

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 15th 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:

The meeting was called to order by Judge Hinojosa at 9:33 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 11, 2005, at 2:45 P.M.:

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was recessed at 9:34 A.M.

Judge Hinojosa called the meeting to order at 9:50 A.M.

ACTION ITEMS

**(9) CONSIDERATION AND SELECTION OF VENDOR(S)
FOR SOLID WASTE GARBAGE COLLECTION
SERVICES IN CAMERON COUNTY AND TO
NEGOTIATE A CONTRACT WITH SUCH VENDOR(S)
(GS-COUNTY JUDGE)**

Commissioner Garza moved that the Evaluation Committee's recommendation be accepted, that the process be continued, and that the committee be authorized to negotiate.

The motion was seconded by Commissioner Tamayo.

Judge Hinojosa requested a report regarding the committee's action and its recommendations due to the importance of the project.

Ms. Grace Salinas, County Judge's Office, reported that ABC Waste Collections, BFI Services of Texas, Inc., and Red River Service Corporation, submitted proposals and that the committee interviewed 2/3 vendors on February 2, 2005, noting that ABC Waste Collections was unable to attend. She added that Red River Service Corporation was scored the highest followed by ABC Waste Collections with 380 points.

Judge Hinojosa requested that the criteria be reviewed as well.

Ms. Ruth Abby, Brown, Vence & Association, reported that three strong proposals were received three strong vendors, two of which provide services in the county and one who recently relocated its headquarters here. She stated that the vendors were score based on the following criteria: company qualifications; staff qualifications; municipal references; collection method and operations; customer service; community services; and implementation plan. Ms. Abby stated that the key issues differentiating the proposals were that ABC Waste Collections did not score high for municipal references because two references were non responsive and as a result of an issue with providing collection services in the unincorporated area because their methodology differs from the other two vendors that were higher ranked. She reported that BFI Services was located in the Valley, that it provides services to many municipalities and unincorporated areas, and has excellent references and proposal. She explained that Red River Services Corporation was proposing to have semi-automated collection with one truck going down a street in unincorporated area once rather than twice to have less impact to county roads. Ms. Abby stated that the BFI

Proposal scored higher than Red River Services Corporation with regards to staffing. She stated that Red River Services Corporation scored slightly higher primarily because they provided an approach to providing waste collection services in rural areas that was well crafted to meet the needs of the county.

Judge Hinojosa explained his understanding to be that Red River Services Corporation scored higher because their proposed method for providing services minimizes damage to county roads and requested that Ms. Abby elaborate.

Ms. Abby explained that Red River Services Corporation proposed three collection systems depending on the area: to use small trucks for small rural roads that could be damaged by heavy collection trucks and to provide a semi-automated system where the driver and helper get out of the truck to service the trash collection on each side of the road at the same time, which would allow for additional employment opportunities.

Judge Hinojosa noted that county roads were of lesser quality than those of municipalities and that the large municipal trash collection trucks would cause more damage to county roads.

Commissioner Garza moved that negotiations with Red River Services Corporation, the highest ranking company be authorized through the Committee (to determine if negotiations can be concluded to the satisfaction of Cameron County) and that Cameron County do due diligence through the committee on the recommendation of the committee to determine that they do in fact provide quality services to the area where they're currently providing services, and that in the event that the county was satisfied with the negotiations, the results of the negotiations and the due diligence then the county will select the first ranking company and that in the event that this fails or that due diligence raises questions in the company's ability to perform satisfactory, that the county then move to the next ranking company (BFI) to follow the same process.

The motion was seconded by Commissioner Tamayo.

Mr. Rudy Rodriguez, BFI Services of Texas, informed that BFI has been in existence since 1981 and has paid taxes in Cameron County since then. He stated that BFI employs 125 individuals in the Valley, two thirds being Cameron County residents, and holds an annual pay role of \$7 million in the Rio Grande Valley. He added that BFI has assisted the City of Brownsville and Cameron County with natural disasters in the past and has the available resources to assist when natural disasters occur. Mr. Rodriguez stated that BFI serves about 82,000 residential customers in the Valley and over 10,000,000 residential customers nationwide. He added that BFI has assets of nearly \$14 billion and revenues of over \$5 billion. Mr. Rodriguez stated that BFI has available staff, and

explained that the valley was unique in trash collection, noting that many companies have come and gone, yet BFI continues serving the community.

Judge Hinojosa asked if the Court wanted to give direction to the committee or if the committee should be allowed to do what they need to do.

Mr. Doug Wright, Commissioners' Court Legal Counsel, recommended that the committee be allowed to negotiate and that it report to the Court upon any problem areas being presented.

Judge Hinojosa questioned the timelines being contemplated.

Ms. Salinas indicated that negotiations could take place between February to award the contract in April, as well as to begin negotiations with the water corporations in order to begin services by June 1, 2005.

Judge Hinojosa requested that the committee present a proposal that deals with only garbage collection, a proposal that deals with garbage and brush collection and a proposal that deals with garbage, brush and large item collection. He stated that beginning with only garbage collection would be best in order to get rural residents to a comfort level, since the service would be mandated.

Commissioner Wood noted the need to examine how services would be provided to small businesses that were basically residents.

Judge Hinojosa suggested that twice a week collections for small cities be part of the negotiations in order to have more households being served to possibly lower the cost. He noted the need for a proposal that allows transition from one area to another where an interest is identified. Judge Hinojosa stated that he anticipates that rural residents will add other services such as brush pick-up to the mandated garbage collection services once they find the cost to be reasonable and much cleaner, noting that any opposition to doing so may derive because of two issues: good service was not being provided or the price.

Commissioner Tamayo reiterated the need to examine provision of services to small businesses.

Commissioner Garza stated that he appreciated the information provided and requested that a weekly agenda item be placed to be kept up to date.

Judge Hinojosa noted the need to do a clean-up resolution concerning the proposed referendum to mandate collection services. He explained that the a vote of three to two was made in favor of the referendum, yet it was found to be illegal after research was done unless approved by legislation. Judge Hinojosa noted the need to move forward by adopting a policy that mandates trash collection services for rural residents and to clarify that this was the Court's vote without the need of a referendum. He stated that the Court has proceeded with caution and that for

said reason he feels much more confident today versus six (6) months ago. Judge Hinojosa added that once the service was in place, all residents would understand that the County has made sure that the service will serve them well.

Mr. Wright advised that a budget must be designated for travel expenses.

Judge Hinojosa stated that money was borrowed from the International Bridge System and was to be repaid from the administrative fee that would be charged to administer the program. He asked if any travel expenses could be funded from said funds.

