to Cameron County, actually you have an 8% cap in tax application."

Judge Hinojosa - "Right."

Mr. Yates - "Cameron County over the past..."

Judge Hinojosa - "But we never get to that 8% only with the increased appraised values."

Mr. Yates - "Right, well actually the 8% is a revenue cap and it's called the **PBDO** rate and above the 8% generation of revenues is a possibility of a roll-back election. It's not absolute but it is there..."

Judge Hinojosa - "It is what is called a roll-back rate."

Mr. Yates - "Right, and it requires the public to petition to have an election to reverse that back to the effective rate. It takes, I don't know exactly on this particular legislation where there is some provision for the public to take an initiative to roll back or it just caps it off at 5% rate. But we're talking about appraisals and there is a 10% cap on residential at this point in time. Your appraisal can be increased by 30%, and I have had this discussion with certain property owners, but the taxable portion of your appraisal can only increase 10% a year."

Judge Hinojosa - "On your homestead?"

Mr. Yates - "On your homestead right, and so certain areas, like South Padre Island that has an accelerated growth in valuations, you can have in one year a difference between your appraisal and your taxable appraisal up to perhaps 15% and 20%."

Judge Hinojosa - "But for example last year we didn't increase the tax rate, right?"

Mr. Yates - "Yes."

Judge Hinojosa - "But the estimated lost to the county if we would've instituted the freeze on the 65 years or older population for the homestead was somewhere around \$300,000.00 or \$400,000.00."

Commissioner Garza - "\$160,000.00"

Judge Hinojosa - "No, no."

Mr. Yates - "I don't remember that number."

Commissioner Garza - "Yeah we had the figure from the Appraisal District."

Mr. Yates - "Right."

Judge Hinojosa - "Well, I met with the guy from the tax-payer's union and he told me it was somewhere like \$300,000.00. That's what he said."

Mr. Yates - "Now this valuation cap surely affects, severely affects those counties that have a lot of oil and gas mineral basis because oil and gas can fluctuate significantly as it did in Willacy County; But we don't have that issue here."

Judge Hinojosa - "Well, going back to what I was just saying, is that if you combine those two freezes that's a loss of a \$1 million of revenue for Cameron County for the next fiscal year. That's equivalent to how much in the tax rate?"

Mr. Yates - "Well, \$1 million is worth about an excess valuation of ten (10). And essentially what you're doing is you're shifting, on the over 65, you're shifting the tax burden to those who are under 65 and own properties or real business. So you know it's not that the court is gonna reduce its tax levy, its just you're changing who you are getting it from."

Judge Hinojosa - "Yeah. The bottom line is that we have to raise a certain amount of revenue to balance the budget. Whether we do it when we get the increased appraisal value or we increase the rate. One way or the other or you cut services."

Mr. Yates - "Yeah, and I am involved in a lot of discussions amongst the rest of the auditors around the State. It is the belief that strengthening the truth in taxation so that the public does have an avenue for their voice to be heard, but any increase in the revenue above the 3%, you know, triggers that public hearing notice. The public does have an option to say yes or no during a public hearing, and above the 8% they have the option to petition for an election to roll-back. So there is a check and balance, I don't really see the issue is broken, but I understand the politics of the issue is that regardless of whether you're gonna have property tax reform and shift the dollar from the local school district to the state they're going to need additional funds for the educational process. So..."

Judge Hinojosa - "Well they're not proposing to provide us any new money from the state; let's make that clear."

Mr. Yates - "Right."

Judge Hinojosa - "What basically the governor is doing and the people who are sponsoring this legislation, is they're just... I mean, I'm not really clear what they are trying to do, but it doesn't solve anything. It just basically shifts the way you tax from depending upon on increased valuation where somebody's property is worth more, therefore... to either forcing yourself to cut revenue from a bare bone budget or increasing the tax rate."

Mr. Yates - "I think our tax levy, and your budget officer concurred, is about a million and 3 quarters, \$1,750,000.00 increase on tax levy each year on average, is that about right? And that's roughly five to six, even the upper parts of 7% a year, and so capping that off at 5% we would loose about half of that increase, especially if we do a shift in value from the tax rate from the 65 and over. So there will be a cost. What we would have to do is start looking seriously at the discount provided for the October, November, and December payments because that costs the county half a million dollars and the delay in funding that's up to a 36% interest rate on funds that we pay the taxpayers who pay early. We're paying 3%; so we would have to look at a lot of options to cover those funds."

