

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 19<sup>th</sup> 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:**  
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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:30 A.M. He 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 April 15, 2005, at 2:50 P.M.:

**(1) PUBLIC COMMENTS**

At this time, Susana Clifton, PDAP Executive Director, thanked the Court for supporting the program, which was much needed, and stated that she was proud and honored to be part of this community.

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**ACTION ITEMS**

**(6) CONSIDERATION AND POSSIBLE ACTION REGARDING RIO GRANDE VALLEY HEALTH SERVICES DISTRICT OPERATIONAL PLAN (PV-RGVHSD)**

Dr. Paul Villas, D. Ed., CHES, Rio Grande Valley Health Services District Chairperson, informed that the Joint Operating Plan was presented to the Texas Department of Health Services and was approved with slight modifications. He stated that the Health Service District would meet on Thursday to approve the modifications and the monies appropriated for both facilities in order for State to move on to the legislative board to get approval for the two facilities in South Texas and the facility in San Antonio. Dr. Villas thanked the court for its support.

Commissioner Wood explained that there was controversy going on in Austin and expressed concerns over these issues.

NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.

Dr. Villas stated that there were some concerns and that there was an article in the paper that Cameron County lost \$6 million, adding that he does not have all the answers to that. He stated that “lost” may not be the word for that because you need to have something in order to lose it. Mr. Villa stated that they were under the authority of the Texas Department of Health Services, and explained that \$33 million in bond monies were approved by the voters, \$16.5 million for Cameron County and \$16.5 million for Hidalgo County. He stated that a state facility was being built in downtown San Antonio for infectious disease and that since then they decided to move closer to the Health and Science Center, causing an additional expenditure of \$6 million. Mr. Villa stated that there was a writer, a powerful representative in appropriations, to do this, noting that he did not know what the argument was. He stated that in an interview to a reporter he said, “We are unlike to build two facilities in the Rio Grande Valley, as a joint district that I think will have an impact on the indigent people of both counties. And I might add also I think that it has ramifications for some great things down the line.

Commissioner Tamayo asked if it was Dr. Villas that Cameron County has lost that funding.

Dr. Villas stated that the \$16.5 million had been allocated but the county never had it; therefore, he did not know whether to refer to it as to losing it.

Commissioner Garza asked what modifications were being done in the operational plan.

Dr. Villas stated that the plan was still in effect and that changes pertain to reduction in the facilities.

Commissioner Garza expressed a concern with where people are qualified and where they will receive services.

Dr. Villas explained that Hidalgo County will have a computerized system with eligible indigents for the district, meaning that they do not have to travel to Hidalgo County, and that much could be done by way of referral and that the clients could be enrolled in the system in Hidalgo County.

Commissioner Garza stated that presently the program was operated through the Department of Health and that it was his understanding was that there would be an office in Hidalgo County and an office in Cameron County, which would not be an intake office. He asked where the intake would occur.

Dr. Villas responded that the enrollment office would be housed in the Hidalgo County Office, and he explained that the objective was to provide services as close as possible to where they live.

Commissioner Garza stated that the operational plan does not mention the health department was doing the intake for the Health Service District and that he had a flow chart produced yet within the plan it only exists for Hidalgo County.

Dr. Villas stated that this was because that was where the computerized system would be located.

Commissioner Garza stated that the operation plan mentions transportation to said location and expressed concern with Brownsville residents having to travel to Hidalgo County to get qualified for the program.

Dr. Villas stated that this was not the intent. He stated that the facility in Cameron County would have specialty clinics and that Hidalgo County residents will travel here for specialty care.

Mrs. Yvette Salinas, Health and Human Services Director, stated that they were still working on all the details and that the idea was to have a regional approach, adding that no one wants for Cameron County residents to travel to Hidalgo County to become eligible for the program. She stated that there were various things not listed in the operating plan, such as the call center, which was only listed for the Hidalgo County facility that has an eligibility component for the WIC Program.