Ms. Salinas responded that money was still available in the budget allocated a year ago.

Upon motion duly made by Commissioner Garza that negotiations with Red River Services Corporation, the highest ranking company, be authorized through the Committee (to determine if negotiations can be concluded to the satisfaction of Cameron County) and that Cameron County do due diligence through the committee on the recommendation of the committee to determine that they do in fact provide quality services to the area where they're currently providing services, and that in the event that the county was satisfied with the negotiations, the results of the negotiations and the due diligence then the county will select the first ranking company and that in the event that this fails or that due diligence raises questions in the company's ability to perform satisfactory, that the county then move to the next ranking company (BFI) to follow the same process.

The motion was seconded by Commissioner Tamayo and unanimously.

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:

(35) EXECUTIVE SESSION:

- A. Confer with Commissioners' Court Legal Counsel concerning Rolando Garza versus Cameron County in the 103rd District Court; Cause No. 2004-11-5547-D, discussion of status and possible settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A) (B) & (2);
- B. Confer with Commissioners' Court Legal Counsel concerning possible annexation by the Town of South Padre Island and the City of Port Isabel, 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);
- C. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404th District Court; Cause No. 2002-05-2015-G, to discuss status of

case and insurance coverage; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);

- D. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark, to discuss status of case and insurance coverage; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)&(2); and,
- E. 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).

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 11:24 A.M., to discuss the following matters:

(36) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) Confer with Commissioners' Court Legal Counsel concerning Rolando Garza versus Cameron County in the 103rd District Court; Cause No. 2004-11-5547-D, discussion of Status and possible settlement.**

Commissioner Benavides moved that the offer of settlement be authorized, pursuant to terms discussed in Executive Session, and that the Status Report by Legal Counsel be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (B) Confer with Commissioners' Court Legal Counsel concerning possible annexation by the Town of South Padre Island and the City of Port Isabel, 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.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously the Status Report by Legal Counsel and Mr. Javier Mendez, Parks System Director was acknowledged.

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- (C) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404th District Court; Cause No. 2002-05-2015-G, to discuss status of case and insurance coverage.**

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (D) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark, to discuss status of case and insurance coverage.
- (E) Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building.

Mr. Doug Wright indicated that Mr. Trey Martinez, Legal Counsel, advised of the need to take action with regards to the letter of settlement offer that needs to be sent out promptly, thus the need to return into Executive Session.

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- (22) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)**
 - A. **ROLLERS BID NO.050301 TO J.C. BROWN**
 - B. **DUMP TRUCKS 12- 14 C.Y. (QTY. -2) TO SOUTH TEXAS FREIGHTLINER**
 - C. **DUMP TRUCK 2 - 3 C.Y. (QTY. - 1) TO PHILPOTT FORD**
 - D. **MOTORGRADER (QTY. - 1) TO J.C. BROWN**
 - E. **TRACTORS (QTY. - 2) TO HARLINGEN IMPLEMENT**
 - F. **BACKHOES/LOADER (QTY. - 2) TO HOLT CAT.**
 - (23) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)**
 - A. **BRUSH TRUCK – BID NO.050108**
 - B. **WATER TRUCK – BID NO.050107**
 - C. **ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID NO.2560**
 - D. **ROAD MATERIALS: SURFACING – ANNUAL BID NO.2580**

Commissioner Garza moved that the awarding and opening of the Bids/RFP's/RFQ be authorized.

The motion was seconded by Commissioner Wood and carried unanimously.

The Tabulations are as follow:

(12) CONSIDERATION AND AUTHORIZATION TO CLOSE AVENIDA'S EDUARDO & DELIA IN CAMERON PARK FROM AVENIDA'S JUANITA TO FLORENCIA FROM 9:30 A.M. TO 3:30 P.M. ON APRIL 17, 2005. (JW- COMM. PCT. 2)

Commissioner Wood reported that Pastor Victor Alvarez would host a Church Festival April 17, 2005, because of the church's 25th anniversary. He explained that Pastor Alvarez requested the closing of the streets to avoid traffic issues because approximately 1,000 people were expected to attend, noting that arrangements were underway with the Sheriff's Department to control the traffic.

Pastor Alvarez invited Court members to attend. He explained that parking was designated at the event center from where shuttle services would be available.

Commissioner Wood moved that the closing of Eduardo Avenue & Delia Avenue in Cameron Park from Juanita Avenue to Florencia Avenue be authorized from 9:30 a.m., to 3:30 p.m., April 17, 2005.

The motion was seconded by Commissioner Benavides and carried unanimously.

(1) PUBLIC COMMENTS

Judge Hinojosa asked if Mr. Daniel R. Barnett was present at the Court, as he had signed up for public comments. Mr. Barnett was not present, at this time Judge Hinojosa apologized for having overlooked his public registration form.

The Form is as follows:

PRESENTATIONS

(2) **PRESENTATION OF THE AVAILABLE CAPITAL PROJECT FUNDS AND DISCUSSION OF THE RESOURCES NECESSARY FOR THE COMPLETION OF THE CURRENT CAPITAL PROJECTS. (MY-AUDITOR)**

Mr. Mark Yates, County Auditor - "I e-mailed you two files. The first one was an error it did not have the reference points to the chart. But essentially under contract, as of January 31[2005] we have \$12 million, we had \$12 million in resources available for primarily four different projects: the Dancy Building, the Interoperability Communications Project, the Veterans International Toll Bridge Truck Lanes and the Browne Road Social Services Building. We have a few other small purchases associate with that. Now that cash balance of \$12 million does not include a transfer of \$1.238 million we're repaying Gateway Bridge back the funds so that transaction hasn't occurred as of January 31 [2005]. And so keep in mind that right now these contracts that we have already approved and underway, total about \$10 million and that leaves roughly \$1.9 to \$2 remaining, that's un-obligated. And that, the source of funds is depicted..."

Commissioner Garza - "Well it is obligated right?"

Commissioner Tamayo - "It's already..."

Mr. Yates - "Well yes. It is obligated with certain projects."

Commissioner Garza - "It might not be allocated, but it's obligated."

Mr. Yates - "Well we don't have it under contract, let's put it that way."

Judge Hinojosa - "It's not obligated in terms of our first come first serve policy on this construction."

Mr. Yates - "Right, and that's where we're at on the first come first serve policy is trying to figure out, right now we have \$10 million worth of obligations under contract and we have roughly \$12 million and within that \$1.9 to \$2 million we still have the due to due from to Gateway Bridge of \$1.2 million that we could hold out there and earn interest and repay it at later times with funds that we borrow in the future, or we can pay it back and borrow money immediately with regards to the projects that we need. But..."

