

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 12th day of April 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 Commissioner Garza 9:35 A.M. He asked Reverend Bob Clark, Brownsville resident, for the invocation, and 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 April 8, 2005, at 1:45 P.M.:

(1) **PUBLIC COMMENTS**

None were presented.

PRESENTATIONS

(2) **REQUEST BY BILL CALDERON FOR
PRESENTATION OF AND DISCUSSION OF TAX
INCREMENT REINVESTMENT ZONE NO. 3**

NOTE: COMMISSIONER BENAVIDES ARRIVED AT THIS TIME.

Mr. Bill Calderon, Hawes Hill & Associates, presented a map of the proposed area for Reinvestment Zone No. 3 and copies of the preliminary project plan. He explained that they were before the Court as required by statute to present the application submitted to the city in early December 2004 to request creation of Reinvestment Zone No. 3. Mr. Calderon reiterated that cities were required to go before the counties and school districts to present the proposed creation of the reinvestment zones prior to considering the ordinance to create. Mr. Calderon stated that the proposed zone would have a 30 year life to pay for project cost associated with placement of roadway infrastructure that would total above \$2 million. He stated that the scheduled payout was 8 to 9 years at 50% participation by the city and county with a 30 year term. Mr. Calderon clarified that no action was being requested from the court at this time, and asked that a point of contact be designated for purposes of negotiating an interlocal agreement.

Judge Hinojosa responded that Mr. Frank Bejarano, PD&M Director, would be the point of contact.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Presentation of and discussion of Tax Increment Reinvestment Zone No. 3 was acknowledged.

The Report is as follows:

(9) **CONSIDERATION AND ADOPTION OF A RESOLUTION EXPRESSING THE CAMERON COUNTY COMMISSIONERS COURT'S OPPOSITION TO THE SOLID WASTE MANAGEMENT FACILITY SITE EAST OF LOS FRESNOS PROPOSED BY CONSOLIDATED WASTE INDUSTRIES, INC. (COMM. COURT)**

Commissioner Benavides moved that the Resolution expressing the Cameron County Commissioners Court's opposition to the solid waste management facility site east of Los Fresnos proposed by Consolidated Waste Industries, Inc., be adopted.

The motion was seconded by Commissioner Tamayo.

Commissioner Wood stated that construction of a new landfill might signify that waste would be transported from elsewhere since all entities within the county already have contracts with companies that use the landfills in Donna or Brownsville. He stated that the landfill in Donna has about seven years of life left in it and that the new landfill may be sold to the company that operates the landfill in Donna at some point in time. Commissioner Wood stated that in areas across the country when other companies have trouble getting permitting for landfills because their reputation precedes them they have other companies come in and get the permitting and eventually sell it to them, adding that this was just a thought of what may be happening.

Judge Hinojosa stated that the proposed landfill would not be developed regardless of who uses it.

Upon motion duly made by Commissioner Benavides that the Resolution expressing the Cameron County Commissioners Court's opposition to the solid waste management facility site east of Los Fresnos proposed by Consolidated Waste Industries, Inc., be adopted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Mr. Remi Garza, County Administrative Assistant, reported that they were working with the school district to schedule a workshop on April 25, 2005.

Commissioner Garza indicated that the Los Fresnos Consolidated School District was proposing to use high school gym.

Judge Hinojosa noted the need for everyone to be informed of all the steps involved in opposing the landfill because it would not be an easy task. He stated that TCEQ Representatives must be present to answer any questions and to tell them that the landfill was not wanted there. Judge Hinojosa stated that the workshop was intended to provide all necessary information to start organization to prevent development of the landfill, noting that working together was sure to be most effective.

Commissioner Garza noted the need to post the information on the web site to be available soon.

The Resolution follows:

(7) **CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR ROAD NAME CHANGE OF LETTUNICH WAY OUT OF SANTA ROSA ANNEX SUBDIVISION, IN PRECINCT NO. 4, TO BECKIE JO'S ROAD (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Public Hearing for road name change of Lettunich Way out of Santa Rosa Annex Subdivision, in Precinct No. 4, to Beckie Jo's Road was opened for public comment.