Commissioner Garza stated that there was no identification of that component for Cameron County.

Dr. Villas stated that making no mention of the call center does not mean that it was not the intent.

Commissioner Tamayo questioned if there would then be some refinement.

Dr. Villas responded that some refinement would be done since this has been a learning process for everybody and that the bottom line was that they want the better thing for the people.

Commissioner Tamayo commented that the 27% percent mention with regards to the number of rural colonias for the region seems low.

Mr. Remi Garza, County Administrative Assistant, stated that the idea that the county was loosing money or that something that the county deserves was being taken away was looking at this the wrong way because State had really allocated \$16 million for the facilities for which the committee has already met and determined the size and scope of services to be provided at the facility and the total cost was less than the \$16 million, thus the excess amount was what was being reallocated out. He added that it was not as if Cameron County was getting less than what it need, but rather it was getting exactly what it needs.

Judge Hinojosa noted that he disagreed with Mr. Garza's statement. He explained that Cameron County had \$16.5 allocated for the project from which State reprogrammed \$6 million because they wanted to do it, although it was not known if it was done because there was a delay. Judge Hinojosa stated that his position was that the county must move forward and try to address the issues that the Health Service District was intended to address. He stated that he has met many times with the indigent healthcare providers from Cameron County to discuss their needs in the area of indigent healthcare, and explained that there has been a conflict from the very beginning on what Cameron County wants to do on the Health Service District and what the HSD Board wants to do with the area health clinics, adding that his understanding was that said conflict overlapped into Hidalgo County. Judge Hinojosa stated that there were discussions and arguments that ended up putting great strains on some friendships, yet to their satisfaction he saw the light and believes that they are right. He stated that the big issue in Cameron County with the delivery of indigent healthcare was the inability to provide sufficient sub-specialty care to the people in our community. Judge Hinojosa stated that the county was running out of indigent healthcare funds because they were not utilizing said funds efficiently to provide the sub-specialty care needed because it did not have the ability to provide the direct service, thus it was being provided contracts. He stated that community health clinics can provide primary healthcare throughout the community effectively if the patients went there, and that the problem was that once the healthcare being provided reached a certain point there was no where else that they could go to, except if they qualified through the indigent healthcare program, yet even then the money ran out quickly. Judge Hinojosa stated that the consensus among the people who are directly involved in indigent healthcare in our community was

to focus on sub-specialty care. He stated that the new clinic was supposed to provide sub-specialty care and that the fortunate thing was that it was located in Cameron County. Judge Hinojosa stated that he was certain that the details would be worked out, that he was not worried about that, but rather that the clinics are set up in a way that ensure that as much as possible sub-specialty care is delivered to those who qualify under the Indigent Program and to those that lack health insurance. He stated that he was very up set at the Health Service District because things were not moving fast, but he believed that the Operational Plan prepared by them was what it is really needed, noting that he was very impressed with it. Judge Hinojosa stated that the biggest problem for physicians in treating poor people was managing the patients and that the way that the HSD was proposing to manage the information was a “good move on your [your] part.” He congratulated the HSD and Dr. Villas, and expressed his full support.

Dr. Villas stated that it was important to be unified and to pull for the people of the Rio Grande Valley. He stated that any disagreements could be discussed and that it was important to present a unified front for what is being done for the people. Dr. Villas commented that a group of volunteers assigned to a task that had no model and that they have to answer to so many, adding that they were now moving forward. He stated that the Operational Plan was flexible. He stated that two facilities would be built in the Rio Grande Valley for the Health Service District. Dr. Villas praised Mrs. Salinas and her team for the work they have done for the Health Service District.

Commissioner Tamayo suggested that Dr. Villa not give in so easily when funding is taken away.

Commissioner Benavides agreed and noted the need to let state know that Cameron County is hurting for that money.

Commissioner Garza commented that the \$2.5 million were spent on a facility that has been scrapped and will not be used in San Antonio at the expense of service to Cameron County residents.