Judge Hinojosa - "How much is it, \$1.9 to \$2 million you think?"

Mr. Yates - "Right, in cash that we have, and that leaves the Gateway Bridge un-reimbursed at this stage. And so what we have, at this stage are projects contracts that need to be let out to complete projects that are underway and the primary one is the Dancy Building. And I have some preliminary numbers; they may or may not

be what they actually end up to be after these items are bid. But approximately parking improvements hasn't let up of about \$370,000.00 and site work improvements of about \$630,000.00. And then fees and engineering fees that go with site work and parking of approximately \$100,000.00 and then there's furniture and equipment roughly estimated and this hasn't been verified by the architect of dollar amounts of \$282,000.00. So on top of what we've already awarded in the relation to the Dancy Building to the interior restoration there's approximately \$1.4 million of site work and equipment and parking improvements and engineering that needs to be done to have the Dancy Building ready when the interior restoration is complete. And so speaking with the architect we are 400 days from the interior restoration. If we act now on the site work then we're probably seven to eight months from the completion there. And a lot of that depends, and I'm not going to speak for the architect, on the coordination from the State, the City, and the County on the site work improvements in coordination and permitting. The other issues with regards to large project is the Browne Road Social Services Building in which we have \$130,000.00 for NINOS, finish out septic system of \$37,000.00, landscaping/irrigation of approximately of \$66,000.00 and parking lot of \$11,000.00. So there's approximately \$350,000.00 of Social Services Building that we need to include. Now in the Interoperability Communication Projects there's a list... (Inaudible) Mr. Hushen had provided that to you. But that project is looking for \$700,000.00 of funds that's included also in this project."

Judge Hinojosa - "But you've listed the 2,000."

Mr. Yates - "Yes. Yes it's included and the funds are allocated based on what we've already moved forward on acquiring equipment. So it would make no sense for the Commissioners Court to acquire this equipment and not complete the project."

Judge Hinojosa - "But the question I have: what I don't understand is that the \$2.5 million that you've listed there, that we're receiving everything but the \$700,000.00 from grants right?"

Mr. Yates - "Right, and you're absolutely right, and what I'm showing in your capital projects funds available is revenue that show Homeland Security Grant of \$1,128,000.00, Homeland Security Grant of \$200,000.00, and Law Enforcement Block Grant of \$72,000.00, and the Counsel of Governments contributing capital of \$300,000.00."

Judge Hinojosa - "But, does that mean then that you add that amount of money?"

Mr. Yates - "That's included in your \$12 million balance."

Commissioner Wood - "On the front."

Judge Hinojosa - "On the Front?"

Commissioner Tamayo - "This is the total. That's what I understood."

Mr. Yates - "That is what we have to work with, with regards to funds."

Judge Hinojosa - "So you didn't deduct the \$2.5 million?"

Mr. Yates - "The \$2.5 is included in the project, but it's all but \$700,000.00 is paid for by these grants."

Judge Hinojosa - "Okay, so?"

Mr. Yates - "So in reality if I wanted to re-present this to you..."

Judge Hinojosa - "You would just knock that down."

Mr. Yates - "I could just show the net amount of the \$700,000.00, the \$23 million."

Judge Hinojosa - "And that's reflected in the \$1.9 that's left?"

Mr. Yates - "Well, it's there."

Judge Hinojosa - "In other words the \$1.9 doesn't increase by the amount of money that we're going to get in the grants."

Mr. Yates - "That's right. Now the \$1.9 million will go down to \$676,000.00 if I repay Gateway Bridge."

Commissioner Tamayo - "By how much?"

Mr. Yates - "It will go down to \$676,000.00 if we repay Gateway Bridge. And so then the last two items are a listing of projects. And one project that's not there is the Arroyo City Fire Station; I need to include that. And I'll update this particular list and email it to you. But based on an average of 7% to 8% on architectural fees on these projects, the Harlingen Court House Annex, Port Isabel Courthouse Annex and the Levi Strauss Building we probably have \$300,000.00 in architectural fees out there, all on the projects. I don't know exactly how much we paid Mr. Santopetro on the Vehicle Maintenance Facility or the Levi's Strauss so I need to research that. Now the sources of funding that may be out there, and Mr. Bejarano had mentioned this to me, that there is a grant that is formerly known as the Law Enforcement Block Grant that's allocated between the City of Brownsville and the Cameron County of potential \$124,000.00. And then the estimated values of properties that we're looking to sell in Harlingen, including the Tax Office and the Courthouse Annex and the three lots on Tyler are estimated to be \$769,000.00"

Judge Hinojosa - "Well it seems to me that based upon existing projects and priorities and the amount of money that we can save is that we need to take the \$1.9 right now at least and dedicated to the Levi Construction Project and then make-up..."

Mr. Yates - "To which project?"

Judge Hinojosa - "The Levi Building Construction Project because you don't show that as a project that's already set aside."

Mr. Yates - "No, but what we do forgo is the site work improvements at the Dancy Building."

Judge Hinojosa - "Well, except that how and what's the total cost on that?"

Mr. Yates - "I imagine it's gonna be in the neighborhood of \$1.4 million."

Commissioner Garza - "Well that includes furniture right?"

Mr. Yates - "Yes."

Commissioner Tamayo - "Everything else that's needed."

Judge Hinojosa - "What were you going to say Mr. Ruiz?"

Mr. Yates - "I think it's simply to their particular Items."

Judge Hinojosa - "Oh you have an item on the agenda?"

Mr. Yates - "8 and 9."

Mr. Robert Ruiz, Dancy Building Project Architect - "Number 8, is coming up."

Commissioner Garza - "Well I'd like to ask you a question. Why do you include Project Road Map on other capital projects?"

Mr. Yates - "There's a number of projects that Mr. Sepulveda has brought to our table, like the Grimes Road, a number of other particular road improvements in which we're going to have to borrow more money for."

Commissioner Garza - "Yeah but Project Road Map is bonds to be sold, right?"

Mr. Yates - "Yes."

Commissioner Garza - "So it's not going to require capital outlay by us. It requires..."

Mr. Yates - "We're going to have to borrow the money."

Commissioner Garza - "It requires exercising the authority given to Commissioners Court in the referendum that passed Project Road Map."

Mr. Yates - "Absolutely, right."

Commissioner Garza - "So it's not like a cost. I see it here and it's listed to me like a cost that's not foreseen. I mean this it just part."