Judge Hinojosa - "What are the benefits for the county from the discounts?"

Mr. Yates - "Well, with the discounts we get funds earlier."

Judge Hinojosa - "But do we make more money of..."

Mr. Yates - "Well not at the current interest rates that are there, I mean, at best you'll get a 1% annually, 1% to 2% effective annually."

Commissioner Garza - "I mean in essence we're paying 12% percent for October money."

Mr. Yates - "Right."

Commissioner Garza - "That's the bottom line."

Mr. Yates - "Yes."

Commissioner Garza - "Okay."

Mr. Yates - "So we would have to look at other areas or significantly cut certain things that we do. But we couldn't have the level of growth that we've had either entrust upon us or responding to; we just would not have the funds."

Judge Hinojosa - "Okay."

Commissioner Wood - "I kind of see this as state method of putting some more in unfunded of what we have to."

Judge Hinojosa - "And then requiring us to do more."

Commissioner Wood - "Yeah."

Commissioner Garza - "Well, but I think that the perception amongst a whole lot of taxpayers is that we raise our rates indirectly..."

Commissioner Wood - "Taxes are out of hand."

Commissioner Garza - "because what we do is we have an increase of 7% to 10 % in appraised values, we don't raise our rates, but in essence we are raising the rates because if the appraised value increases and you're keeping the same rate you're taking more from each individual."

Judge Hinojosa - "But that doesn't apply to everybody. Some people's property value does not increase. I mean, as a matter of fact a lot of peoples property value does not increase. What Mark is telling you is on the overall basis it does increase, if you add up the Island, the island makes up for 17% of taxable property in the county. You know, their property values are increasing significantly. I know lots that were worth \$50,000.00 there three years ago are now worth \$100,000.00, yet this bill would only require them to pay the tax increase of, you know, 3% or 5 % in terms of the increase in valuation when their value is now worth double what it was three years. Whereas, as you know the guy Juan Garza that works at AMFELS, his house is worth \$60,000.00 it hasn't increased by any amount. He's still paying at the same rate, you know. So I don't think it's the same thing, I mean, you pay it by a broad brush, but it's not the same thing you know."

Commissioner Garza - "Well, everybody's property gets re-evaluated at the minimum every three years."

Judge Hinojosa - "But a lot of peoples' property values do not go up."

Commissioner Tamayo - "I wished mine hadn't gone up."

Commissioner Benavides - "I've never met a person whose property value has not gone up; I have not."

Commissioner Wood - "What is consistent is the cost of doing business is going up every year. Every time we see a bid to do a project it costs a lot more than it did three years and certainly more than it did five years ago. And somewhere along the line, if we're going to continue to provide the services Mark eluded to, we either provide the service or we don't provide the services if we don't have the funds."

Judge Hinojosa - "I mean we're arguing right now about buying a machine that I'm being told we need to buy a machine to do the paving, but because we don't have, you know, at one point we were told that we didn't have enough money to do it. I mean those are services that... I mean if Cameron County did not build its own roads we'd have to contract with somebody else to build them and it would cost us twice as much."

Commissioner Garza - "So are we arguing with each other on this? I mean I support the resolution."

Judge Hinojosa - "You support the resolution?"

Commissioner Garza - "I support the resolution."

Judge Hinojosa - "Well then, let's hear a motion."

Commissioner Garza - "I so move, Judge."

Commissioner Benavides - "And I'll second that, Judge."

Judge Hinojosa - "There's a motion and a second, any further discussion, all those in favor signify by stating, aye."

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

Judge Hinojosa - "Motion carries."

The Resolution is as a follows:

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

ITEMS NO. 27-B/28-I: Mr. Pete Sepulveda, Department of Transportation Director, requested that Item 27-b be tabled and that item 28-I be deleted.

ITEM NO. 15- Mr. Javier Mendez, Parks Department Director, explained the need to correct the wording on this item from Dr. Jack Keller to Dr. John Keller.

ITEM NO. 11- Mr. Mark Yates, County Auditor, presented late claims and explained that check No. 00132471, loan to Fund No. 71 from Gateway Bridge, in the amount of \$108,500.00, was for the West Rail Relocation Project. He explained that the Court has moved as co-sponsor of the project and has committed funding, thus county funds must be appropriated if the plans is to commit 10%. He explained that as auditor he is encounters difficulty in having sufficient working capital to provide up-front funding when the county seeks reimbursement from TEXASDOT or the City of Brownsville. Mr. Yates noted that the county was seeking 80% reimbursement from TEXASDOT and 10% reimbursement from the City of Brownsville, noting that the additional 10% has to be funded by the county, thus the need to designate a funding source.

