

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 27th day of April 2005, there was conducted a SPECIAL 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:

PRESENT:

9:30 A.M.

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

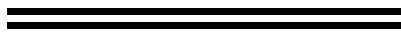
DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:



The meeting was called to order by Judge Hinojosa at 9:33 A.M. He 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 22, 2005, at 2:45 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

PRESENTATIONS

(2) **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:

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- (3) **APPROVAL OF MINUTES FOR:**
A. **FEBRUARY 22, 2005-REGULAR MEETING**
B. **MARCH 1, 2005-REGULAR MEETING**

Commissioner Tamayo moved that the Minutes of the Regular Meeting held March 1, 2005, be approved, and that the Minutes of the Regular Meeting held February 22, 2005, be **TABLED**.

The motion was seconded by Commissioner and carried unanimously.

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

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Cameron County Clerk's Office was authorized to collect a convenience fee in the amount of \$2.00 to recover costs incurred through using Texas Online for electronic filing of documents, pursuant to Texas Government Code 2054.111(E).

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- (5) **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 reported that the Legislature passed the 5% revenue cap and that all Valley Legislators voted against the matter, except for a Representative from Starr County. He stated that SB 3485, regarding the Criminal Hearing Officer was past the consent and calendar committee and would be before the Senate soon after. Judge Hinojosa informed that he met with several legislators regarding the Health Services District, who continue to fight to regain the \$6 million that have not been lost yet, adding that what was to happen on the matter remains to be seen.

Commissioner Garza informed that the Bond Review Board was scheduled to meet Friday morning at 10:00 a.m., and that they were invited to attend a meeting in Austin for a press conference with a group that has been very involved in transportation issues, yet it was cancelled at the request of the governor until after April 29,

2005. He hoped that this was a sign that things were worked out and that the bond was sold in order to proceed with the project delayed in Cameron County.

Judge Hinojosa stated that he met with Transportation Committee Chairman Mike Krusee concerning possible funding for operations for the Regional Mobility Authority (RMA). He explained that he would respond to a letter sent by the Chairman, in addition to discussing possible matches to TXDOT funds for operations of the RMA, with the understanding that the county's share may include possible reimbursement based on individual projects.

Mr. Pete Sepulveda, Department of Transportation Director, informed that nine projects were identified, all having right-of-way, having or in the process of being engineered by TXDOT. He added that Pass Through Toll (PTT) Applications were being prepared for these projects at a total of \$24 million. He stated that TXDOT informed him that there was a possibility that PTT projects might also be delayed because of the situation with the Bond Review Board and maybe not considered by the Highway Commission. Mr. Sepulveda stated that they would be able to proceed with the projects upon everything going well on Friday and that doing so would free up another \$24 that TXDOT may use to fund other potential projects. He stated that the railroad legislation should be by the legislature, thus relative information would be provided to the court.

Commissioner Garza suggested that a report be requested from Mr. Chuck Rise regarding the work done since he was hired by the county as a consultant for possible acquisition of operating funds for the RMA.

Commissioner Garza moved that the Status Report regarding the Cameron County Legislative Agenda be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Report is as follows:

(6) CONSIDERATION AND POSSIBLE ACTION REGARDING THE POSSIBLE ASSIGNMENT OR REASSIGNMENT OF INCOMING NEW AND/OR SURPLUS COUNTY VEHICLES (RG-COUNTY JUDGE)

Commissioner Garza asked if changes were being made to the vehicle equipment list approved by the Court.

Mr. Xavier Villarreal, Budget Officer, responded negatively, and explained that a request was presented by the Sheriff's Department.

Judge Hinojosa stated that a new four wheel drive vehicle was needed for the Arson Investigator, thus representing reassignment of vehicles.

Commissioner Tamayo questioned who would not get a vehicle due to the changes.

Mr. Lee Lozano, Vehicle Maintenance Supervisor, explained that Mr. Remi Garza, County Administrative Assistant, requested the reassignment the 2005 Dodge from Constable Precinct No. 5 to the newly created Fire Marshall Division.

Commissioner Garza commented that the vehicle should be given to the department for whom it was approved.