Ms. Rebecca Zepeda, Santa Rosa resident, requested that the name be changed to Beckie Jo's Road, Beckie Jo being her miracle baby, and added that the community was in agreement of the name change. She explained that the request was due to problems with the spelling and pronunciation.

Mr. Pete Sepulveda, Department of Transportation Director, indicated that the proper county process has been followed.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing for road name change of Lettunich Way out of Santa Rosa Annex Subdivision, in Precinct No. 4, to Beckie Jo's Road was closed.

(8) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER ESTABLISHING ROAD NAME CHANGE FROM LETTUNICH WAY OUT OF SANTA ROSA ANNEX SUBDIVISION, IN PRECINCT NO. 4, TO BECKIE JO'S ROAD (PS-DEPT. OF TRANSPORTATION)**

Commissioner Tamayo moved that the order establishing road name change of Lettunich Way out of Santa Rosa Annex Subdivision, in Precinct No. 4, to Beckie Jo's Road be adopted.

The motion was seconded by Commissioner Garza and carried unanimously.

The Order is as follows:

(13) **CONSIDERATION AND APPROVAL OF TEXAS
COMMUNITY DEVELOPMENT PROGRAM
CONTRACT NO. 724055 BETWEEN THE OFFICE OF
RURAL COMMUNITY AFFAIRS AND CAMERON
COUNTY (FB-PD & M)**

Mr. Frank Bejarano, PD&M Director, reported that Exhibit A on page 1 should read that the contractor would provide services to 23 homes instead of 26 and that 800 feet of services were added on an unnamed easement that was not included in the original contract, totaling 2,500 linear feet. He stated that funding was included in the budget and that approval was recommended with inclusion of the corrections.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Texas Community Development Program Contract No. 724055 between the Office of Rural Community Affairs and Cameron County was approved.

The Contract is as follows:

**(5) CONSIDERATION AND POSSIBLE ACCEPTANCE OF
A DONATION BY AMERICA ELECTRIC POWER
(AEP) FOR THE LAGUNA HEIGHTS
RECREATIONAL PARK (JM-PARK SYSTEM)**

Mr. Jerry D. Wilson, America Electric Power, presented a donation of \$3,000.00 for the Laguna Heights Recreational Park, and expressed his appreciation for all efforts on behalf of the county.

Judge Hinojosa questioned the status of the park's construction.

Mr. Javier Mendez, Parks System Director, reported that the application for funding from Texas Parks & Wildlife was approved in the amount of \$50,000.00 for construction of a walking trail, picnic tables and benches. He explained that much of the work would be done in-house in order to save money to maybe build the restrooms and a pavilion. Mr. Mendez stated that the bird watch overlook would be bid out soon, at a project cost of \$27,000.00.

Judge Hinojosa expressed his appreciation for the support from America Electric Power towards the community.

Mr. Mendez recognized Mr. Joe Vega, Assistant Parks System Director, for his participation in getting the donation.

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

Mr. Xavier Villarreal, Budget Officer, reported that money was being moved from General Fund Reserves into Settlements and Judgments for pending items.

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

The documents are as follow:

- (4) **APPROVAL OF MINUTES FOR:**
G. **FEBRUARY 1, 2005-REGULAR MEETING**
H. **FEBRUARY 15, 2005-SPECIAL MEETING**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Minutes of the Regular Meeting held February 1, 2005, and the Special Meeting held February 15, 2005, were approved.

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- (6) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE CAMERON COUNTY LEGISLATIVE AGENDA, TO INCLUDE PASSAGE OF RESOLUTIONS IN SUPPORT OF OR IN OPPOSITION TO CERTAIN LEGISLATION AFFECTING THE COUNTY'S INTEREST (VDL-COUNTY JUDGE)**

Judge Hinojosa stated that the legislature ruled in favor of South Padre Island one hour after Commissioner Garza testified, and noted the need to get a definite answer because it may affect county property that was annexed.

Commissioner Garza explained that his testimony pertained to letting the court system in Cameron County decide what was best for the area rather than for Port Isabel or South Padre Island. He stated that the bill was focused on Cameron County yet it was filed by a Senator from Dallas, adding that the decision might be appealed.

Mr. Remi Garza, County Administrative Assistant, reported that Ms. Veronica De La Fuente, County Judge's Office, was offering a letter to the committee expressing the Court's request with regards to SB 815 that the location be in Cameron County rather than naming a specific city.