Mr. Yates - "No it is foreseen and all these are foreseen."

Judge Hinojosa - "We have to borrow the money for it if we're going to do something."

Mr. Yates - "Right."

Commissioner Garza - "But there's bonding authorities already for that to occur."

Judge Hinojosa - "Yeah but you still have to borrow the money."

Mr. Yates - "You have to borrow the money, and then you have to levy a tax rate to pay for it and so it will be additional resources."

Commissioner Tamayo - "That's why it's listed."

Commissioner Garza - "Could you provide us... a summary of what we've spent from exception of Project Road Map to now?"

Mr. Yates - "Sure."

Commissioner Garza - "Cause I know we had initially what \$5 million or?"

Mr. Yates - "No, the authorized was I believe about \$9.25 approximately and we've issues I think \$5.25 at this stage. So we have about \$4 million."

Commissioner Garza - "Okay, just something so we can have for record."

Mr. Yates - "And in your annual report it summarizes that particular bond issue because it is a special voter approved bond issue."

Commissioner Wood - "Is there some number, you've got \$4 million on Olmito Courts Courthouse?"

Mr. Yates - "That's just a ballpark number of what we think it would take to build two courtrooms and the support facilities for that, which would include housing some of District Clerks, DA's. And then one of the projects that's not in that listing is renovation of this existing building here because once the Dancy Building is open for occupation the third and fourth floors will be reconfigured for additional offices primarily serving the court system,. And with the bathrooms that need to be renovated in this building there's gonna be some need for additional funds for that particular project. So that's not on this list either. So in my e-mail to the Court updating this, this is going to be a series of the e-mails as information is improved or as checks and disbursements are made to give you updates on where we are."

Commissioner Garza - "Why are West Rail one and Brownsville Rail two?"

Mr. Yates - "Well the West Rail Project: the county has committed 10% of certain projects and the county has not necessarily set aside specific budgets for that. And so that's why \$1 million is roughly out there based on the total outlay that maybe possible. Now the Court in past years has verbally agreed to pay the Port of Brownville for some rail relocation issues of about \$350,000.00 and yet the Court has not made and appropriation for that."

Commissioner Garza - "Is there a dead instrument that you can prepare for that?"

Mr. Yates - "There is not specific dead instrument. My understanding is that the initial grant back in 1975 was supposed to be..."

Commissioner Garza - "Why would you include that as a capital outlay just because you have heard. Is that...?"

Judge Hinojosa - "Well, in the past we had said it. But let me just tell you..."

Mr. Yates - "There have been discussions in Commissioners Court."

Judge Hinojosa - "But I think that where the Commissioners Court ended up on that issue was that because we had gotten an allocation about three (3) or four (4) years ago that from one day to next went from the West Rail Plan over to the Brownsville Relocation Plan and I think the consensus amongst us was: well they got their \$350,000.00 cause they basically took over a \$1 million away from us and they shifted it over there. And so our position was that was our money. Senator Hutchison had put in the appropriation bill for us and then from one day to the next somebody else moved it over to the Port and so our position was well, if that's the way you all are going to do it, then there went your \$350,000.00 as far as we're concerned. Cause we didn't think that was fair."

Mr. Yates - "I understand. We will not include that particular."

Judge Hinojosa - "Yeah you need to take off \$350,000.00 from there because of that. Now let me just say this, and I know that you've got some issues with respect to the Dancy Building Project, Mr. Ruiz. But this is not a hard decision for us to make on the \$1.9 million notwithstanding the Dancy Building thing. We put, I don't remember how much it was but we estimated that we'd pay out somewhere along \$250 - \$300,000.00 a year in rents for warehousing and for storage space and office space and so forth. That as I understand, is all going to end the day we move into the Dancy Building for purposes of offices and storage space."

Commissioner Garza - "Levi Building."

Mr. Yates - "Levi Building."

Judge Hinojosa - "I'm sorry, Levi Building, pardon me these are senior moments."

Mr. Yates - "That's all right we have those."

Judge Hinojosa - "And so it doesn't make any sense for us not to invest the \$1.9 into the Levi Building because then we can take that money allocated for rents and use that in order to do these other things. I mean, you know if we need over a million dollars to fix up the parking lot and all that. At \$300,000.00 a year, we make that up in four years. I mean and there's a way to work that out and that's under current prices, once our leases are up you know..."

Mr. Yates - "If you're borrowing \$2 million to finish out the Levis Building it wouldn't take very long at \$200,000.00 to \$300,000.00 a year in rent re-allocation to fund that particular debt. That's not a stretch."

Judge Hinojosa - "So you can do it one or two ways. You can borrow the additional money to do the Levis Building and then pay it back, make a commitment to pay it back with the rents that you're saving or you can simply use the \$1.9 million and take the \$300,000.00 and use it towards the other projects and borrow money for those and repay them."

Mr. Yates - "Now I understand the Levis Building and its completion is of critical importance to the Commissioners Court. And the faster it goes the better of I think this County is. Unfortunately in the Dancy Building you have a lack of relay race. You have already committed \$7 million for the interior restoration and there is a possibility if you don't fund the site work improvements that you have that investment sitting."

Judge Hinojosa - "We're not saying we're not going to fund it."

Mr. Yates - "Right."

Commissioner Garza - "Today."

Judge Hinojosa - "We're just gonna do it a little bit differently. Let me hear from Robert just for a second."

Mr. Yates - "You might want to read eight and nine."

Judge Hinojosa - "Huh?"

Mr. Yates - "Have you read eight and nine already?"

Judge Hinojosa - "Well let me read them ya que andamos alli, right?"

Commissioner Tamayo - "To get them out of the way."

Judge Hinojosa - "We'll take them all together at the one time."

Note Item No. 8 was discussed together with item No. 2

(8) CONSIDERATION AND AUTHORIZATION FOR ROBERTO J. RUIZ, DANCY BUILDING PROJECT ARCHITECT, TO PROCEED WITH THE PROJECT'S SITE DESIGN AND DEVELOPMENT PHASE AND DESIGNATION OF FUNDING SOURCE (FB-PD & M)

Mr. Robert Ruiz, Dancy Building Project Architect - "We're in the process that we're wrapping up the interior portion of the work come around January or February of next year. In order for us to keep that schedule going and to get the project completed in both the site work and the interior we must start right now, to do the site work. This includes obviously the parking lot, closing off the street, and the acquisition of the additional lots that you all had, so all that's gonna have to be combined as part of the parking. The biggest obstacle we have between

now and getting these plans completed is trying to coordinate issues between the city and TAC. Because of the cemetery that was found, as you know, there are things that we have to alter. We cannot dig anything over four feet deep and so alterations to design have to be considered. And some of these things for instance landscaping; we have to put trees in order to meet some of the requirements of the city. So those issues will have to be contended initially, right now, before we complete the plans. Get the plans ready, go out for bid, get the construction going, and hopefully be there by the end of the year. And that's the obstacle that we're facing right now."