He included Warrant No. 00132472, loan to Fund 69 from General Fund, in the amount of \$1,800.00, and stated that they were being very cognizant of the working capital used for reimbursement loans due to the need to have enough cash for payroll, thus he would request that working capital be assigned and appropriated by the court providing funds for a grant. Mr. Yates explained that the equipment listed under the approved Road & Bridge equipment list were not fund that the county has. He added that the list was prepared, bids were solicited and then financing was acquired, followed by setting of payments for the upcoming fiscal year.

Judge Hinojosa asked if the financing scheme being estimated was covered in the budget.

Mr. Yates responded that the financing scheme was contemplated in the budget, yet payments were contemplated in next year's budget.

ITEM NO. 26: Commissioner Garza asked if the based bid ever change.

Mr. Pete Sepulveda, Department of Transportation Director, responded that the base bid would change once the contract was in place, and that a change order indicating reductions within the budget would be brought before the court after the contract was in place.

Commissioner Garza asked what budget amount was.

Mr. Sepulveda responded that the total budget was \$540,000.00, inclusive of \$40,000.00 for engineering fees. He explained that they might get to within \$20,000.00 of the budget and that at that time they would meet with the auditor to determine the responsibility of the county and the City of Brownsville. Mr. Sepulveda clarified that the contract needed to be in place and that the change order would modify the cost, noting that they have agreed with the changes and that Brownsville would assist with some line items.

ITEM NO. 28-C: Commissioner Tamayo questioned the statement regarding attendance being required.

Mr. Yates responded that information and the needs it entails would be provided.

ITEM NO. 25- Mr. Mark Yates, County Auditor, informed that 2004 Bond proceeds would be used to fund the Asbestos Abatement of the Levis Building.

Commissioner Garza moved that the "Travel and Consent Items" be approved inclusive of corrections to Item No. 15 and the late claims, that Item 27-b be **TABLED**, and that Item 28-I be deleted.

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. 00132337, payable to Laguna Madre Water District, in the amount of \$184.08.

(11) APPROVAL OF CLAIMS.

The Affidavit is as follow:

(12) ACKNOWLEDGEMENT OF DISTRICT CLERK'S OCTOBER, NOVEMBER AND DECEMBER'S MONTHLY FEE, CRIMINAL AND FINES REPORT. (ADLG-DISTRICT CLERK)

The Report Follows:

(13) ACTION FOR THE APPOINTMENT OF CESAR LUIS WEAVER, ROLANDO GARZA, JOHN R. KIRBY AND BUSTER WAYNE JONES FOR RESERVE 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)

(14) 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-U.N.I.T.)

The Agreement is as follows:

(15) AUTHORIZATION TO AWARD PROPOSAL TO DR. JACK KELLER D/B/A SOUTHERN ARCHEOLOGICAL CONSULTANTS, INC., TO CONDUCT ARCHAEOLOGICAL SURVEY AT LAGUNA HEIGHTS RECREATIONAL PARK. (JM-PARK SYSTEM)

The Agreement is as follow:

(16) AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CHEMICAL RESPONSE AND REMEDIATION CONTRACTORS, INC., FOR ASBESTOS CONSULTING SERVICES PERTAINING TO THE DEMOLITION OF JEREMIAHS RIVER RIDE. (JM-PARK SYSTEM)

The Agreement is as follows:

(17) AUTHORIZATION TO PURCHASE PARK RANGER TRUCK VIA THAT STATE OF TEXAS BUILDING AND PROCUREMENT COMMISSION (TBPC) STATE BID FOR THE PARK CAMERON COUNTY PARK RANGER DIVISION. (JM-PARK SYSTEM)

(18) APPROVAL OF A RENEWAL LEASE CONTRACT BETWEEN CAMERON COUNTY AND DAGOBERTO MARTINEZ, M.D. TO RENT SPACE FOR WIC PROGRAM SERVICES. (YS-HEALTH DEPT.)

