

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of March 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 Pro-tem Pedro "Pete" Benavides at 9:31 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 March 4, 2005, at 2:45 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

Commissioner Tamayo commented that the Public Hearing regarding Dixie Land Road went well and that the project was moving forward positively.

Commissioner Garza stated that the county helped to facilitate a very fruitful meeting with Drainage District No. 3 and U.S. Fish & Wildlife where and that both entities were looking at potential problems of causing drainage issues in Green Valley Farm. He stated that TXDOT was contemplating the possibility of assisting with funding for the same.

Commissioner Garza stated that last week he was able to visit the Federal Learning and Education Training Center (FLETC) in Georgia and was able to view what was happening at the federal level with regards to homeland security, noting that his trip to said facility was an "eye opener."

Commissioner Wood commented that he attended a workshop in Los Fresnos where developers made a presentation to the Los Fresnos School District regarding future development of about 20,000 new homes that would increase the need for a new school per every 1,000 students, thus an outstanding amount of growth was expected in the county. He added that he also attended a meeting held by the Brownsville Independent School District Superintendent in Cameron Park that was well attended.

NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.

Judge Hinojosa commented that the Brownsville Independent School District Superintendent had never visited Cameron Park before.

Commissioner Benavides informed that Browne Park Regional Park was recently vandalized and that picnic tables were stolen. He suggested that some form of security be considered by the Court.

Judge Hinojosa stated that the county has problems with vandalism at every park facility. He stated that he would propose that a reward be placed for anyone vandalizing or stealing from any county parks and that this be done in the form of an ordinance, in addition to signs being placed at all parks to that effect. Judge Hinojosa proposed that a gate be placed at Browne Road Regional Park to prevent vehicular entrance. He also suggested that the Sheriff's Department and the respective Constables Office conduct a door to door criminal investigation, as was done by the City of Brownsville when St. Charles Park was vandalized, noting that since this happened no vandalism has taken place at that park. Judge Hinojosa expressed fury with regards to the damage to Browne Road Regional Park.

Judge Hinojosa informed that he had great, productive meetings in Washington, DC, and that Senator Hutchinson singled them out and said that the Cameron County Railroad Relocation Projects were her priority. He stated that Senator Hinojosa was very excited about the Santa Rosa Boys & Girls Club and that there was a distinct possibility that Cameron County could get another \$200,000.00. Judge Hinojosa added that Senator Hinojosa indicated that he would talk to Pedro Garza with regards to the commitment dealing with the workforce center. He stated that Senator Cornyn was in the Valley serving as Mr. Border Fest, and that they met with Congressmen Ortiz. Judge Hinojosa added that he would return in two weeks to discuss the realignment of the intra coastal canal.

PRESENTATIONS

**(2) PRESENTATION BY LINEBARGER GOGGAN BLAIR
& SAMPSON LAW FIRM REGARDING DELINQUENT
PROPERTY TAX REPORT (TY-TAX OFFICE)**

Mr. Enrique Pena and Mr. John Guerrero, Linebarger, Goggan Blair & Sampson Law Firm, presented and highlighted a report.

Judge Hinojosa suggested that the Judges be informed that the County's intent was to allow defendants more time to pay rather than allowing credit for time served, resulting in no form of revenue.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Presentation by Linebarger, Goggan Blair & Sampson Law Firm regarding Delinquent Property Tax Report.

The Report is as follows:

ACTION ITEMS

- (3) **PRESENTATION OF LEGISLATIVE UPDATE (VDL-COUNTY JUDGE)**
- (7) **CONSIDERATION AND ADOPTION OF RESOLUTION SUPPORTING HOUSE BILL 1069 RELATING TO THE LIABILITY OF A GOVERNMENTAL UNIT (COMM. COURT)**
- (8) **CONSIDERATION AND ADOPTION OF SENATE BILL 684 RELATING TO AUTHORIZING CERTAIN COUNTIES AND MUNICIPALITIES TO REGULATE LAND DEVELOPMENT (COMM. COURT)**

Judge Hinojosa expressed concern with the deadline to file bills because the shrimp bill has not been prepared, noting that this was of major importance to Cameron County.