Judge Hinojosa questioned the need for a four wheel drive vehicle for Constable Precinct 5 since most of its jurisdiction falls within city limits. He stated that said office refused to assist in transporting mental patients to MHMR after requested by his office.

Mr. Ernest Barajas, Deputy Constable Precinct 5, indicated that all constables have a pick-up truck and that he felt that their office should not be penalized.

Judge Hinojosa asked if a car could be provided instead of the four wheel drive truck.

Deputy Barajas responded that two vehicles were expected in exchange for two vehicles that were turned in. He explained that part of their jurisdiction within the City of Harlingen floods, thus a larger vehicle would be a very useful tool for the department, and added that they did not request the truck, but rather they were told, by the Auditor's Office, that each Constables' Office must have a truck.

Mr. Villarreal explained that the Constable's Office requested two four wheel drive, four door pick-up trucks and that the Court approved one car and one pick-up truck, adding that there was a need to replace two vehicles.

Judge Hinojosa suggested that the four wheel drive pick-up truck be assigned to Emergency Management, and asked if other vehicles were available within the county fleet.

Mr. Lozano responded in the affirmative.

Deputy Barajas expressed opposition to getting used vehicles.

Judge Hinojosa asked if Mr. Lozano could provide the Constable's Office replacement vehicles that are in good conditions.

Mr. Lozano responded in the affirmative.

Judge Hinojosa suggested that one used vehicle and one new car be provided.

Commissioner Wood asked what type of vehicles were available.

Mr. Lozano responded that the vehicles available ranged between 1999 and 2001 models.

Commissioner Garza commented that the Constable's Office should not be penalized because of recent planning.

Commissioner Tamayo asked if equipment was ordered for the four wheel drive truck.

Deputy Barajas responded that equipment was purchased specifically for the truck from within his budget.

Commissioner Garza suggested that another truck be purchased.

Judge Hinojosa asked if funding was available.

Mr. Villarreal responded that the truck could be added to the equipment list and that doing so would affect next fiscal year's budget.

Commissioner Tamayo asked if Constable Gonzalez was given notice that the truck would not be provided.

Deputy Barajas responded negatively, and indicated that getting a truck was preferred, and that it was not fair for them to not get the truck.

Judge Hinojosa agreed that it might not be fair that Constable Gonzalez not get his truck, yet it was not fair to other constables and to the Sheriff's Department that Constable Gonzalez was not willing to help on things requested of him. He explained that constable's response to a request was that the County Judge's Office was not going to tell them what to do and that they were going to do what they want to do. Judge Hinojosa stated that every constables' office in the county was willing to help except for Constable Precinct No. 5. He explained that a proposal was developed after the Sheriff's Department requested assistance in transporting mental patients to MHMR centers due to insufficient budget. Judge Hinojosa added that the proposal requires that constables rotate one week a month to transport mental patients to treatment centers.

Deputy Barajas explained that their response was that they would take care of mental patients within their precinct.

Mr. Jared Hockema, Emergency Management Assistant Director, stated that the request consisted of serving the whole county on a rotating basis.

Judge Hinojosa stated that all constable departments and the Sheriff's Department were coordinating to transport the mental patients and that Constable Precinct No. 5 was uncooperative at this time and during hurricanes, yet now it was requesting a vehicle.

Commissioner Tamayo requested clarification as to the specific request made of Constable Gonzalez and who the meeting was held with.

Mr. Hockema responded that the request was mainly to transport mental patients during the day and sometimes during the night, and that he was supposed to meet with Constable Gonzalez but he met with the deputies in his place, noting that the deputies expressed displeasure and opposition to the proposal. He stated that it was requested that Constable Gonzalez call Judge Hinojosa or Mr. Hockema and that eventually he did.

Commissioner Garza stated that he invited Constable Gonzalez to attend the meeting.

Commissioner Tamayo asked if the deputies received instructions from the constable or if they took it upon themselves to do this.

Deputy Barajas responded that they were advised by the Constable because they only have five employees to the department.

Mr. Hockema noted that most transportation of mental patients pertains to patients within the constable's jurisdiction.

Commissioner Tamayo questioned the number of vehicles in the department.