Judge Hinojosa - "But all you're asking for right now is authority to hire, or for us to hire somebody to do the design right?"

Mr. Ruiz - "Just to proceed."

Judge Hinojosa - "How much money are we talking about on the design site?"

Mr. Ruiz - "You know, you mentioned that earlier about the cost estimate. Our fee is based on the percentage of the construction cost. One of the first things that we will have to do is provide a preliminary estimate. I think those numbers might be a little bit high, but I think Mark is trying to be a little bit more conservative. So what I need to do with my engineers first thing is assess the scope of work, find out what that is, and then come back and give you a presentation of what we feel the cost of construction is."

Judge Hinojosa - "And then from there we could figure out the cost of the design. And so our only commitment, in terms of money, for right, right now, is to make a commitment for someone to do the design. Yes?"

Mr. Ruiz - "Just the design. That's all right now."

Mr. Frank Bejarano, PD & M Director - "You're looking at roughly \$100,000.00 for the design."

Judge Hinojosa - "Well let's just do that, yeah."

Commissioner Tamayo - "You know I just have this feeling that I don't see the light at the end of the tunnel on this. It's just more and more. I mean how close are we to finally bringing closure. How long is this going to take; just this one item that we are talking about?"

Mr. Ruiz - "This portion, I was talking to Mark, we probably can complete, pending any issues that would be between TIC and the City, hopefully we could get those cleared out, it'd be about 45 days to complete the plans, go out for bid in another 3 to 4 weeks right after that. Hopefully within 2 to 2 ½ months be under construction for this work and be ready to be completed with everything, both the site work and the interior portion come at the end of the year. That's our intent."

Judge Hinojosa - "We've always Commissioner, we've always known that we were gonna have to make this expenditure. We've always known that the cost for the renovation that we received the grant for did not include what we were going to do on the outside and so that's something where we just said you know let's do this first and then we will worry about this other one second. And it's something that we need to get to it at some point and it's going to cost more money. We wanted to do a lot of it in-house, but we need a design to follow. I don't know how much it's going to cost if we do a lot of it in-house. But for the mean time, let's find out what it's gong to look like and then we can figure out what portion of that can be done with our existing staff and what portion of that we have to contract out for."

Commissioner Garza - "Who will be doing the negotiating with the design project, as far as the county is concern, is that you Frank? The scope of work, the limits of which..."

Mr. Bejarano - "It's up to the direction of the Court."

Judge Hinojosa - "Who's going to hire the landscape architect? We are or Mr. Ruiz?"

Mr. Bejarano - "The Civil Engineer will be hired or subcontract by Robert, and any other professionals, like the landscape architect, which we don't that we'll need one, would be up to the direction of Robert. My staff and Remi's office will be coordinating with Robert on the overall process. When you get to construction you will have construction managers there to oversee the day to day operations."

Commissioner Garza - "And I bring that up because on the other contracts that we have; we have been able to look at a contract and reduce the cost to us in the scope, the amount of testing that is required, the amount of...because you know things can just escalate, as Commissioner Tamayo was saying you know. At some point, I don't think that Robert needs to be doing that, I think that we need to have some of our folks, just like we use Pete Sepulveda's Office to negotiate contract with these firms."

Mr. Bejarano - "Except Commissioner, in this case we're operating under Robert's umbrella contract and the fee is already fixed at 7%, based with on what was negotiated with...if we're talking about bring in another engineer to do the site work then we would have to bid out and then negotiate with that individual to do the kind of negotiations, perhaps bringing down the 7%."

Commissioner Tamayo - "What I'm interested in is what is the cost going to be on just this one item. I mean I can't see myself approving something, giving you my authorization to go ahead without knowing what it's going to cost, and telling me 7% of whatever isn't..."

Judge Hinojosa - "But we ultimately have to approve whatever contract, whatever amount he comes back with. I think what he's saying is they're going to try to find out what the scope of work, and the cost for design is the percentage of the scope of work"

Commissioner Wood - "The scope of work that we agree upon..."

Judge Hinojosa - "Right."

Commissioner Wood - "We may change the scope of work as they present it to us."

Judge Hinojosa - "And then lowers the price and then that's the percentage. But ultimately we approve whatever he comes up with that we decide we want to approve. So, I think, what we're doing today is saying, Mr. Ruiz go forward come up with a scope of work and the possibility of who or what entity is going to do the design and then come back when it's ready, right?"

Mr. Ruiz - "Essentially yes. The scope of work really, takes in the consideration of finishing out the site work, the parking, the sidewalks, curb and gutter, the landscaping, irrigation, lighting, for the most part, everything else as far as the courthouse has been completed. You know, we just got thru with the issue with the mechanical and electrical courtyard we relocated that because of the issue of the cemetery. So what we have left, the scope of work can be defined very clearly. I'll work with your staff to define that prior to us implementing this agreement."

Judge Hinojosa - "Okay."

Mr. Ruiz - "And you have the benefit of finalizing that scope of work, whatever that is at that time."

Judge Hinojosa - "Any other questions? All right so let... Did you have any part of your presentation left, Mark?"

Mr. Mark Yates, County Auditor - "No that's it."

Judge Hinojosa - "Okay just with respect to your presentation: I'd like to explore how we handle the savings that we're going to achieve with respect to the leases. I think the Commissioners would like a solid number. You know what is that number that we're going to save and project it out? And then a recommendation on how to spend the \$1.9 and whatever we're going to save with respect to that, and where we would borrow the money for the interim. So that way at least we know that we've got funding for the completion of the Dancy Building and the completion of the Levi Building and a plan on those two, after that..."

Mr. Yates - "Well and the Browne Road Social Services Building because we've already let it contract out."

Judge Hinojosa - "Well, yeah but you got that listed already."

Commissioner Garza-“It’s an expense.”

Judge Hinojosa - “You’ve already deducted that out, and I think that negotiations with Jamail are going to result next week in a contract that comes within budget. Do I see Javier anywhere?”

Mr. Yates - “This is a document which I hope I present to you a number of times in a number of weeks that comes with the tweaking and the things that you all want to see; the rents that are foregone or saved and the other issues that are additional information. I want to bring this to you in the fashion which you see it four or five times with new information.”