Mr. Remi Garza, County Administrative Assistant, stated that the Texas Legislative Council was working on said bills and that he would speak to Mrs. Veronica De La Fuente, County Judge's Office, regarding the matter.

Commissioner Benavides moved that the Resolution supporting House Bill 1069 relating to the liability of a governmental unit, that the Resolution supporting Senate Bill 684 relating to authorizing certain counties and municipalities to regulate land development be adopted, and that the Presentation of legislative update be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Resolutions are as follow:

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

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

The documents are as follow:

(5) **CONSIDERATION AND POSSIBLE ACTION
REGARDING PERMANENT PART-TIME
EMPLOYEES' PAY RATE (COMM. COURT)**

Judge Hinojosa stated that there was an issue with regards to part-time employees being paid \$5.15 an hour, this being below the living wage paid to the rest of county employees. He stated that although the county has a policy of not giving pay increases, he considered this to be an oversight in terms of pay. Judge Hinojosa stated that it was interesting that the issue was coming up today because congress has rejected a minimum wage increase of \$2.00 an hour.

Commissioner Garza questioned the funding source.

Mr. Xavier Villarreal, Budget Officer, responded that money was not available within the department's budget and that lapsed salaries were available from within other departments. He stated that the total cost for the remainder of the fiscal year for the three permanent half-time positions was above \$4,000.00. Mr. Villarreal clarified that the \$7.15 hourly wage pertains to permanent positions, and reiterated that funding could be obtained from lapsed salaries.

Judge Hinojosa suggested that Mr. Remi Garza, County Administrative Assistant, Mr. Xavier Villarreal, Budget Officer, Mr. Tony Yzaguirre, Tax Collector/Assessor, and he meet to discuss concerns relating to staffing issues at the La Feria Tax Office because of numerous complaints regarding the office not being opened as it should due to lack of staff, noting that funding must be identified if necessary.

Commissioner Garza stated that the same situation was occurring in Rio Hondo.

Commissioner Tamayo suggested that proper notices of operation be posted and followed.

Judge Hinojosa stated that the Court was being blamed for such happenings.

Commissioner Garza moved that the permanent part-time employees' pay rate be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Salary Schedule is as follows:

(6) CONSIDERATION AND AUTHORIZATION OF A COMMUNITY DONATION AS PER V.T.C.A. CODE OF CRIMINAL PROCEDURE ARTICLE 59.06 FROM FORFEITURE FUNDS AS DIRECTED BY COMMISSIONERS' COURT (DG-DA)

Judge Hinojosa stated that Mr. Armando Villalobos, District Attorney, was the first DA, in many years, to propose that forfeiture funds be donated to non-profit organizations within the community. He stated that said project was initiated about three years ago by Mrs. Maricruz Robles.

Mr. David Gonzalez, First Executive Assistant Attorney, explained that Mr. Villalobos was proposing to contribute 10% of Forfeiture Funds to a drug prevention/chemical dependency or other rehabilitation program in accordance with Criminal Procedure Article 59.06, which allows the entering of an agreement with the Commissioners Court. He commented that non-profit agencies provide many programs to the community and serve many people referred by the county, yet very little is done as far as funding their programs and providing resources needed. Mr. Gonzalez explained that proposal consisted of \$20,000.00 that would be divided into five \$4,000.00 allocations to be given to the non-profits selected by each Commissioner and the County Judge. He explained that the only restriction was that the funds must go to a drug abuse program, a drug rehabilitation program or a chemical dependency program that is non-profit. Mr. Gonzalez explained that the DA's Office would work with Court members to determine which agencies would receive the donations. He stated that the Article speaks of non-profit programs for the prevention of drug abuse, non-profit chemical dependency treatment facilities licensed under 464 Health Safety Code, and also non-profit drug and alcohol rehabilitation prevention programs, adding that a list of the programs typically used by the county was available.

Judge Hinojosa asked if the proposal includes that the donation be made annually.

Mr. Gonzalez responded that although he could not speak for Mr. Villalobos, providing the funds on an annual basis would be fantastic and that total amounts of future annual Forfeiture Funds were unknown.

Judge Hinojosa clarified that the donation would equal 10% of the total Forfeiture Funds.