Deputy Barajas responded that there were four deputies and the constable, thus they were lacking one unit.

Commissioner Garza questioned why two units were turned in when they only have one unit.

Deputy Barajas stated that two vehicles were turned in because they were expecting replacements.

Commissioner Tamayo asked what vehicles were available.

Mr. Lozano responded that one of the vehicles turned in by the constable was available.

Mr. Hockema stated that savings, in the amount of \$5,000.00, might be available annually from the Department of Emergency Management to possibly finance a vehicle.

Commissioner Tamayo stated that the \$5,000.00 worth of equipment was already available from the Constable's Office.

Mr. Hockema stated that the \$5,000.00 could finance a 2005 Crown Victoria for Constable Precinct No. 5.

Judge Hinojosa asked if the car would be purchased and traded for the four wheel drive vehicle.

Mr. Hockema responded in the affirmative.

Commissioner Garza responded that he had no problem doing this.

Judge Hinojosa noted that he had no problem doing this, because he does not believe that the Constable's Office has a need for a four wheel drive truck.

Commissioner Garza noted that the message must be that the Court wants cooperation.

Judge Hinojosa reiterated that there has been no cooperation from the Constable's Office in the past.

Deputy Barajas questioned how they are to cooperate if they do not have a vehicle.

Judge Hinojosa stated that everyone working during the hurricane did not get any cooperation from Constable Precinct No. 5. He stated that the constable's office they opposed working with his office in transporting of mental patients even after the court went out of their way to fund two additional positions.

Commissioner Tamayo asked if the deputy was satisfied with the car instead of the truck and if they would make every possible effort to work with the Commissioners and the County Judge.

Deputy Barajas responded in the affirmative.

Commissioner Tamayo requested that Constable Gonzalez come before the Court since he should be here if this was top priority.

Commissioner Garza stated that he was very explicit in requesting that Constable Gonzalez be present during the meeting to defend his request.

Judge Hinojosa suggested that one vehicle be returned to the Constables Office until the new vehicle arrives.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the transfer of a four wheel drive pick-up truck to the Emergency Department be authorized, with the understanding that a 2005 Crown Victoria would be added to the equipment list and funded thru additional revenue from Fire Marshal.

Commissioner Benavides stated that the Health Department requested two vehicles, regardless of year and model, and suggested that they be given first priority.

Mr. Villarreal explained that the majority of the vehicles approved in the equipment list were replacement vehicles. He stated that there were requests for vehicles within Items No. 7 and No. 6.

(7) CONSIDERATION AND AUTHORIZATION TO APPROVE A TRANSFER OF USED CAMERON COUNTY SHERIFF'S OFFICE FLEET OF VEHICLES TO CAMERON COUNTY JUVENILE PROBATION DEPARTMENT FOR THE 3RD SURVEILLANCE TEAM OF THE JUVENILE PROBATION DEPARTMENT (TR-JUVENILE)

Judge Hinojosa asked how many vehicles were available and if they had been replaced.

Mr. Lozano responded that ten vehicles were available to be sold at the auction and that they had all been replaced.

Judge Hinojosa stated that a maintenance and operation budget was in place for vehicles purchased, but not for vehicles to be sold.

Mr. Xavier Villarreal, Budget Officer, explained that the proposal was to provide two vehicles to two individuals who are provided auto allowance and to reprogram said allowance for maintenance and operations of the same. He added that the Sheriff's Department was requesting to keep six vehicles as part of a reserve fleet and that said vehicles would be parked unless needed as replacements.

Judge Hinojosa asked Chief Reyna if he agreed that a maintenance and operations budget would not be needed for the six vehicles if kept and that needed funds could be identified within the Sheriff's Department budget.

Mr. Mark Yates, County Auditor, noted the need to have insurance on the vehicles.

Chief Gus Reyna, Sheriff's Department, responded that an attempt could be made to identify the funding; however, there was not much funding within the budget.

Commissioner Garza questioned the average cost of fuel and maintenance per vehicle.

Mr. Villarreal responded that the cost could be approximately \$3,000.00 per year.

Chief Reyna indicated that any of the six vehicles would be used as a replacement only in the event of an accident.