Commissioner Tamayo stated that the \$6 million that were pulled was not money that Cameron County did not have, that Cameron County did have the \$6 million, and that they were pulled from it.

Dr. Villas commented that the Board fought tooth and nails for the funding, and noted the need to not forget what has happened in order to be ready for other fights to come.

Commissioner Garza noted the need for Cameron County residents and Hidalgo County residents have access to the entry system into the program locally.

Commissioner Wood stated that Cameron County was interested in serving indigent patients and not in spending money on overhead instead in splitting the money where it belongs in order to take care of the people that need the service, adding that the plan should do so.

Dr. Villas stated that the business of the Health Service District was to represent the people in the Rio Grande Valley because if there was a division then conflict would arise, thus Cameron County must represent the people from Mission and vice versa.

Judge Hinojosa stated that Cameron County has been and continues to be strongly supportive of a concept of a Regional Health Service District, never having a descending vote. He hoped that Dr. Villas could take the message to Hidalgo County that there was a need to move together and to put politics aside.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Rio Grande Valley Health Services District Operational Plan was approved.

**The Plan is as follows:**

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(5) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE CAMERON COUNTY DISTRICT CLERK'S OFFICE TO COLLECT A CONVENIENCE FEE IN THE AMOUNT OF \$2.00 TO RECOVER COSTS INCURRED THROUGH USING TEXAS ONLINE FOR THE ELECTRONIC FILING OF DOCUMENTS PURSUANT TO TEXAS GOVERNMENT CODE 2054.111(E). (ADLG-DISTRICT CLERK)**

Commissioner Benavides moved that the Cameron County District Clerk's Office be authorized to collect a convenience fee in the amount of \$2.00 to recover costs incurred through using Texas Online for the Electronic Filing of documents pursuant to Texas Government Code 2054.111(E).

The motion was seconded by Commissioner Tamayo.

Mrs. Aurora De La Garza, District Clerk, informed that her office was very excited because they were the fifth District Clerk's Office in the State of Texas to be selected by the Supreme Court. She added that will begin service on Monday, April 25, 2005. Mrs. De La Garza recognized Mr. Eric Garza, Criminal Department Supervisor, for assisting with the implementation of the project, noting that Cameron County should be very proud that it was ahead of Austin, Houston and a lot of the bigger Counties.

Commissioner Garza asked what would happen to the money collected.

Mrs. De La Garza responded that revenue obtained by the fee being recommended state-wide, \$2.00, would go into the General Fund.

Commissioner Garza asked how many filings were anticipated annually.

Mrs. De La Garza responded that this figure was not known because although a well attended meeting was held many attorneys had yet to sign up for the service.

Commissioner Garza expressed his concern to be that the \$2.00 fee would cost more that the fee associated with collecting it.

Mrs. De La Garza stated that a request to increase the fee could be presented upon problems being encountered.

Commissioner Benavides moved that the Cameron County District Clerk's Office be authorized to collect a convenience fee in the amount of \$2.00 to recover costs incurred through using Texas Online for the Electronic Filing of documents pursuant to Texas Government Code 2054.111(E).

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Report is as follows:**

## **SUPPLEMENTAL CONSENT ITEM**

**(1) 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**

**(11) APPROVAL OF CLAIMS**

At this time, Mr. Armando Villalobos, District Attorney, presented donations to the Harlingen Boys & Girls Club, the End of the Road Ministry, and the Palmer Drug Abuse Program. He explained that the donations were funded through Forfeiture Funds that could be given back to the community for drug treatment and rehabilitation. Mr. Villalobos stated that there was not a set budget but he hoped that the same could be done twice a year based on the amount of seizures made.