Commissioner Tamayo moved that a community donation, in the amount of \$20,000.00, be authorized, as per Vernon Texas Code Annotated (V.T.C.A.), Code of Criminal Procedure Article 59.06 from Forfeiture Funds as directed by Commissioners' Court.

The motion was seconded by Commissioner Garza and carried unanimously.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that the issue of whether the 10% allocation pertains to the Fund Balance or revenue funds was previously raised and that he would meet with the DA to clarify the matter.

Judge Hinojosa explained his understanding to be that a 10% allocation would come from revenue funds.

Mr. Gonzalez offered to work with the County Auditor to ensure adequate accounting and that the process be done in accordance with the statute.

Commissioner Garza requested a complete listing of all the qualifying agencies.

(9) CONSIDERATION AND APPOINTMENT OF REVIEW COMMITTEE FOR ARCHITECTURAL PROPOSALS, FOR THE SANTA MARIA CHURCH RESTORATION PLAN (FB-PD & M)

Commissioner Benavides moved that the following individuals be appointment of Review Committee for architectural proposals, for the Santa Maria Church Restoration Plan:

Commissioner Tamayo;

Javier Mendez, Parks & Recreation Director;

Remi Garza, County Administrative Assistant;

Frank Bejarano, PD&M Director; and

Javier Solis, Catholic diocese.

Judge Hinojosa suggested that Mr. Remi Garza, County Administrative Assistant, be replaced by Mr. Mike Forbes, Purchasing Agent, because his brother was one of the applicants.

Commissioner Wood questioned the status of the potential lease with the Diocese.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that a response remains pending.

Mr. Frank Bejarano, PD&M Director, stated that a recommendation on an architect might be available in two weeks; however, a resolution concerning the lease might not be available at that time.

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

AYE: Commissioners Benavides, Garza, and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa and Commissioner Garza

(10) **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO FILE A CONTINUATION GRANT APPLICATION WITH THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE VICTIM ASSISTANCE PROGRAM AND DESIGNATION OF FUNDING SOURCE FOR REQUIRED MATCH (FB-PD & M)**

Judge Hinojosa questioned the funding source for the required match.

Mr. Frank Bejarano, PD&M Director, responded that the \$12,500.00 would be funded from Fund 90 and that the \$52,500.00 would be funded from the General Fund during next fiscal year's budget.

Mr. Xavier Villarreal, Budget Officer, explained that the match has been funded in the past and that an additional \$10,000.00 would be needed from General Fund next fiscal year's.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Resolution authorizing the District Attorney's Office to file a continuation grant application with the Governor's Office Criminal Justice Division for the Victim Assistance Program was adopted and Fund 90 was designated as funding source for required match.

The Resolution is as follows:

(11) **CONSIDERATION AND AUTHORIZATION TO PROVIDE IMPROVEMENTS AND/OR MAINTENANCE ON ROADS WITHIN GREEN VALLEY FARMS SUBDIVISION (DG- COMM. PCT 3)**

Commissioner Tamayo moved that the provision of improvement and/or maintenance on roads within Green Valley Farms Subdivision be approved.

Judge Hinojosa asked if land donations were provided.

Commissioner Tamayo responded in the affirmative, and clarified that this was in addition to what was already given and that next fiscal year would not be affected.

Judge Hinojosa asked if Commissioner Garza indicated to him that funding had been secured for drainage improvements.

Commissioner Garza responded in the affirmative and that he would visit with Judge Hinojosa on the matter.

Upon motion duly made, by Commissioner Tamayo that the provision of improvement and/or maintenance on roads within Green Valley Farms Subdivision be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

Mr. Pete Sepulveda, Department of Transportation Director, stated that this item was on the agenda because the roads were not part of the county road system and that one time maintenance would be done with recycled material donated by TXDOT.

Commissioner Garza stated that the roads would not become part of the county road system.

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

DISCUSSION CONCERNING THE FOLLOWING CONSENT ITEMS:

ITEM NO. 22: Mr. Frank Bejarano, PD&M Director, stated that the amount of the grant application increased from \$42,824.00 to \$51,684.00, difference due to additional cost for fuel, office supplies, and insurance based on the direction of the Budget Officer. He clarified that the commitment was based on a year to year status.