The Contract is as follows:

- (19) **APPROVAL OF A RENEWAL LEASE CONTRACT BETWEEN CAMERON COUNTY AND ASIM ZAMIR, M.D. TO RENT SPACE TO WIC PROGRAM SERVICES. (YS-HEALTH DEPT.)**

The Contract is as follows:

- (20) **APPROVAL OF RENEWAL LEASE CONTRACT BETWEEN CAMERON COUNTY AND DAGOBERTO MARTINEZ, M.D. TO RENT SPACE FOR WIC PROGRAM SERVICES. (YS-HEALTH DEPT.)**

The Contract is as follows:

- (21) **APPROVAL TO AMEND THE CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AD HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY05 LOCAL PUBLIC HEALTH PREPAREDNESS WORK PLAN. (YS-HEALTH DEPT.)**

The Contract is as follows:

- (22) **APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM FUND ON BEHALF OF THE BROWNSVILLE PUBLIC UTILITIES BOARD FOR A SANITARY SEWER PROJECT ON BROWNE ROAD IN CAMERON COUNTY PRECINCT 1; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

The Resolution is as follows:

- (23) **APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM FUND ON BEHALF OF THE BROWNSVILLE PUBLIC UTILITIES BOARD FOR A SANITARY SEWER PROJECT ON SOUTHMOST ROAD IN CAMERON COUNTY PRECINCT 1; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

The Resolution is as follows:

- (24) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)**

A. BACKHOES - BID #050109

The Tabulation is as follows:

- (25) **APPROVAL TO AWARD BID TO THE LOWEST BIDDER, ASBESTOS & DEMOLITION CONTRACTING IN THE AMOUNT OF \$7,660.00 FOR THE ASBESTOS ABATEMENT OF THE LEVIS BUILDING. (PS-DEPT. OF TRANSPORTATION)**

The Tabulation is as follows:

- (26) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND SUMMITT CONTRACTING, INC. FOR THE EXPANSION OF THE TRUCK LANES AT THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES. (PS-DEPT. OF TRANSPORTATION)**

The Contract is as follows:

- (27) **AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4- EL CARIBE ESTATES SUBDIVISION, BEING A 37.551 ACRE TRACT OF LAND, MORE OR LESS, BEING 19.015 ACRES OUT OF BLOCK NINE (9) AND 18.536 ACRES OUT OF BLOCK TEN (10), BLACK BROTHERS SUBDIVISION, CAMERON COUNTY, TEXAS IN VOL. 2, PAGE 37, MAP RECORDS OF CAMERON COUNTY, TEXAS.**
 - B. **IN THE MATTER REGARDING PRECINCT NO. 4- PELICAN POINTE, SUBDIVISION, PHASE II, BEING A 5.564 ACRE TRACT OF LAND OUT OF A 223.569 ACRE TRACT OF LAND (223.59 ACRES-DEED) SHARE 22, ESPIRITU SANTO GRANT, AS RECORDED IN VOLUME 10229, PAGE 188, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (TABLED)**

TRAVEL ITEMS

- (28) **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. Commissioners' Court Legal Counsel to attend the "18th Annual Construction Law Conference," in San Antonio, Texas, March 2-4, 2005;
 - B. Computer Center employee, to attend the "2005 Courts and Local Government Technology Conference," in Austin, Texas, on February 1-3,2005;
 - C. U.N.I.T. Force employee, to attend "Analyst's Notebook ® Workshop," in Sacramento, California, March 18-26,2005;
 - D. U.N.I.T. Force employee, to attend "Anacapa Law Enforcement Training – Analytical Investigation Methods (AIM)" in Austin, Texas, March 6-11, 2005;
 - E. U.N.I.T. Force Director, to attend "Quarterly Intelligence Meeting & Intelligence Node Supervisors Meeting in San Antonio, Texas, on March 14-15,2005 and to attend "STexas Region Ec" in Laredo, Texas, March 15-17,2005;
 - F. Drug Enforcement Task Force employees (2), to attend "Follow The Money Training" in Weslaco, Texas, February 14-16, 2005;
 - G. Drug Enforcement Task Force employee, to attend "Raid Entry Instructor School Florence" in Florence, Texas, February 21-22, 2005;
 - H. Tax Assessor-Collector's office employees (4), to attend "Auto Theft Intelligence Sharing Training" in Corpus Christi, Texas, February 16, 2005;
 - I. Department of Transportation Director, to meet with Nadbank officials regarding The West Rail Project and with consultants regarding the West Rail and North Rail Projects, in San Antonio, Texas, February 7-8,2005; (CANCELLED)
 - J. Health Department employees (4), to attend " Smallpox Preparedness Clinical Aspects Course" in Alice, Texas, February 16, 2005;
 - K. Pd & M CD Coordinator, to attend "Lower Rio Grande Valley Development Council Professional Advisory Panel Meeting" in Mercedes, Texas, February 9, 2005;
 - L. County Extension Agent, to accompany "Cameron County 4-Her's to Calf Scramble 2005 at The San Antonio Stock Show And Rodeo Livestock Judging Contest" in San Antonio, Texas, February 17-18,2005;