Judge Hinojosa stated that he has been here eleven years and that this was the first year that a District Attorney has come forward and donated Forfeiture Funds to programs that benefit the community, thus he congratulated Mr. Villalobos.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the donation of Forfeiture Funds to the Harlingen Boys & Girls Club, the End of the Road Ministry, and the Palmer Drug Abuse Program was authorized as per V.T.C.A Code of Criminal Procedure Article 59.06 and the Claims were approved.

## **PRESENTATIONS**

**(2) PRESENTATION OF SECOND QUARTER REPORT FOR THE INTERNATIONAL BRIDGE SYSTEM (PS-DEPT. OF TRANSPORTATION)**

Mr. David Garcia, Department of Transportation Assistant Director, presented and highlighted the Second Quarter Report for the International Bridge System. He reported that pedestrian traffic had decreased at Gateway Bridge International Bridge

Judge Hinojosa explained that the decrease in crossings was because of the violence occurring in northern Mexico.

Mr. Garcia reported a 13% increase in commercial traffic at Los Indios International Bridge, and that a new commercial warehouse was soon to come up.



Judge Hinojosa asked when this would happen.

Mr. Pete Sepulveda, Department of Transportation Director, stated that the process started four weeks ago and that the transition might be complete by June 2005. He stated they were working with the Mexican Customs because they did not have the necessary infrastructure to be able to take a lot of commercial traffic at one time.

Commissioner Garza stated that it was nice to see that the commercial traffic is increasing at both bridges.

Judge Hinojosa stated that Mexico recently passed a bill that prohibits Mexican trucking companies from getting a tax deduction for the purchase of any fuel within twenty-five miles from the border. He explained that this affects Cameron County because it has a concessionaire that has a fuel station at the Los Indios International Bridge and since December, only two trucks have fueled there. Judge Hinojosa explained the problem to be that these trucks, like all other commercial vehicle, do the most damage to our roads, which are paid for through fuel taxes. He stated that the Mexican vehicles were using our highways free because of the law that Mexico passed.

Mr. Francisco Sifuentes, County resident, stated that diesel was being purchased in Texas and that they have been in Austin trying to get the money back that belongs to Mexican carriers. He stated that he represents a Mexican transportation company that does purchase fuel in Texas.

Judge Hinojosa reiterated that very little fuel was being purchased within 25 miles of the border by Mexican Commercial traffic because of a bill recently passed in Mexico, and noted the need to do something about the matter because this was unfair and because everyone must pay their fair share for the use of those roads. He stated that it was too late to file any bills, yet this was something that needs to be addressed.

Commissioner Tamayo questioned the percentage of traffic in question.

Judge Hinojosa responded that this applies to all commercial traffic coming into Cameron County to deliver goods and to those going to the Port of Brownsville. He reiterated the need to review the matter, and added that Brady's Duty Free's total revenue was \$1.1 million, five percent of which goes to Cameron County.

Mr. Garcia stated that the total positive variance of \$175,000.00.

Commissioner Benavides moved that the Presentation of Second Quarter Report for the International Bridge System be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Report is as follows:**

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

Mr. Xavier Villarreal, Budget Officer, stated that five Reserve Park Ranger Positions were reflected in the Salary Schedules and that there was no funding requirement, other than the Work Compensation Insurance.

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:**

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(4) **APPROVAL OF MINUTES FOR:  
(A) FEBRUARY 15, 2005-REGULAR MEETING**

Commissioner Benavides moved that the Minutes of the Regular Meeting held February 15, 2005, be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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(7) **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, presented and highlighted the Legislative Report.

Mr. Mark Yates, County Auditor, requested that the Court adopt a resolution supporting legislation that dissolves a 5% cap on salary increases for assistant county auditors without court approval.

Judge Hinojosa expressed opposition and indicated that the court could be forced into providing higher salary increase upon this legislation being approved.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the adoption of a Resolution supporting SB 1067 to amend the Local Government Code Section 111.013, 111.044 and 111.074 to remove requirement of Commissioners Court approval for salary increases of 5% or greater for county auditors was **DENIED**.