Mr. Garza stated that House Joint Resolution 35 would lower the current homestead on the appraisal cap from 10% and 5% and expand the caps to cover all business properties being considered, noting that it was unclear if it had full support and that it requires 100 votes to be sent to the Senate since it was a constitution amendment. He stated that the Texas Association of Counties was requesting that counties let their representatives know how they would be impacted by this bill and HB 1069 that would place a mandatory election when the courts need to adopt a budget that assesses a tax that would bring revenues in excess of 3%.

Judge Hinojosa asked if the Department of Transportation Director and Commissioner Tamayo would testify with regards to the railroad relocation plan that will be heard before the Senate tomorrow, and Mr. Pete Sepulveda, Department of Transportation Director, responded in the affirmative.

Commissioner Benavides moved that update regarding legislative issues be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The report is as follows:

(10) CONSIDERATION AND POSSIBLE APPROVAL TO VACATE THE BEACH VENDING POLICY BETWEEN CAMERON COUNTY(PARKS) AND BEACH VENDORS ON PUBLIC BEACHES OF SOUTH PADRE ISLAND, TEXAS, DATED JULY 25, 1995 AND THE AMENDMENT TO THE BEACH VENDING POLICY DATED AUGUST 12, 2002 AND POSSIBLE APPROVAL OF A NEW CONSOLIDATED BEACH VENDING POLICY (JM-PARK SYSTEM)

Commissioner Garza asked Legal Counsel if changes were reviewed and if everything was in order.

Mr. Doug Wright, Commissioners' Court Legal Counsel, responded in the affirmative.

Mr. Javier Mendez, Parks System Director, reported that the only thing that was added was the "three strikes you're out that the Court had requested," meaning that three citations places vendors subject to their licenses being revoked.

Commissioner Benavides asked for how long would a license be suspended.

Mr. Mendez responded that the vendors would be unable to sell on public beaches thereafter.

Commissioner Benavides suggested that a six month suspension be given.

Mr. Mendez explained that vendors would be placed on probation after a second violation.

Commissioner Benavides reiterated his suggestion that a six month suspension be given.

Commissioner Tamayo suggested that a year suspension be implemented.

Commissioner Wood suggested that the policy indicate that violations were cumulative within a three year time period.

Commissioner Garza moved that the Beach Vending Policy between Cameron County(Parks) and Beach vendors on public beaches of South Padre Island, Texas, dated July 25, 1995 and the amendment to the Beach Vending Policy dated August 12, 2002, and possible approval of a new Consolidated Beach Vending Policy be approved with changes and with a three year cumulative period.

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

AYE: Commissioners Benavides, Wood, Garza and Judge Hinojosa

NAY: Commissioner Tamayo.

The Policy is as follows:

(11) **CONSIDERATION AND POSSIBLE APPROVAL TO EXECUTE AMENDMENT NO. 2 ON CONTRACT AGREEMENT NO. 02-369N ADOLPH THOMAE JR. COUNTY PARK “SHORELINE STABILIZATION PROJECT” BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE (JM-PARK SYSTEM)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Amendment No. 2 on Contract Agreement No. 02-369N Adolph Thomae Jr. County Park “Shoreline Stabilization Project” between Cameron County and the Texas General Land Office was approved.

The Amendment is as follows:

(12) **IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE APPROVAL OF CHANGE ORDER NO. 1, TO THE CONSTRUCTION CONTRACT WITH JAMAIL CONSTRUCTION FOR THE BROWNE ROAD REGIONAL PARK (JM-PARK SYSTEM) (TABLED)**

Commissioner Tamayo asked who was responsible for repairs regarding elevation.

Mr. Javier Mendez, Parks System Director, responded that the engineer was responsible, and that the engineer was informed that Public Works would have to tear and replaced the curb at his expense, adding that they responded that they “would look into it.” He stated that the money would be collected from Halff & Associates, and suggested that the county could deduct the cost from the retainage of the contract.

Commissioner Tamayo explained her interpretation to be that the county was being penalized for the mistake of the engineer.