Commissioner Wood - “If you would, please continue to bring that because what I perceive happen sometimes is that say we’re talking today about how much rents we’re going to save. You know it’s not on the top of our minds continually where that goes; it may get filtered off into some other area and we need you to point those issues.”

Mr. Yates - “Right, and what you would have to do, your Budget Officer would have to look at those line items and pull them out as an obligated cost.”

Judge Hinojosa - “But, Mark why can’t you in the next couple of weeks give us a specific proposal to complete these two projects, within existing funds that we’ve got, with anticipated savings under rentals and within the \$1.9 that is left over.”

Mr. Yates - “The rents will be relatively easy with the Dancy, I mean with the Levi Building.”

Judge Hinojosa - “If you can come up with, you and Xavier can come up with a proposal of how we’re going to fund these two projects. Remember our whole position has been first come, first served. We’ve already got these two projects underway. We’ve got to do them. That’s the only way, that’s the only thing that we’ve money for. We just need to I just think that we need to know how we’re going to complete them.”

Commissioner Garza - “And we also have the Port Isabel Annex already fully designed.”

Judge Hinojosa - “Well, except that we haven’t started construction on that and on the Levi Building we’ve got. Right now we don’t have money for the Port Isabel Annex. Maybe we can talk about that in Executive Session, but right now we don’t have it. So let’s take care of this.”

Commissioner Tamayo - “The Arroyo City Fire Station.”

Judge Hinojosa - “We could borrow money for that.”

Commissioner Garza - “And again, we’re paying rents that are associated with that also, so in your report please include some of that.”

Mr. Yates - "I'll do that."

Judge Hinojosa - "That may be, you're right. They may be able to handle it that way. I'm not sure, that may be a way to explore it. Okay."

Mr. Yates - "Alright, thank you."

Judge Hinojosa - "Do I hear a motion to acknowledge the Presentation on number two?"

Commissioner Garza - "So move."

Commissioner Wood - "Second."

Judge Hinojosa - "Motion by Commissioner Garza, seconded by Commissioner Wood, all those in favor signify by stating AYE."

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

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

(8) CONSIDERATION AND AUTHORIZATION FOR ROBERTO J. RUIZ, DANCY BUILDING PROJECT ARCHITECT, TO PROCEED WITH THE PROJECT'S SITE DESIGN AND DEVELOPMENT PHASE AND DESIGNATION OF FUNDING SOURCE (FB-PD & M)

Judge Hinojosa - "And again the motion would be to allow you to proceed with a scope of work and a recommendation with respect to the exterior design, and then you'll come back to us on that, and the funding source would be the remaining bond monies. Okay, do I hear a motion on that?"

Commissioner Wood - "So move."

Judge Hinojosa - "Motion by Commissioner Wood..."

Commissioner Garza - "Second."

Judge Hinojosa - "Seconded by Commissioner Garza, any further discussion all those in favor signify by stating, aye."

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

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

The Report is as follows:

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

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

The motion was seconded by Commissioner Garza and carried unanimously.

The Documents are as follow:

**(4) APPROVAL OF MINUTES FOR:
(A) JANUARY 11, 2005-REGULAR MEETING**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Minutes for the Regular Meeting held January 11, 2005, were approved.

**(5) CONSIDERATION AND AUTHORIZATION FOR
PRECINCT 2 COMMISSIONER TO
WITHDRAW/RESCIND HIS APPOINTMENT TO THE
RMA DUE TO STATUTORY CONSTRAINTS (JW-
COMM. PCT. 2)**

Commissioner Wood explained that he must withdraw his appointment to the Regional Mobility Authority due to statutory constraints, which prohibits an appointment of anyone employed by a governmental entity, as was Mr. Eddy Hernandez. Commissioner Wood clarified that Mr. Hernandez has not been sworn in, nor has he been sitting on the board.

Commissioner Garza moved that Commissioner Wood be authorized to rescind his appointment to the RMA due to statutory constraints.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**(6) CONSIDERATION AND CONFIRMATION OF
APPOINTMENT, BY PRECINCT 2 COMMISSIONER
TO THE CAMERON COUNTY REGIONAL MOBILITY
AUTHORITY (JW- COMM. PCT. 2)**

Commissioner Tamayo moved that the appointment of Mr. Victor Alvarez, by Precinct 2 Commissioner to the Cameron County Regional Mobility Authority be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.

Commissioner Garza congratulated Mr. Alvarez, and welcomed Mr. David Alex, Chairman of the Regional Mobility Authority, who was appointed by Governor Rick Perry.

Judge Hinojosa congratulated Mr. Alvarez. He informed that Mr. Alex had a lot to do with bringing Southwest Airlines to the Valley and was probably the primary mover that resulted in the Los Indios Bridge noting that Mr. Alex was exactly the type of person needed at the top of the RMA Board.

(7) **DISCUSSION AND POSSIBLE ACTION REGARDING
NEW JUSTICE ASSISTANCE GRANT PROGRAM.
(FB-PD & M)**

Mr. Frank Bejarano, PD & M Director, informed that the New Justice Assistance Grant replaces the Local Law Enforcement Block Grant and because of would have some new requirements, one being to have a joint public hearing with the City of Brownsville, adding that the logistics of that would have to be worked. He explained that it would be one allocation to be shared with the city, and the rules that one fiscal agent be designated, for one application to be submitted. Mr. Bejarano requested authorization to negotiate a MOU with the City of Brownsville.

Commissioner Tamayo moved that the PD&M Office and the County Judge's Office be authorized to negotiate a MOU with the City of Brownsville.

The motion was seconded by Commissioners Benavides and carried unanimously.

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. 27-a: Commissioner Wood questioned if this item was ready.
Mr. David Garcia, Department of Transportation Assistant Director, responded in the affirmative.

Item No. 28-a: Commissioner Garza questioned if this item was ready for final approval.
Mr. David Garcia, Department of Transportation Assistant Director, responded that it was pending an agreement with East Rio Hondo Water Supply. He explained that a meeting was held with East Rio Hondo Water Supply and that some agreements had to be worked out before.
Commissioner Garza expressed concern because the item does not read "subject to an agreement."
Judge Hinojosa clarified that this could be stated in the motion.
Mr. Garcia added that the East Rio Hondo Water Supply Corporation met last night and approved the agreement.

Item No. 13- Commissioner Garza asked if this policy would include every type of concession policy.
Judge Hinojosa responded that only private vending machines would be applicable.
Commissioner Wood noted the need for input from the Health Department, Human Resources and the Building Maintenance Department.