**The Resolution follows:**

Mr. Garza requested adoption of a Resolution authorizing the Bond Sales for the Highway 48 Project, noting that the resolution would be prepared by Mr. David Garcia, Department of Transportation Assistant Director.

Commissioner Garza moved that the Resolution authorizing the Bond Sales for the Highway 48 Project be adopted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Resolution follows:**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Status Report by the County Judge's Office was acknowledged.

**The Report and Resolutions are as follow:**

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**(8) CONSIDERATION AND POSSIBLE ACTION REGARDING THE CREATION OF A CAMERON COUNTY FIRE MARSHALL/INSPECTION DIVISION UNDER THE DEPARTMENT OF EMERGENCY RESPONSE AND MANAGEMENT. (TH-EMERGENCY MANAGEMENT)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the creation of a Cameron County Fire Marshall/Inspection Division under the Department of Emergency Response and Management was approved.

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**(9) CONSIDERATION AND POSSIBLE APPROVAL OF AN AGREEMENT BETWEEN THE U.S. BORDER PATROL AND CAMERON COUNTY FOR THE CONSTRUCTION AND MAINTENANCE OF A MEMORIAL AT THE LOS INDIOS BRIDGE HONORING BORDER PATROL MEMBERS WHO HAVE LOST THEIR LIVES IN SERVICE. (ET-COMM. PCT 4)**

Commissioner Tamayo moved that contract negotiation between the U.S. Border Patrol and Cameron County for the construction and maintenance of a memorial at the Los Indios Bridge honoring Border Patrol Members who have lost their lives in service be authorized.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(10) CONSIDERATION AND AUTHORIZATION FOR ROBERTO J. RUIZ, PROJECT ARCHITECT, TO PROCEED WITH THE DANCY BUILDING SITE DESIGN AND DEVELOPMENT PHASE. (FB-PD & M)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, Roberto J. Ruiz, Project Architect, was authorized to proceed with the Dancy Building site design and development phase.

## 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**

Commissioner Benavides moved that the "Travel and Consent Items" be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

ITEM NO. 17: Commissioner Wood informed that a special meeting would be held Monday April 25, 2005, at 6:30 p.m. at the Los Fresnos High School Gymnasium concerning the proposed landfill site east of Los Fresnos. Mr. Doug Wright, Commissioners Court Legal Counsel, clarified that the finding to hold the meeting at a different location was determined due to the amount of people expected to attend.

ITEM NO. 10: Mr. Doug Wright, Commissioner's Court Legal Counsel, requested that this item be to allow the committee to meet.

- (11) **APPROVAL OF CLAIMS. (ACTION TAKEN SEPARATELY)**
- (12) **AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 25.25 (C) OF THE TEXAS PROPERTY TAX CODE TO: JOSE A. ALVAREZ. (TY-TAX ASSESSOR-COLLECTOR)**
- (13) **APPROVAL OF A POINT OF SALE REMOTE STICKER PRINTING SYSTEM (RSPS) AGREEMENT WITH; A & V LOPEZ SUPERMARKET #2 (BROWNSVILLE), LOPEZ SUPERMARKET (BROWNSVILLE), HEB FOOD STORE #2 (BROWNSVILLE), HEB FOOD STORE #3 (BROWNSVILLE), HEB FOOD STORE #4 (BROWNSVILLE), HEB FOOD STORE #5 (BROWNSVILLE), HEB FOOD STORE #2 (HARLINGEN), HEB FOOD STORE #3 (HARLINGEN), HEB FOOD STORE #4 (HARLINGEN), HEB FOOD STORE #1 (SAN BENITO), A & V LOPEZ SUPERMARKET (LOS FRESNOS), AND HEB FOOD STORE #383 (PORT ISABEL) FOR EQUIPMENT USED BY LIMITED PURPOSE SUBCONTRACTORS, THROUGH THE CAMERON COUNTY TAX-ASSESSOR COLLECTOR'S OFFICE AND THE TEXAS DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE AND TITLE REGISTRATION DIVISION. (TY-TAX ASSESSOR-COLLECTOR)**
- (14) **APPROVAL OF A POINT OF SALE REMOTE STICKER PRINTING SYSTEM (RSPS) AGREEMENT WITH CARDENAS MOTORS INC., LUKE FRUIA MOTORS, TIPOTEX CHEVROLET INC. AND DON JOHNSON MOTORS INC. FOR EQUIPMENT USED BY DEALER TITLE APPLICATION PROCESS (DTA) USERS, THROUGH THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE AND THE TEXAS DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE AND TITLE REGISTRATION DIVISION. (TY-TAX ASSESSOR-COLLECTOR)**
- (15) **AUTHORIZATION FOR THE DISTRICT ATTORNEY'S OFFICE TO SUBMIT A GRANT APPLICATION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION JUVENILE ACCOUNTABILITY BLOCK GRANT FOR THE JUVENILE SPEEDY TRIAL PROJECT (JSTeP) AND ADOPTION OF A RESOLUTION AUTHORIZING COUNTY JUDGE, GILBERTO HINOJOSA, TO ACT AS AUTHORIZED OFFICIAL. (RG-DA)**  
**The Information is as follow:**