Judge Hinojosa clarified that the vehicles would be parked unless needed as replacements, thus questioned if it was fair to say that the only associated cost pertains to insurance, that being \$1,800.00.

Mr. Yates responded in the affirmative, and added that there would be minor repairs to the vehicles.

Mr. Villarreal stated that another vehicle would be transferred to the Fire Marshal Division within the Emergency Management Department.

Judge Hinojosa asked if there was maintenance and operation funds available for that.

Mr. Jared Hockema, Emergency Management Assistant Director, responded in the affirmative.

Commissioner Garza questioned the number of vehicles assigned to the Department of Emergency Management.

Mr. Hockema responded that one vehicle was assigned to the department.

The clarification was made that two vehicles were assigned to the County Judge's Office although marked "Emergency Management Department."

Judge Hinojosa clarified that there was a total of seventeen vehicles to be replaced of which the Sheriff's Department was wanting to keep six.

Mr. Roger Ortiz, Elections Administrator, requested to keep a vehicle, previously borrowed from the Vehicle Maintenance Department.

Mr. Tommy Ramirez, Juvenile Probation Department, requested one vehicle to expand a program already in place and noted that funds were already available for maintenance and operations, adding that fuel cost have been reduced by using the facility to the maximum.

Judge Hinojosa questioned the amount of revenue that was to be generated from the sale of the vehicles.

Mr. Yates responded that based on history the county receives about \$2,500.00 in revenue per vehicle.

Judge Hinojosa summarized that six vehicles were being requested by the Sheriff's Department, one vehicles by the Elections Department, one vehicle by the Juvenile Department, two by the Health Department and one by the Fire Marshall Division.

Mr. Villarreal explained that only six vehicles were being requested by the Sheriff's Department, two for the Fire Marshals, a van for the Elections Department, one vehicle by the Juvenile Department, and two requested by the Health Department.

Judge Hinojosa asked if the Health Department could do with one vehicle and if the Sheriff's Department could do with four vehicles.

Chief Reyna responded that they could do with five vehicles.

Mrs. Yvette Salinas, Department of Health & Human Services Director, responded that they could probably do with one vehicle but they would have to keep the auto allowance for the second employee, adding that they prefer having a county vehicle due to the daily duties that the employees have out in the field.

Mr. Lozano noted that the vehicles in question do have high mileage and expressed concerns with the departments requesting replacement vehicles next year.

Commissioner Benavides noted the need to properly maintenance vehicles in order to extend their life span.

Mr. Javier Mendez, Parks & Recreations Department Director, suggested that the vehicle under the Department of Transportation used for Property Management be transferred over to his department since they were possibly wanting to do away with it.

Mr. Pete Sepulveda, Department of Transportation Director, explained that the truck in questioned belongs to the County Airport Division and that its value must be replaced to the airport fund since it is an enterprise fund. He added that another truck would soon be available within the Bridge System because a replacement was expected within the next couple of days.

Judge Hinojosa suggested that the Health Department be given the truck from the Bridge System and that the Parks & Recreations Department purchase the truck from the County Airport Division.

Commissioner Garza moved that the Sheriff's Department be authorized to keep five surplus vehicles and that funding for insurance cost be identified from within the department, that the Juvenile Department be authorized to keep one additional vehicle and that maintenance and operation be funded from within their department, that the Department of Health & Human Services be authorized to keep one car and the truck from the Bridge System and that maintenance and operations be funded through the auto allowance provided to the two employees, that the Elections Department be authorized to keep the van borrowed from the Vehicle Maintenance Department and that its maintenance and operations be funded from within its budget, and that the Fire Marshall's Office be authorized to keep one car and that the maintenance and operations be funded from within its budget.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Report is as follows:

**(8) CONSIDERATION AND ACTION TO AMEND
SECTION 4.1-TERM OF THE SOLID WASTE
CONTRACT BETWEEN CAMERON COUNTY AND
RED RIVER SERVICES (GS-COUNTY JUDGE)**

Judge Hinojosa explained that the amendment changes the starting date for the solid waste collections services from June 1, 2005 to August 1, 2005 because of delays with the manufacturers of needed equipment.