Mr. Mendez stated that the civil engineer indicated that he would take the matter to whoever could approve covering the cost because they knew it was an error on their part. He explained that these were construction cost being charged to the county by Jamail Construction and that the cost in question would be charged to Halff & Associates.

Commissioner Wood questioned other damage and who caused it.

Mr. Mendez responded that some other damage was done by county personnel.

Commissioner Garza questioned the reason for the damage.

Mr. Mendez explained that one of the damage pertains to the wiring not included in the design and was supposed to be set at 42 feet deep but was set at 36 feet.

Commissioner Wood expressed concern with the design being done very poorly.

Commissioner Tamayo noted that need to hold people accountable for their mistakes.

Mr. Mendez stated that many things on the document did not make sense because the work has already been done.

Commissioner Garza questioned under who’s authority had the work been done.

Commissioner Benavides suggested that Halff & Associates come before the court to answer questions.

Mr. Pete Sepulveda, Department of Transportation Director, stated that he was familiar with some of the issues, but was not familiar with the change order, thus suggested that matter be tabled in order for Mr. Mendez and him to meet.

Commissioner Garza expressed concern with work done prior to being approved.

Judge Hinojosa suggested that the change order be approved and that reimbursement be obtained from the responsible party.

Commissioner Wood noted the need to get answers.

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

(14) CONSIDERATION AND POSSIBLE SELECTION OF COMMITTEE FOR ANNUAL BID NO. 1222 – BANK DEPOSITORY (MF-PURCHASING)

Commissioner Tamayo moved that the Committee for the Annual Bid No. 1222-Bank Depository be composed of the following:

Mr. Eddie Gonzales, County Treasurer

Armando Villalobos, District Attorney

Aurora De La Garza, District Clerk

District Judge Ben Uresti

Joe G. Rivera, County Clerk

Mike Forbes, Purchasing Agent

The motion was seconded by Commissioner Garza and carried unanimously.

(15) CONSIDERATION AND AUTHORIZATION TO HIRE A PART-TIME CLERK FOR THE JUSTICE OF THE PEACE PRECINCT 2 PLACE 1 FOR THE BORDER SAFETY INSPECTION STATION SERVICES AT THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES

Judge Hinojosa reported that after Justice of the Peace Linda Salazar and he met with the Department of Public Service, they agreed to send half the tickets to the county, totaling annual revenue of about \$400,000.00. he explained that Judge Salazar agreed to hear cases at Los Tomates twice a week for two hours, and that discussions were currently underway with one of the law enforcement office to have them available to arrest people needing to be arrested. Judge Hinojosa stated that Mr. Pete Sepulveda, Department of Transportation Director, agreed to fund the half-time position, a computer terminal and office space through the Bridge Fund with the understanding that it be reimbursed from the gained revenue at the end of the year.

Commissioner Garza moved that the Part-Time Clerk for the Justice of the Peace Precinct 2 Place 1 be approved for the Border Safety Inspection Station Services at the Veterans International Bridge at Los Tomates, that a six month report be requested, and that reimbursement to the Bridge Fund be made.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Salary Schedule is as follows:

(16) **CONSIDERATION AND ACTION REGARDING EXECUTION OF LETTER OF INTENT BETWEEN CAMERON COUNTY AND ELECTION SYSTEMS AND SOFTWARE REGARDING THE ACQUISITION OF AUTOMARK VOTER ASSIST TERMINALS AND PRECINCT BALLOT COUNTERS (RO-ELECTIONS)**

Mr. Roger Ortiz, Election Administrator, noted the need to include language regarding standards and for Secretary of State to approve the contract.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the execution of Letter of Intent between Cameron County and Election Systems and Software regarding the acquisition of Automark Voter Assist Terminals and precinct ballot counters was authorized.

The Letter is as follows:

(6) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE CAMERON COUNTY LEGISLATIVE AGENDA, TO INCLUDE PASSAGE OF RESOLUTIONS IN SUPPORT OF OR IN OPPOSITION TO CERTAIN LEGISLATION AFFECTING THE COUNTY'S INTEREST (VDL-COUNTY JUDGE)**

Mr. Remi Garza, County Administrative Assistant, reported that Representative Oliveira's Office requested that the Court adopt a Resolution opposing House Joint Resolution 35 and HB 1006.