- M. County Extension Agent, to accompany “Cameron County 4-Her’s to Livestock Judging Contest at San Antonio Stock Show and Rodeo” in San Antonio, Texas, February 19-20,2005;
- N. Human Resources/Safety Risk Department employees (2), to attend “The 2005 Spring Law Enforcement Regional Suicide Detection & Prevention Seminar” in McAllen, Texas, February 22-23, 2005;

- (11) APPROVAL OF CLAIMS.
The Affidavit is as follow:**

- (12) **ACKNOWLEDGEMENT OF DISTRICT CLERK'S OCTOBER, NOVEMBER AND DECEMBER'S MONTHLY FEE, CRIMINAL AND FINES REPORT. (ADLG-DISTRICT CLERK)**

The Report Follows:

- (14) **CONSIDERATION AND 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-U.N.I.T.)**

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- (22) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM FUND ON BEHALF OF THE BROWNSVILLE PUBLIC UTILITIES BOARD FOR A SANITARY SEWER PROJECT ON BROWNE ROAD IN CAMERON COUNTY PRECINCT 1; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

The Resolution is as follows:

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The Resolution is as follows:

- (24) CONSIDERATION AND AUTHORIZATION TO OPEN THE
FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)**
- A. BACKHOES - BID #050109**
- The Tabulation is as follows:**

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The Contract is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 11:37 A.M. to discuss the following matters:

(31) EXECUTIVE SESSION:

- A. Confer with Commissioners' Court Legal Counsel concerning Michael Mcghee Scott versus Yolanda Deleon, Criminal District Attorney and Cameron County, Texas in the 107th District Court; Cause No. 03-01-122-A, for discussion and status of case, authority to appeal and discussion of settlement, pursuant to V.T.C.A. Government Code, Section 551.071(A)&(B).
- B. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building, Pursuant to V.T.C.A. Government Code, Section 551.071(2).
- C. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, Usa formerly known as Landmark, pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)&(2).
- D. Confer with Commissioners' Court Legal Counsel concerning the Cellular One Contract, pursuant to V.T.C.A. Government Code, Section 551.071(2).
- E. Deliberation regarding Real Property concerning the County Health Building in San Benito, pursuant to V.T.C.A. Government Code, Section 551.072.
- F. Confer with Commissioners' Court Legal Counsel concerning Juan Jose Mireles versus Cameron County, Texas and Conrado Cantu; Cause No. 2004-12-6113-E, for authority to represent Conrado Cantu, pursuant to V.T.C.A. Government Code, Section 551.071(A)&(2).

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 12:43 P.M., to discuss the following matters:

(32) ACTION RELATIVE TO EXECUTIVE SESSION:

- A. **Confer with Commissioners' Court Legal Counsel concerning Michael Mcghee Scott versus Yolanda Deleon, Criminal District Attorney and Cameron County, Texas in the 107th District Court; Cause No. 03-01-122-A, for discussion and status of case, authority to appeal and discussion of settlement.**

Commissioner Wood moved that Legal Counsel be authorized to appeal and negotiate settlement pursuant to discussions in Executive Session, and that the Status Report by Legal Counsel be acknowledged..

Commissioner Tamayo seconded the motion and carried unanimously.

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

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Status Reports by Sheriff Omar Lucio regarding construction of the vestibules at Detention Center I , and by Mr. Trey Martinez, Attorney at Law, regarding the case styled Cameron County versus Faulkner, USA, formally known as Landmark, were acknowledged.

D. In the matter regarding confer with Commissioners' Court Legal Counsel concerning the Cellular One Contract. (TABLED)

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

E. In the matter regarding deliberation regarding Real Property concerning the County Health Building in San Benito.

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

F. Confer with Commissioners' Court Legal Counsel concerning Juan Jose Mireles versus Cameron County, Texas, and Conrado Cantu; Cause No. 2004-12-6113-E, for authority to represent Conrado Cantu.

Commissioner Wood moved that Legal Counsel be authorized to represent Conrado Cantu and Cameron County in Cause No. 2004-12-6113-E.

The motion was seconded by Commissioner Garza and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 12:47 P.M.

APPROVED this 5th day of **April 2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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