Commissioner Garza clarified that this matter does not relate to the proposed landfill near Los Fresnos.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the amendment to Section 4.1-Term of the Solid Waste Contract between Cameron County and Red Rivers Services was approved.

The Amendment is as follows:

(9) CONSIDERATION AND APPROVAL OF A CELL PHONE FOR CHIEF RAYMOND G. SHEARS, JR. (BE-JUDICIAL COURTHOUSE SECURITY)

Commissioner Garza moved that a cell phone be approved for Chief G. Shears, Jr., Courthouse Security.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(10) CONSIDERATION AND APPROVAL OF CONTRACTOR CHANGE PROPOSALS TO RESTORE DANCY BUILDING SECOND FLOOR BATHROOM, ALSO KNOWN AS ROOM 255, AND RELOCATE A COMMUNICATIONS STATION BY SECOND FLOOR STAIRS (FB-PD & M)

Commissioner Tamayo asked if the funding was already allocated if the original design was to be done.

Mr. Frank Bejarano, Project Development & Management Director, responded negatively and that the project architect was showing room 225 as a communication station in the plans and specs. He explained that the Texas Historical Commission (THC) requested that room 225 be returned to its originality, a bathroom, after reviewing the plans and specs, thus the need to move the communications station away from there, noting that the cost proposal relates to the bathroom.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the change proposals to restore Dancy Building second floor bathroom, also known as room 255, and relocate a communications station by second floor stairs was approved.

The Amendment is as follows:

(11) **CONSIDERATION AND AUTHORIZATION TO LOAN FUNDS FROM GATEWAY BRIDGE FUND TO FUND PROJECT ROAD MAP PROJECTS THAT REQUIRE IMMEDIATE FUNDING AND TO REIMBURSE THE GATEWAY BRIDGE FUND FROM THE PROCEEDS OF FUTURE BOND SALES (PS-DEPT. OF TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, requested authorization to change the amount from \$300,000.00 to \$500,000.00. He explained that funding was needed for projects such as General Brant Road Project, FM 732 Project, and Primera Road Project, adding that the funding resolution was being done because funds must be used immediately. Mr. Sepulveda stated that a meeting was held with the City of Primera and that that hopefully the timeline set for 2006 by the Texas Department of Transportation could be matched.

Commissioner Garza moved that the loan funds from Gateway Bridge Fund to fund Project Road Map Projects that require immediate funding and to reimbursement to the Gateway Bridge Fund from the proceeds of future bond sales in the amount of \$500,000.00 be authorized.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Resolution is as follows:

(12) **CONSIDERATION AND AUTHORIZATION TO DEVELOP AND ADVERTISE REQUEST FOR PROPOSALS FOR COMMERCIAL SOLID WASTE PICKUP AND DISPOSAL FOR CAMERON COUNTY (COMM. COURT)**

Commissioner Garza asked if an amendment could be done to the existing contract.

Mr. Doug Wright, Commissioners Court Chief Legal Counsel, responded that the matter was reviewed and that he did not recommend it be done in order to avoid a legal challenge.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the development and advertisement of request for proposals for commercial solid waste pickup and disposal for Cameron County was authorized.

The RFP 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

DISCUSSION CONCERNING THE FOLLOWING CONSENT ITEMS:

- ITEM NO. 25: Mr. Pete Sepulveda, Department of Transportation Director, requested that the motion include approval of this item subject to the Engineer's recommendation, that being the placement of guard rails.
- ITEM NO. 19: Mr. Jared Hockema, Emergency Management Assistant Director, explained that changes would be made to the dates on the agreement.
- ITEM NO. 14: Commissioner Wood commented that this matter was finally resolved to an amicable decision that would be beneficial to U.S. residents, adding that it would hopefully keep Mexico in line with future allocation.

Commissioner Benavides moved that the "Travel and Consent Items" be approved, with the changes indicated above.

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

AYE: Commissioners Benavides, Wood, and Tamayo

NAY: None was presented.

ABSTAIN: Judge Hinojosa as to Warrant No. 00136803, payable to Laguna Madre Water District, in the amount of \$16,566.35, and Warrant No. 00136948, payable to Southwest Key La Esperanza, in the amount of \$2,480.00, and Commissioner Garza as to Warrant No. 00136833, payable to The Medicine Shoppe, in the amount of \$778.28.