ITEM NO. 11: At this time, Judge Hinojosa stated that the court was fooling itself by saying that Green Valley Farms Subdivision's roads were not in the county road system because they were. He stated that he did not want to not have them part of the county road system if it means not maintaining them on a regular basis. Judge Hinojosa stated that the county needs to work on the drainage

improvements, make the roads part of the county road system, and maintain them to prevent further deterioration. He stated that his position has always been to shut down Green Valley Farms or to improve it, and that it was elected not to be shut down.

Commissioner Benavides expressed concern with opposition to maintaining a road in Precinct 1.

Commissioner Garza clarified that the roads being mentioned were publicly dedicated roads and not private roads. He added that he did not raise the issue of making the roads part of the county road system because he thought he did not have the support of the Court.

Commissioner Tamayo suggested that the governor attached money to his commitment to this colonia when he visits the county.

Judge Hinojosa stated that he has been in the colonia during flooding conditions and that it was unacceptable that such conditions exist in the United States.

ITEM NO. 12: Mr. Mark Yates, County Auditor, stated that the proposed 3% revenue cap causes a resource constrain for the county to meet its promises.

Judge Hinojosa questioned the status on the 3% revenue cap and noted the need to be updated on the matter because it was his understanding that if there was a significant opposition in the House that the Senate was not going to go with it.

Mr. Remi Garza, County Administrative Assistant, stated that Ms. Veronica De La Fuente, County Judge's Office, indicated that the bill has been modified, yet the modification was unknown.

Mr. Yates clarified that upon a 3% being implemented then this might cover the cost of inflation on fuel and utilities without adding new programs. He noted the need to keep this in mind when adding new commitment unless other services of the county would be sacrificed. Mr. Yates presented the following late claims:

- ITEM NO. 20: Mr. Javier Mendez, Parks & Recreation Director, requested that this item be tabled for one week due to the language on the agenda.
 Judge Hinojosa requested that Legal Counsel provide an opinion regarding possible adoption of a resolution that offers a reward to anyone that provides information for the apprehension and prosecution of anyone who vandalizes county parks.
 Mr. Mark Yates, County Auditor, suggested that the Court work through the Crime Stoppers already in place.
- ITEM NO. 21: Commissioner Garza expressed concern with staffing issues and needed oversight. He requested that the matter be tabled.
- ITEM NO. 25: Commissioner Garza commented that Precinct 3 has had major problems with delivery of the materials from one particular vendor, who is the low bidder, hoping that this would be taken under consideration. He requested that the matter be tabled.
- ITEM NO. 26-B: Judge Hinojosa questioned why this would be done if the county would contract with a solid waste collection company within the next two months.
 Mr. Javier Mendez, Parks & Recreation Director, suggested that it be tabled.
- ITEM NO. 22: Commissioner Garza questioned the funding allocation.
 Mr. Frank Bejarano, PD&M Director, responded that this would be on a year to year basis and that 100% funding would be provided the first year.
 Commissioner Garza noted the need to state this in the contract.
- ITEM NO. 25: Mr. Pete Sepulveda, Department of Transportation Director, stated that an attached letter from the vendor indicated that the company would use multiple transportation companies versus only one as was done before. He added that a letter would be sent to them and that they would be held to that.
 Mr. Mike Forbes, Purchasing Agent, explained that the Court had the option to change to the second vendor upon the problem not being resolved.

Commissioner Benavides moved that the "Travel and Consent Items" be approved, inclusive of the late claims, and that Items No. 20, No. 21, and No. 26-b be **TABLED**.

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

AYE: Commissioner Benavides, Wood, and Tamayo,

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00133970, payable to Laguna Madre Water District, in the amount of \$13.57; and Warrant No. 00133995, payable to The Medicine Shoppe, in the amount of \$3,138.91.