Commissioner Tamayo moved that the Resolution opposing House Joint Resolution 1005 and HB 1006 be adopted.

The motion was seconded by Commissioner Garza and carried unanimously.

The Resolution is as follows:

CONSENT ITEMS

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

- ITEM NO. 24: Mr. Mark Yates, County Auditor, informed that two bidders of the nine bids received did not participate in the 1st mandatory pre-bid requirement, and that it was his understanding that two bidders requested intervention by court members to have them included. He explained that all seven bids would have to be rejected in order to have a technically correct bid and re-advertised. Commissioner Garza questioned the need to re-advertised if there were seven good bids. Mr. Javier Mendez, Parks System Director, stated that the two vendors that did not attend the mandatory meeting are from Cameron County. Commissioner Garza stated that by authorizing to open the bid the court would not authorize awarding of the bid and that the court would have the option to re-bid even after opening the bids. Mr. Yates agreed.
- ITEM NO. 17: Mr. Mark Yates, County Auditor, presented the following late claims:

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

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

AYE: Commissioners Benavides, Wood, and Tamayo,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00135927, payable to Laguna Madre Water District, in the amount of \$249.41; and Commissioner Garza as to Warrant No. 00135949, payable to The Medicine Shop, in the amount of \$2,312.07.

- (17) **APPROVAL OF CLAIMS;
The Affidavits follow:**
- (18) **ADOPTION OF A RESOLUTION HONORING SPECIALIST ERIC N. HERRERA FOR HIS SERVICE IN THE UNITED STATES ARMY AND DEFENDING THE FREEDOMS OF THE UNITED STATES AND THE PEOPLE OF IRAQ (COMM. CT.)
The Resolution follows:**
- (19) **POSSIBLE APPROVAL TO PURCHASE A DIGITAL RECORDER FOR THE SHERIFF'S DEPARTMENT DISPATCH USING THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) COOPERATIVE PURCHASING AGREEMENT (TH-EMERGENCY MANAGEMENT)**
- (20) **AUTHORIZATION TO PURCHASE HP SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS (RJ-COMPUTER CENTER)**
- (21) **POSSIBLE APPROVAL TO EXECUTE AMENDMENT NO. 1 ON CONTRACT AGREEMENT NO. 04-010 "LITTER ENFORCEMENT OFFICERS" BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE EXTENDING THE CONTRACT DEADLINE FROM MARCH 31, 2005 TO SEPTEMBER 30, 2005 (JM-PARK SYSTEM)
The Amendment follows:**
- (22) **AUTHORIZATION TO EXECUTE AN AGREEMENT TO ACCEPT A GRANT AWARD FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS THROUGH THE ACCESS TO EMERGENCY DEVICES GRANT PROGRAM (JM-PARK SYSTEM)
The Agreement follows:**
- (23) **APPROVAL OF PURCHASE WITHOUT A PURCHASE ORDER IN THE AMOUNT OF \$2,470.99 TO CARE BEHAVIOR MANAGEMENT SYSTEMS, INC. (TR-JUVENILE)**
- (24) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/ RFQ FOR: (MF-PURCHASING)**
A. **DEMOLITION & ASBESTOS REMOVAL & DISPOSAL OF THE CAMERON COUNTY OWNED FACILITY KNOWN AS JEREMIAHS RIVER SLIDE LOCATED AT PARK ROAD 100, SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS – BID #050301**
- (25) **APPROVAL OF TIME EXTENSION, FROM FEBRUARY 19, 2005 TO FEBRUARY 19, 2006, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PEREZ ESTATES SUBDIVISION, PRECINCT NO. 2 (PS-DEPT. OF TRANSPORTATION)**

- (26) **AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4- LUNA ACRES SUBDIVISION, BEING A 5.667 ACRE TRACT BEING OUT OF BLOCK 64 OF THE MCLEOD-HOOD PROPERTIES NUMBER ONE, ACCORDING TO THE MAP THEREOF RECORDED IN VOL. 8, PG. 57, MAP RECORDS OF CAMERON COUNTY, TEXAS.**