Commissioner Tamayo moved that the "Travel and Consent Items" be approved, inclusive of the late claims.

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

AYE: Commissioners Benavides, Wood and Tamayo.

NAY: None.

ABSTAIN: Judge Hinojosa as to Warrant No. 00132761, payable to the Laguna Madre Water District, in the amount of \$65.33; and Warrant No. 00132875, payable to the Southwest Key Program, in the amount of \$30,138.04; and Commissioner Garza as to Warrant No. 00132789, payable to The Medicine Shoppe, in the amount of \$857.77.

- (10) **APPROVAL OF CLAIMS.**
The Affidavit follows:
- (11) **ACKNOWLEDGEMENT OF PROPOSED LEGISLATION AUTHORIZING THE APPOINTMENT OF CRIMINAL HEARING OFFICERS IN CAMERON COUNTY. (COMM. COURT)**
- (12) **AUTHORIZATION TO CLOSE AVENIDA'S EDUARDO & DELIA IN CAMERON PARK FROM AVENIDA'S JUANITA TO FLORENCIA FROM 9:30 A.M. TO 3:30 P.M. ON APRIL 17, 2005. (JW- COMM. PCT. 2) (ACTION TAKEN SEPARATELY)**
- (13) **AUTHORIZATION FOR THE CIVIL LEGAL DEPARTMENT AND THE PURCHASING DEPARTMENT TO FORMULATE A POLICY FOR THE PLACEMENT OF PRIVATE VENDING MACHINES ON COUNTY PROPERTY AND THE COMPENSATIONS TO BE PAID TO THE COUNTY FOR THIS CONCESSION. (JW- COMM. PCT. 2)**
The Policy follows:
- (14) **ADOPTION OF RESOLUTION IN SUPPORT OF THE 79TH STATE LEGISLATURE TO FULLY FUND THE IRMA RANGEL SCHOOL OF PHARMACY. (COMM. COURT)**
The Resolution follows:
- (15) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND GALLERY WATCH. (VDL-COUNTY JUDGE)**
The Contract follows:
- (16) **ACTION IN ALLOWING THE CITY OF BROWNSVILLE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT OT HAVE ACCESS TO THE TAX ASSESSOR-COLLECTOR'S DATA BASE FILE (VIEWING ONLY). (TY-TAX ASSESSOR-COLLECTOR)**
- (17) **AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK: CAMERON COUNTY DISTRICT ATTORNEY, EMERGENCY IMPREST ACCOUNT DEBIT CARD ACCOUNT. (EG-TREASURER)**
The Information follows:
- (18) **APPROVAL OF PURCHASE OF 13 DESKTOP COMPUTERS FOR SOUTHWEST BORDER HIDTA, SOUTH TEXAS REGION INTELLIGENCE CENTER. (MY-AUDITOR)**
- (19) **APPOINTMENT OF JOSE F. VALDEZ FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 1 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)**
- (20) **ACTION FOR THE APPOINTMENT OF JOSE H. FLORES III FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT NO.7 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)

- (21) **ACTION FOR THE APPOINTMENT OF JEFFERY ALLAN JOHNSTON FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT NO.2 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)**
- (22) **IN THE MATTER REGARDING AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)) (ACTION TAKEN SEPARATELY)**
- A. ROLLERS BID NO.050301 TO J.C. BROWN**
 - B. DUMP TRUCKS 12- 14 C.Y. (QTY. -2) TO SOUTH TEXAS FREIGHTLINER**
 - C. DUMP TRUCK 2 - 3 C.Y. (QTY. - 1) TO PHILPOTT FORD**
 - D. MOTORGRADER (QTY. - 1) TO J.C. BROWN**
 - E. TRACTORS (QTY. - 2) TO HARLINGEN IMPLEMENT**
 - F. BACKHOES/LOADER (QTY. - 2) TO HOLT CAT.**
- (23) **IN THE MATTER REGARDING AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)(ACTION TAKEN SEPARATELY)**
- A. BRUSH TRUCK – BID NO.050108**
 - B. WATER TRUCK – BID NO.050107**
 - C. ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID NO.2560**
 - D. ROAD MATERIALS: SURFACING – ANNUAL BID NO.2580**
- (24) **APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND HAWK PROMOTIONS FOR THE USE OF THE COUNTY AIRPORT TO OPERATE AERIAL BANNER TOWING ACTIVITIES. (PS-DEPT. OF TRANSPORTATION)**
The Agreement follows:
- (25) **APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND TEMPLO SHEKINA FOR THE USE OF THE TRACT OF LAND KNOWN AS OSCAR DANCY PARK, LOCATED ACROSS FROM GATEWAY INTERNATIONAL BRIDGE OFFICE, COUNTY PROPERTY, DURING CHARRO DAYS FESTIVITIES. (PS-DEPT. OF TRANSPORTATION)**
The Agreement follows:
- (26) **APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND MILE HIGH ADVERTISING FOR THE USE OF THE COUNTY AIRPORT TO OPERATE AERIAL BANNER TOWING ACTIVITIES. (PS-DEPT. OF TRANSPORTATION)**
The Agreement follows:
- (27) **AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (JW- COMM. PCT. 2)**
- A. PRECINCT NO. 2- SUMMERHILL SUBDIVISION SECTION I, BEING A 29.055 ACRE TRACT OF LAND OUT OF A 568.836 ACRES TRACT OUT OF A 1094.754 ACRE TRACT OF LAND BEING THE PORTION LYING SOUTH OF THE CENTERLINE OF FM 1732 AND NORTH OF A 130 ACRE TRACT CONVEYED BY G. PHILLIP WARDNER, TRUSTEE TO CAMERON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 6 IN A WARRANTY DEED RECORDED IN VOL. 463, PAGE 503, C.C.D.R., CAMERON COUNTY, TEXAS. SAID DESCRIBED 568.836 ACRE TRACT RECORDED IN VOL. 9773, PAGE 310, O.R.C.C., CAMERON COUNTY, TEXAS.**