(12) **APPROVAL OF CLAIMS;**
The Affidavit follows:

(13) **AUTHORIZATION TO ENTER INTO AN AGREEMENT BETWEEN CAMERON COUNTY AND THE UNIVERSITY OF TEXAS AT BROWNSVILLE'S WORK-STUDY TO PROVIDE PARTICIPANTS TO THE DISTRICT ATTORNEY'S OFFICE (DG-DA)**
The Agreement follows:

- (14) **AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNTS WITH LONE STAR NATIONAL BANK: CAMERON COUNTY JUSTICE OF THE PEACE CONSOLIDATED ACCOUNT; CAMERON COUNTY TREASURER, CAMERON COUNTY RMA FUND NO. 110; CAMERON COUNTY FIFTH ADMINISTRATION, JUDICIAL REGION OF TEXAS, SELECT C.D. ACCOUNT NO. 61015717. (EG-TREASURER)**
The Resolutions follow:
- (15) **AUTHORIZATION TO AMEND THE SIGNATURE CARD ON THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK: CAMERON COUNTY, CAMERON COUNTY PARKS SYSTEM. (EG-TREASURER)**
The Resolution follows:
- (16) **APPROVAL OF HIDTA PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND HORTENCIA GUTIERREZ, CONTRACTOR FOR THE PERIOD OF JANUARY 1, 2005 THROUGH DECEMBER 31, 2005. (MY-AUDITOR)**
The Agreement follows:
- (17) **ADOPTION OF A RESOLUTION OF APPRECIATION FOR THE EFFORTS OF END OF THE ROAD MINISTRIES AND URGING PUBLIC PARTICIPATION IN THE MINISTRY'S 'INVEST IN HOPE' FUNDRAISERS. (COMM. COURT)**
The Resolution follows:
- (18) **AUTHORIZATION FOR CAMERON COUNTY PARKS SYSTEM TO PURCHASE THREE CELLULAR PHONES FROM SPRINT PCS, INC., FOR (2)-COMMUNITY PARKS STAFF AND (1)-LT. FLORES, RANGER DIVISION. (JM-PARK SYSTEM)**
- (19) **AUTHORIZATION TO ISSUE A DUNE PROTECTION PERMIT AND BEACHFRONT CERTIFICATE TO APPLICANT; DOMIT CONSTRUCTION & DEVELOPMENT, INC. (JM-PARK SYSTEM)**
- (20) **IN THE MATTER REGARDING AUTHORIZATION TO SOLICIT PROPOSALS FOR THE FORMER CONCESSION PROPERTY JEREMIAHS RIVERRIDE AT ISLA BLANCA COUNTY PARK. (JM-PARK SYSTEM) (TABLED)**
- (21) **IN THE MATTER REGARDING APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE SAN BENITO CONSOLIDATED SCHOOL DISTRICT PHLEBOTOMY PROGRAM FOR STUDENT INTERNSHIPS. (YS-HEALTH) (TABLED)**
- (22) **APPROVAL OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE SHERIFF'S JUVENILE LAW ENFORCEMENT OFFICER GRANT. (FB-PD & M)**
The Resolution follows:
- (23) **APPROVAL OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE PRECINCT 2 CONSTABLE'S CRIME PREVENTION PROGRAM GRANT. (FB-PD & M)**
The Resolution follows:
- (24) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S /RFQ FOR: (MF-PURCHASING)**
A. HISTORIC SANTA MARIA CHURCH RESTORATION ARCHITECTURAL SERVICES – RFQ #050201
- (25) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/ RFQ FOR: (MF-PURCHASING)**
A. ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID #2560 TO FRONTERA MATERIALS/VULCAN

B. ROAD MATERIALS: SURFACING – ANNUAL BID #2580 TO FRONTERA MATERIALS/MARTIN MARIETTA

The Tabulation follows:

- (26) **AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)**
- A. **TRANSPORTATION OF INMATES – ANNUAL BID #1890 TO TRANSCOR**
 - B. **IN THE MATTER REGARDING SOLID WASTE DISPOSAL – PARKS DEPT. SPI – ANNUAL BID #1970 TO WASTE MGMT OF SOUTH TEXAS. (TABLED)**
- (27) **AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 2- M.A.M. GARDENS SUBDIVISION, BEING 5.938 ACRES OF LAND OUT OF 32.62 ACRE TRACT COMPRISED OF 2.055 ACRES OUT OF BLOCK 179, FRESNOS LAND AND IRRIGATION COMPANY'S SUBDIVISION, AS DESCRIBED IN DEED TO PEDRO YZAGUIRRE, DATED SEPT. 10, 1951, FROM F.C. RICHEY (CAMERON COUNTY DEED REC. VOL. 523 PAGE 178), AND 3.883 ACRES OUT OF THE 32.62 BLOCK 178 OF SAID FRESNOS LAND AND IRRIGATION COMPANY SUBDIVISION AS DESCRIBED IN DEED TO PEDRO YZAGUIRRE AND WIFE, HELEN MAHON (CAMERON COUNTY, DEED RECORDS VOLUME 661, PAGES 486 AND 487) IN SHARE 22, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS ACCORDING TO PAM OR PLAT OF SAID SUBDIVISION THEREOF RECORDED IN VOLUME 3, PAGE 9A, MAP RECORDS OF CAMERON COUNTY, TEXAS.**
- (28) **APPROVAL OF TIME EXTENSION, FROM MARCH 15, 2005 TO MARCH 15, 2008, FOR PROVIDING WATER (WATER WELLS) AND SEWER FACILITIES (SEPTIC SYSTEMS) AT TAMM LANE NORTH III SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)**
- (29) **APPROVAL OF CHANGE ORDER NUMBER ONE FOR THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES TRUCK LANE EXPANSION PROGRAM. (PS-DEPT. OF TRANSPORTATION)**
- The Change Order follows:**

TRAVEL ITEMS

- (30) **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. County Judge to attend "Legislative Meeting," in Austin, Texas, March 9, 2005;
 - B. County Judge to meet with officials regarding Intra Coastal Waterway in Washington, DC, March 16-18, 2005;
 - C. County Judge Employee to attend meetings during the 79th Legislative Session in Austin, Texas, March 6-10, 2005 and March 13-18, 2005;
 - D. Tax Assessor-Collector, Chief of Investigations, and two (2) Investigators to attend the "2005 ATPA Annual Conference", Austin, Texas, March 20-23, 2005;
 - E. Tax Office Employee to attend Course #1 (Introduction to the Texas Property Tax System)", in San Benito, Texas, March 14-18, 2005;
 - F. County Clerk and two (2) Deputy County Clerks to attend the "U.T. School of Law Seminar for County & District Clerks," in Austin, Texas, March 27-29, 2005;

- G. Assistant Auditor to attend the “Bi-Tech Users Group and participate in training in the New Web-Browser Integrated Financial Accounting Software,” in Las Vegas, Nevada.
 - H. Department of Health and Human Services Employee to attend the “Texas WIC 2005 Nutrition and Breastfeeding Conference”, in Austin, Texas, April 18-21, 2005;
 - I. Department of Health and Human Services Dtr/WIC Director to attend the “Texas WIC Nutrition and Breastfeeding Conference,” in Austin, Texas, April 18-21, 2005;
 - J. Department of Health and Human Services Assistant WIC Director to attend the “Texas Dietetic Association Food & Nutrition Conference & Exhibition: The Obesity Epidemic,” in Austin, Texas, April 10-13, 2005;
 - K. Extension Agent to Chaperone Cameron County 4-H Members who are competing in the Houston Livestock Show in Houston, Texas, March 5-6, 2005;
 - L. PD & M CD Coordinator to attend the “Lower Rio Grande Valley Development Council Professional Advisory Review Panel Meeting,” in Mercedes, Texas, March 9, 2005;
 - M. Juvenile Probation Employee to attend “Boys and Girl’s Club of America Meeting,” in Oklahoma City, , Saline County, March 15-18, 2005;
 - N. Human Resources Director to attend the “2005 County Management Institute,” in Austin, Texas, May 4-6, 2005; and
 - O. Computer Center Director to attend the “IBM Business Partner Easy Access,” in Austin, Texas, March 1-3, 2005.
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(12) APPROVAL OF CLAIMS.
The Affidavit follows:

- (13) AUTHORIZATION TO ENTER INTO AN AGREEMENT BETWEEN CAMERON COUNTY AND THE UNIVERSITY OF TEXAS AT BROWNSVILLE'S WORK-STUDY TO PROVIDE PARTICIPANTS TO THE DISTRICT ATTORNEY'S OFFICE (DG-DA)**
The Agreement follows:

- (14) **AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNTS WITH LONE STAR NATIONAL BANK: CAMERON COUNTY JUSTICE OF THE PEACE CONSOLIDATED ACCOUNT; CAMERON COUNTY TREASURER, CAMERON COUNTY RMA FUND NO. 110; CAMERON COUNTY FIFTH ADMINISTRATION, JUDICIAL REGION OF TEXAS, SELECT C.D. ACCOUNT NO. 61015717. (EG-TREASURER)**
The Resolutions follow:

- (15) AUTHORIZATION TO AMEND THE SIGNATURE CARD ON THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK: CAMERON COUNTY, CAMERON COUNTY PARKS SYSTEM. (EG-TREASURER)**
The Resolution follows:

- (16) APPROVAL OF HIDTA PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND HORTENCIA GUTIERREZ, CONTRACTOR FOR THE PERIOD OF JANUARY 1, 2005 THROUGH DECEMBER 31, 2005. (MY-AUDITOR)**
The Agreement follows:

- (17) **ADOPTION OF A RESOLUTION OF APPRECIATION FOR THE EFFORTS OF END OF THE ROAD MINISTRIES AND URGING PUBLIC PARTICIPATION IN THE MINISTRY'S 'INVEST IN HOPE' FUNDRAISERS. (COMM. COURT)**
The Resolution follows:

- (22) **APPROVAL OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE SHERIFF'S JUVENILE LAW ENFORCEMENT OFFICER GRANT. (FB-PD & M)**
The Resolution follows:

- (23) APPROVAL OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE PRECINCT 2 CONSTABLE'S CRIME PREVENTION PROGRAM GRANT. (FB-PD & M)**
The Resolution follows:

- (24) AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/ RFQ FOR: (MF-PURCHASING)**
- A. ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID #2560 TO FRONTERA MATERIALS/VULCAN**
 - B. ROAD MATERIALS: SURFACING – ANNUAL BID #2580 TO FRONTERA MATERIALS/MARTIN MARIETTA**
- The Tabulation follows:**

- (29) APPROVAL OF CHANGE ORDER NUMBER ONE FOR THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES TRUCK LANE EXPANSION PROGRAM (PS-DEPT. OF TRANSPORTATION)**
The Change Order follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the

Court met in Executive Session at 10:40 A.M. to discuss the following matters:

(31) EXECUTIVE SESSION:

- A. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA, formerly known as Landmark; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) (A) & (2);
- 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 Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- C. Deliberation regarding contractual negotiations for solid waste garbage collection services in Cameron County on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- D. Confer with Commissioners' Court Legal Counsel concerning Concession Agreement and Lease with Laguna Madre Enhancement Group regarding property at Isla Blanca Park, to discuss status of negotiations and authority to enter into an agreement and a Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2), 551.072 & 551.087; and
- E. Deliberation regarding Real Property concerning Browne Park North Boundary Line and exchange of title for the Browne Road Regional Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

(32) ACTION RELATIVE TO EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the

Court reconvened into Regular Session at 1:25 P.M. to discuss the following matters:

- A. **In the matter regarding confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA, formerly known as Landmark. (TABLED)**
- B. **In the matter regarding confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building. (TABLED)**

Note: These items were not discussed.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously,

this Item was **TABLED**.

- C. Deliberation regarding contractual negotiations for Solid Waste Garbage Collection Services in Cameron County on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter.**

Commissioner Wood moved that the Status Report by Mrs. Grace Salinas, County Judge's Office, be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

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- D. Confer with Commissioners' Court Legal Counsel concerning Concession Agreement and Lease with Laguna Madre Enhancement Group regarding property at Isla Blanca Park, to discuss status of negotiations and authority to enter into an agreement and a Lease.**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the contract was approved, pursuant to the terms discussed in Executive Session and Judge Hinojosa was authorized to sign the contract once changes are made.

The Contract is as follows:

E. Deliberation regarding Real Property concerning Browne Park North Boundary Line and exchange of title for the Browne Road Regional Park.

Note: Judge Hinojosa was not present during discussion of this item.

Commissioner Garza moved that recommendation by the Department of Transportation be accepted, that the exchange of title for the Browne Road Regional Park be authorized, and that Judge Hinojosa be authorized to sign the deeds.

The motion was seconded by Commissioner Wood and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 1:28 P.M.

APPROVED this 24th day of **May 2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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