- (13) **APPROVAL OF CLAIMS.
The Affidavits follows:**
- (14) **ADOPTION OF A RESOLUTION COMMENDING TCEQ AND IBWC ON THEIR EFFORTS IN RESOLVING THE WATER DEBT WITH MEXICO. (JW- COMM. PCT. 2)
The Resolution follows:**
- (15) **APPOINTMENT OF PATRICK M. QUILL FOR DEPUTY CONSTABLE FOR PRECINCT NO. 2 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**
- (16) **APPROVAL TO PURCHASE CUVETTES FROM HEMOCUE, INC. A SOLE SOURCE SUPPLIER. (YS-HEALTH)**
- (17) **APPROVAL TO ACCEPT PROPOSAL FROM 12 INC. AS A SOLE SOURCE FOR ANALYST'S NOTEBOOK 6. (MY-AUDITOR)**

- (18) **AUTHORIZATION TO ACCEPT AWARD #I5PSSP6007 FOR CONTINUING HIDTA GRANT FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY. (AV-DA)**
- (19) **APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NUMBER ONE FOR THE IMPLEMENTATION AND ENFORCEMENT OF A FIRE CODE. (TH-EMERGENCY MANAGEMENT)**
The Agreement follows:
- (20) **AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO APPLY FOR FEDERAL GRANT COMMUNITY-BASED PROBLEM-SOLVING CRIMINAL JUSTICE INITIATIVE-SUPERVISION OF SEXUAL OFFENDERS. (TR-JUVENILE)**
- (21) **APPOINTMENT OF MR. THOMAS NOBLE AS RESIDENT BOARD COMMISSIONER TO THE CAMERON COUNTY HOUSING AUTHORITY BOARD OF DIRECTORS. (COMM. COURT)**
- (22) **AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)**
A. ROAD MATERIALS: EMULSION OILS – ANNUAL BID #240 TO KOCH MATERIALS.
The Tabulation follows:
- (23) **APPROVAL OF TIME EXTENSION, FROM MAY 26, 2005 TO MAY 26, 2008, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT CITRUS ESTATES SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)**
- (24) **APPROVAL OF TIME EXTENSION, FROM APRIL 30, 2005 TO OCTOBER 15, 2005, FOR PROVIDING WATER (WATER WELLS) AND SEWER FACILITIES (SEPTIC SYSTEMS) AT MATTHEW BAILEY SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)**
- (25) **AUTHORIZATION TO OPEN LOOP ROAD BRIDGE. (PS-DEPT. OF TRANSPORTATION).**

TRAVEL ITEMS

- (26) **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 DISTRICT ATTORNEY’S OFFICE EMPLOYEE, TO TRAVEL TO SAN ANTONIO, TX, ON 5/11-13/05, TO ATTEND CIVIL LAW SEMINAR.
 - B DISTRICT ATTORNEY’S OFFICE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 5/11-13/05, TO ATTEND CONFERENCE ON CRIMINAL APPEALS.
 - C DISTRICT ATTORNEY, TO TRAVEL TO LAREDO, TX, ON 4/27/05, TO ATTEND HIDTA – 2006 BUDGET MEETING.
 - D DISTRICT ATTORNEY, TO TRAVEL TO AUSTIN, TX, ON 4/24-26/05, TO ATTEND THE 2005 TEXAS HOMICIDE SYMPOSIUM.
 - E DISTRICT ATTORNEY’S OFFICE EMPLOYEE, TO TRAVEL TO LAREDO, TX, ON 4/26-27/05, TO ATTEND HIDTA – 2006 BUDGET MEETING.
 - F DISTRICT CLERK DEPUTY CLERK, TO TRAVEL TO AUSTIN, TX, ON 4/25-29/05, TO ATTEND THE COUNTY & DISTRICT CLERKS LEGAL EDUCATION CONFERENCE.