- (16) **AUTHORIZATION FOR THE DISTRICT ATTORNEY'S OFFICE TO SUBMIT A GRANT APPLICATION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FOR THE STOP TEEN OFFENDER PRE-SEXUALIZATION PROJECT (STOPS) AND ADOPTION OF A RESOLUTION AUTHORIZING COUNTY JUDGE, GILBERTO HINOJOSA, TO ACT AS AUTHORIZED OFFICIAL. (RG-DA)**  
**The Information is as follow:**
- (17) **POSSIBLE APPROVAL OF ALTERNATE MEETING LOCATION OF LOS FRESNOS HIGH SCHOOL GYMNASIUM FOR THE PURPOSE OF CONDUCTION A WORKSHOP CONCERNING A SOLID WASTE DISPOSAL FACILITY IN CAMERON COUNTY FOR THE REASON THAT THE ANTICIPATED ATTENDANCE WILL EXCEED THE SEATING CAPACITY OF THE REGULAR MEETING LOCATIONS OF THE COMMISSIONERS' COURT AND THE LOS FRESNOS INDEPENDENT SCHOOL DISTRICT. (DW-LEGAL)**
- (18) **POSSIBLE APPROVAL OF PUBLICATION OF SALE (SEE ATTACHED NOTICE) INCLUDING THE MINIMUM BID OF \$84,000.00. (DW-LELGAL)**
- (19) **AUTHORIZATION TO UTILIZE TEXAS BUILDING AND PROCUREMENT COMMISSION STATE OF TEXAS PURCHASING AGREEMENT CONTRACT #700-55 FOR THE PURCHASE OF OFFSET PRESS – A.B. DICK. (LP-REPRODUCTION)**
- (20) **APPROVAL OF THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUBMIT A GRANT RENEWAL APPLICATION FOR IMMUNIZATION SERVICES WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES. (YS-HEALTH)**
- (21) **APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES (CCDHHS) AND MARIA RAMOS FOR THE PROVISION OF JOB SKILLS EDUCATIONAL ENRICHMENT SERVICES. (YS-HEALTH)**
- (22) **AUTHORIZATION TO PURCHASE SECURITY ENHANCED HANDGUNS FOR THE COURTHOUSE SECURITY AND COURTROOM BAILIFFS AND FOR ALL LAW ENFORCEMENT OFFICERS HEADQUARTERED IN THE JUDICIAL COURTHOUSE AND TO FUND PURCHASE THROUGH THE COUNTY'S EQUIPMENT LIST AND MASTER LEASE FINANCING PROCEDURES. (MY-AUDITOR)**
- (23) **AUTHORIZATION FOR PD & M DEPARTMENT TO CONDUCT A PUBLIC HEARING ON MAY 4, 2005 FOR THE 2005-2006 TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**
- (24) **CONSENT TO PURCHASE HP OPENVIEW LICENSE'S UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)**
- (25) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/ RFP'S / RFQ FOR: (MF-PURCHASING)**  
 (A) **POSSIBLE DEVELOPMENT OF A RESTAURANT / BAR, HOTEL / MOTEL AND / OR FAMILY RECREATIONAL FACILITY ON CAMERON COUNTY PROPERTY LOCATED WITHIN THE ANDY BOWIE PARK ON SOUTH PADRE ISLAND, ADJACENT TO BEACH ACCESS #3 IN CAMERON COUNTY, TEXAS – RFP #050302**  
 (B) **ROAD MATERIALS: EMULSION OILS – ANNUAL BID #2540**
- (26) **AUTHORIZATION TO RENEW THE FOLLOWING BIDS / RFP'S: (MF-PURCHASING)**  
 A. **BUILDING SUPPLIES: CARPENTRY MATERIALS – ANNUAL BID #2000 TO SOUTH TEXAS MOULDING**  
 B. **AUTOMOTIVE: BATTERIES – ANNUAL BID #1980 TO CONTINENTAL BATTERY**
- (27) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP'S / RFQ FOR: (MF-PURCHASING)**