TRAVEL ITEMS

- (27) **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 Auditor to attend the "99th GFOA National Conference," in San Antonio, Texas, June 26-29, 2005;
- B. County Auditor and three (3) staff members to attend "47th County Auditors' Institute, Centennial Celebration," in Austin, Texas, May 17, 2005;
- C. Constable Precinct 4 Investigator to attend the "Introduction to Identity Theft and Assisting Victims with Identity Theft," in San Antonio, Texas, April 25-26, 2005;
- D. Justice of the Peace Precinct 5, Place 2 two employees to attend "Court Personnel Seminar," in San Antonio, Texas, April 27-29, 2005;
- E. Civil Litigation Attorney to attend "18th Annual Advanced Evidence & Discovery Course," in San Antonio, Texas, May 25-27, 2005;
- F. Juvenile Probation Employee to attend "Drill Instructor Institute Workgroup Fiscal Year 2005 Planning Meetings," in Austin, Texas, March 22, 2005, April 26, 2005, May 31, 2005, June 17, 2005, June 21, 2005, and July 10, 2005;
- G. Department of Health and Human Services Director of Operations to present the Valley Health Services District Operational Plan Austin, Texas, April 3-4/2005;
- H. Two (2) Victim Assistance Program employees to attend "18th Annual Texas Crime Victim Clearinghouse Conference," in Austin, Texas, May 1-6, 2005;
- I. PD&M CD Coordinator to attend "Lower Rio Grande Valley Development Council Professional Advisory Review Panel Meeting," in Mercedes, Texas, April 13, 2005;
- J. Unified Narcotics Intelligence Task Force Director to attend an "Executive Committee Budgetary Sub-Committee Meeting," in Laredo, Texas, April 26-27, 2005; and
- K. Three (3) Drug Enforcement Task Force Employees to attend "Cleris V3.0 Basic," in Austin, Texas, April 17-22, 2005.

At this time Mr. Doug Wright, Commissioners' Court Legal Counsel, informed that there was a process to be followed with regards to the meeting to be scheduled in Los Fresnos.

- (17) **APPROVAL OF CLAIMS.**
The Affidavits follow:

- (18) **ADOPTION OF A RESOLUTION HONORING SPECIALIST ERIC N. HERRERA FOR HIS SERVICE IN THE UNITED STATES ARMY AND DEFENDING THE FREEDOMS OF THE UNITED STATES AND THE PEOPLE OF IRAQ (COMM. CT.)**
The Resolution follows:

- (21) **POSSIBLE APPROVAL TO EXECUTE AMENDMENT NO. 1 ON CONTRACT AGREEMENT NO. 04-010 "LITTER ENFORCEMENT OFFICERS" BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE EXTENDING THE CONTRACT DEADLINE FROM MARCH 31, 2005 TO SEPTEMBER 30, 2005 (JM-PARK SYSTEM)**
The Amendment follows:

- (22) **AUTHORIZATION TO EXECUTE AN AGREEMENT TO ACCEPT A GRANT AWARD FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS THROUGH THE ACCESS TO EMERGENCY DEVICES GRANT PROGRAM (JM-PARK SYSTEM)**
The Agreement follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 10:38 A.M. to discuss the following matters:

(28) 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. Confer with Commissioners' Court Legal Counsel concerning claim of Raul Garza, Jr., M.D.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A) & (2);
- D. Confer with Commissioners' Court Legal Counsel concerning claim of Roel Rodriguez; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A) & (2).
- E. Confer with Commissioners' Court Legal Counsel concerning claim of Anthony Mena, for discussion on status of claim; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A) & (2).

(29) ACTION RELATIVE TO EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 11:35 A.M. to discuss the following matters:

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

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, these Items were **TABLED**.

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- C. Confer with Commissioners' Court Legal Counsel concerning claim of Raul Garza, Jr., M.D.**

Note: Judge Hinojosa and Mr. Remi Garza, County Administrative Assistant, were not present during discussion of this item.

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

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

AYE: Commissioners Benavides, Wood, Garza, and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa

D. Confer with Commissioners' Court Legal Counsel concerning claim of Roel Rodriguez.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report by Legal Counsel was acknowledged.

E. Confer with Commissioners' Court Legal Counsel concerning claim of Anthony Mena, for discussion on status of claim.

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

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 11:37 A.M.

APPROVED this 22nd day of **June 2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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