- (28) **AUTHORIZATION FOR FINAL PLAT APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- (A) **PRECINCT NO. 4- PELICAN POINTE COMMERCIAL SUBDIVISION BEING A 6.329 ACRES OF LAND MORE OR LESS, OUT OF A 223.61 ACRE TRACT OF LAND, (223.59 ACRE DEED) SHARE 22, ESPIRITU SANTO GRANT, AS RECORDED IN VOLUME 10229, PAGE 188, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.**
- (B) **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.**
- (29) **AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4- GIOVANNI SUBDIVISION, BEING A 0.756 ACRE TRACT OF LAND OUT OF A 3.039 ACRE TRACT FORMERLY REFERRED TO AS 3 ACRES OF LAND MORE OR LESS, OUT OF THE NORTHEAST CORNER OF BLOCK 70 OF THE WILSON TRACT SUBDIVISION OUT OF SCHOOL LANDS LEAGUE NO. 25 IN CAMERON COUNTY, TEXAS, ACCORDING TO VOL. 9, PG. 28 OF THE MAP AND PLAT RECORDS OF CAMERON COUNTY, TEXAS.**
- (30) **AUTHORIZATION TO ACCEPT RESACA VISTA DR., KRETZ ROAD, KRETZ CIRCLE AND RESACA VISTA CIRCLE LOCATED IN THE LA RESACA COUNTRY ESTATES SUBDIVISION PHASE II, PRECINCT NO.3, INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (31) **APPROVAL OF TIME EXTENSION FROM FEBRUARY 27, 2005 TO FEBRUARY 27, 2006 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VILLA DE RAMOS SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)**
- (32) **CONSIDERATION AND SELECTION OF ROBINSON, DUFFY & BARNARD, L.L.P., AN APPRIASAL FIRM, TO DO APPRIASAL REPORTS FOR THE WEST RAIL PROJECT FROM NORTH OF US 281 TO SOUTH OF US 77/83 EXPRESS WAY. (PS-DEPT. OF TRANSPORTATION)**
- (33) **SELECTION OF HARVEY L. HEERSSEN, AN APPRIASAL FIRM, TO DO REVIEW APPRIASAL REPORTS FOR THE WEST RAIL PROJECT NORTH OF US 281 TO SOUTH OF US 77/83 EXPRESSWAY. (PS-DEPT. OF TRANSPORTATION)**

TRAVEL ITEMS

- (34) **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. Tax Office administrative assistant to attend the “24th Annual TAAD Conference,” in Austin, Texas, February 20-24, 2005;
- B. County Jail employees (12) to attend the “2005 Spring Law Enforcement Workshop (Texas Association of Counties)” in McAllen, Texas, February 22-23, 2005;
- C. Justice of the Peace Precinct 2, Place 2 employees (2), to attend the “Justice Court Seminar,” in Austin, Texas, March 2-4, 2005;
- D. Justice of the Peace Precinct 3, Place 1 employee (2), to attend “18 Hour Experienced Court Clerk Seminar,” in Austin, Texas, March 2-4, 2005;

- E. Justice of the Peace Precinct 3, Place 1, to attend “Stage 2 of New Judges Forty Hour Justice of the Peace Seminar,” in Austin, Texas, January 23-28, 2005;
 - F. Justice of the Peace Precinct 7, Place 2, to attend “Justice of the Peace Seminar,” in Laredo, Texas, November 11-12, 2004;
 - G. Justice of the Peace Precinct 7, Place 2, employee, to attend “Experience Clerk Seminar,” in Austin, Texas, March 2-4, 2005;
 - H. Justice of the Peace Precinct 5, Place 1, to attend “Court Personnel Seminar,” in Austin, Texas, March 2-4, 2005;
 - I. Deputy Constable Precinct 6 to attend “Canine Training,” in Houston, Texas, February 24, 2005-March 1, 2005;
 - J. Juvenile Probation employee to attend the “First 9th Annual Drill Instructors Institute Planning Meeting,” in Austin, Texas, January 30-31, 2005;
 - K. Juvenile Probation employees (4) to attend “Title IV-E Basic Training,” in Austin, Texas, February 7-9, 2005;
 - L. PD & M Employee to attend the “Lower Rio Grande Valley Development Council Solid Waste Advisory Committee Meeting,” in Weslaco, Texas, February 16, 2005;
 - M. County Extension Agent to attend the “Texas Aquiculture Association 35th Annual Conference & Trade,” in College Station, Texas, February 8-11, 2005;
 - N. Assistant Health Administrator to attend the “State Emergency Management Conference,” in Waco, Texas, March 20-25, 2005.
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- (10) APPROVAL OF CLAIMS.
The Affidavits are follow:**

- (13) AUTHORIZATION FOR THE CIVIL LEGAL DEPARTMENT AND THE PURCHASING DEPARTMENT TO FORMULATE A POLICY FOR THE PLACEMENT OF PRIVATE VENDING MACHINES ON COUNTY PROPERTY AND THE COMPENSATIONS TO BE PAID TO THE COUNTY FOR THIS CONCESSION. (JW- COMM. PCT. 2)**
The Policy is as follows:

- (14) ADOPTION OF RESOLUTION IN SUPPORT OF THE 79TH STATE LEGISLATURE TO FULLY FUND THE IRMA RANGEL SCHOOL OF PHARMACY. (COMM. COURT)**
The Resolution is as follows:

- (15) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND GALLERY WATCH.
(VDL-COUNTY JUDGE)
The Contract is as follows:**

- (17) **AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK: CAMERON COUNTY DISTRICT ATTORNEY, EMERGENCY IMPREST ACCOUNT DEBIT CARD ACCOUNT. (EG-TREASURER)**
The Information is as follows:

- (24) APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND HAWK PROMOTIONS FOR THE USE OF THE COUNTY AIRPORT TO OPERATE AERIAL BANNER TOWING ACTIVITIES. (PS-DEPT. OF TRANSPORTATION)**
The Agreement is as follows:

- (25) APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND TEMPLO SHEKINA FOR THE USE OF THE TRACT OF LAND KNOWN AS OSCAR DANCY PARK, LOCATED ACROSS FROM GATEWAY INTERNATIONAL BRIDGE OFFICE, COUNTY PROPERTY, DURING CHARRO DAYS FESTIVITIES. (PS-DEPT. OF TRANSPORTATION)**
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The Agreement is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 12:07 P.M. to discuss the following matters:

(35) EXECUTIVE SESSION:

- (D) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, Usa formerly known as Landmark, to discuss status of case and insurance coverage, pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)&(2).**

- (E) 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).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 12:17 P.M., to discuss the following matters:

(36) ACTION RELATIVE TO EXECUTIVE SESSION:

- (D) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark, to discuss status of case and insurance coverage, pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)&(2).**

- (E) 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).**

Commissioner Garza moved that Mr. Trey Martinez, Legal Counsel, be authorized to make offer of settlement to certain defendants pursuant to terms discussed in Executive Session.

The motion was seconded by Commissioner Tamayo and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 12:19 P.M.

APPROVED this 19th 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