**A. PEST CONTROL SERVICES – ANNUAL BID #1600 TO SAFEGUARD**

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## **TRAVEL ITEMS**

- (28) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (A) COUNTY COURT AT LAW JUDGE NO. 3, TO TRAVEL TO AUSTIN, TX, ON 5/3-6/05, TO ATTEND THE TEXAS COLLEGE FOR JUDICIAL STUDIES-SPECIALTY.
  - (B) COMMISSIONER PRECINCT 3, TO TRAVEL TO AUSTIN, TX, ON 4/6/05, TO ATTEND THE INTERGOVERNMENTAL RELATIONS COMMITTEE HEARING.
  - (C) DIRECTOR OF DEPARTMENT OF TRANSPORTATION, ASSISTANT DIRECTOR, COMMISSIONER PCT 2, AND COMMISSIONER PCT. 3, TO TRAVEL TO AUSTIN, TX, ON 4/12-13/05, TO ATTEND MEETING ON LEGISLATION REGARDING RAIL RELOCATION AND TO ATTEND THE TRANSPORTATION SUMMIT.
  - (D) TAX OFFICE EMPLOYEES (3), TO TRAVEL TO EDINBURG, TX, ON 5/2-6/05, TO ATTEND COURSE #8 (ASSESSMENT AND COLLECTION).
  - (E) COUNTY JUDGE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 4/17-21/05 AND 4/24-29/05 TO ATTEND MEETINGS DURING THE 79<sup>TH</sup> LEGISLATIVE SESSION.
  - (F) PRECINCT 5 DEPUTY CONSTABLES (4), TO TRAVEL TO CORPUS CHRISTI, TX, ON 5/10-13/05, TO ATTEND 20 HRS CIVIL PROCESS SEMINAR.
  - (G) COUNTY EXTENSION AGENT, TO TRAVEL TO OKLAHOMA CITY, OK, ON 5/16-20/05, TO ATTEND THE E-COMMERCE/ENTREPRENEURSHIP TRAINING.
  - (H) PD & M CD COORDINATOR, TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 4/22/05, TO ATTEND APPLICATION WORKSHOP FOR 2005-2006 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA CONSTRUCTION FUND.
  - (I) HUMAN RESOURCES DIRECTOR, TO TRAVEL TO AUSTIN, TX, ON 8/10-12/05, TO ATTEND THE 2005 TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE.
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## **EXECUTIVE SESSION**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:29 A.M. to discuss the following matters:

**(30) EXECUTIVE SESSION:**

- (A) Confer With Commissioners' Court Legal Counsel Concerning Cameron County Vs. Faulkner, Usa Formerly Known As Landmark, Pursuant To 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 V.T.C.A. Government Code, Section 551.071(2).
  - (C) Confer With Commissioners' Court Legal Counsel On Legal Issues Regarding Certain Tax Abatement Agreements Approved By Cameron County, On Matters In Which The Duty F 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 V.T.C.A. Government Code, Section 551.071(2).
  - (D) Confer With Commissioners' Court Legal Counsel Concerning Claim Of Raul Garza, Jr., M.D., Pursuant To V.T.C.A. Government Code, Section 551.071(A) & (2).
  - (E) Confer With Commissioners' Court Legal Counsel Concerning Vicenta Cantu; Felix R. Munoz, Ruth Weaver And Diamantina Alvarez Vs. Cameron County And Tony Yzaguirre, Jr.; Civil Action No. B-03-096 In The United States District Court, For Discussion On Status Of Case And Authorization Of Civil Division To Substitute As Attorney For Cameron County, Pursuant To V.T.C.A. Government Code, Section 551.071(1)(A)&(2).
  - (F) Confer With Commissioners' Court Legal Counsel Concerning Armandina Garcia, A & J Retailers Vs. Omar Lucio, Individually, And As Sheriff Of Cameron County And Cameron County In The 107<sup>th</sup> District Court; Cause No. 2005-04-1934-A, For Authority To Represent Cameron County, Pursuant To V.T.C.A. Government Code, Section 551.071(A)&(2).
  - (G) 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 V.T.C.A. Government Code, Section 551.071 (2).
  - (H) Confer With Commissioners' Court Legal Counsel Concerning Possible Claim Involving The Public Works Department, 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 V.T.C.A. Government Code, Section 551.071(2).
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**(30) ACTION RELATIVE TO EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 12:10 P.M. to discuss the following matters:

- (A) In the matter regarding confer With Commissioners' Court Legal Counsel Concerning Cameron County Vs. 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. (TABLED)**

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

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- (C) Confer With Commissioners' Court Legal Counsel On Legal Issues Regarding Certain Tax Abatement Agreements Approved By Cameron County, On Matters In Which The Duty F 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 Garza, Seconded By Commissioner Tamayo And Carried Unanimously.

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- (D) Confer With Commissioners' Court Legal Counsel Concerning Claim Of Raul Garza, Jr., M.D. (TABLED)**

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

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- (E) Confer With Commissioners' Court Legal Counsel Concerning Vicenta Cantu; Felix R. Munoz, Ruth Weaver And Diamantina Alvarez Vs. Cameron County And Tony Yzaguirre, Jr.; Civil Action No. B-03-096 In The United States District Court, For Discussion On Status Of Case And Authorization Of Civil Division To Substitute As Attorney For Cameron County.**

Upon Motion By Commissioner Tamayo, Seconded By Commissioner Wood And Carried Unanimously.

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- (F) Confer With Commissioners' Court Legal Counsel Concerning Armandina Garcia, A & J Retailers Vs. Omar Lucio, Individually, And As Sheriff Of Cameron County And Cameron County In The 107<sup>th</sup> District Court; Cause No. 2005-04-1934-A, For Authority To Represent Cameron County.**

Upon Motion By Commissioner Benavides, Seconded By Commissioner Garz And Carried Unanimously.

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- (H) **Confer With Commissioners' Court Legal Counsel Concerning Possible Claim Involving The Public Works Department, 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 Garza, seconded by Commissioner Wood and carried unanimously, the status report by Mr. Pete Sepulveda, Department of Transportation Director, was acknowledged.

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- (G) **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.**

Upon Motion By Commissioner Wood, Seconded By Commissioner Tamayo And Carried Unanimously. Change to Red River K was approved.

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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 12:16 P.M.

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**APPROVED** this 28<sup>th</sup> day of **June 2005**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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