- G TAX ASSESSOR-COLLECTOR, SHERIFF AND AUTO THEFT DIVISION LIEUTENANT, TO TRAVEL TO CD VICTORIA, MX, ON 5/3-5/05, TO ATTEND AUTO THEFT TRAINING AND TITLE FRAUD DETECTION.
- H COUNTY JUDGE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 5/2-6/05 AND 5/9-13/05, TO ATTEND MEETINGS DURING THE 79TH LEGISLATIVE SESSION.
- I SHERIFF AND CHIEFS (2), TO TRAVEL TO SAN ANTONIO, TX, ON 5/22-27/05, TO ATTEND TEXAS JAIL ASSOCIATION 19TH ANNUAL CONFERENCE.
- J SHERIFF'S DEPARTMENT LIEUTENANT, CAPTAIN AND MAINTENANCE EMPLOYEES (2), TO TRAVEL TO SAN ANTONIO, TX, ON 7/18-21/05, TO ATTEND SOUTHERN STEEL'S TRAINING PROGRAM.
- K SHERIFF'S DEPARTMENT TRAINING OFFICER, TO TRAVEL TO HOUSTON, TX, ON 6/26-7/1/05, TO ATTEND TEXAS GANG INVESTIGATORS ASSOCIATION TRAINING CONFERENCE.
- L UNIFIED NARCOTICS INTELLIGENCE TASK FORCE EMPLOYEE, TO TRAVEL TO ALEXANDRIA, VA, ON 4/3-8/05, TO ATTEND 12 USER'S CONFERENCE.
- M DEPARTMENT OF HEALTH AND HUMAN SERVICES BREASTFEEDING COORDINATOR, TO TRAVEL TO AUSTIN, TX, ON 5/10-12/05, TO ATTEND A PEER COUNSELOR TRAINER WORKSHOP.
- N DEPARTMENT OF HEALTH AND HUMAN SERVICES CERTIFYING AUTHORITY/CLINIC SUPERVISOR AND WIC CERTIFICATION SPECIALIST/CLINIC SUPERVISOR, TO TRAVEL TO AUSTIN, TX, ON 5/3-6/05, TO ATTEND A CLINICAL LACTATION PRACTICUM IN BREASTFEEDING (PHASE III).

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

- (14) **ADOPTION OF A RESOLUTION COMMENDING TCEQ AND IBWC ON THEIR EFFORTS IN RESOLVING THE WATER DEBT WITH MEXICO. (JW- COMM. PCT. 2)**
The Resolution follows:

- (19) **APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NUMBER ONE FOR THE IMPLEMENTATION AND ENFORCEMENT OF A FIRE CODE. (TH-EMERGENCY MANAGEMENT)**
The Agreement follows:

(22) AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)

A. ROAD MATERIALS: EMULSION OILS – ANNUAL BID #240 TO KOCH MATERIALS.

The Tabulation follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:45 A.M. to discuss the following matters:

(27) 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. To discuss tax abatement incentives for company or companies located or locating at the Los Indios Free Trade Bridge Enterprise Zone; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.087;
- D. Confer with Commissioners' Court Legal Counsel concerning a possible lease with the Catholic Diocese for the Santa Maria Catholic Church, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- E. Deliberation regarding contractual issues 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);
- F. Deliberation regarding Real Property concerning the possible Concession Lease Agreement of Dolphin Cove Oyster Bar at the Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- G. Deliberation regarding Real Property concerning the possible concession lease agreement at Andy Bowie Park Concession Building "A"; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

NOTE: JUDGE HINOJOSA LEFT THE MEETING.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 11:33 A.M. to discuss the following matters:

- A. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA, formerly known as Landmark.**

Commissioner Tamayo moved that the Status Report be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

B. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the utilization of three written quotations was authorized in lieu of formal bid for the construction of the vestibules previously approved by the court.

C. To discuss tax abatement incentives for company or companies located or locating at the Los Indios Free Trade Bridge Enterprise Zone.

Commissioner Garza moved that the Status Report by Mr. Frank Bejarano, Project Development & Management Director, be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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

Upon motion by Commissioner Tamayo seconded by Commissioner Garza and carried unanimously, Legal Counsel was authorized to proceed with negotiations.

E. Deliberation regarding contractual issues 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 Garza moved that the Status Report be acknowledged.

The motion was seconded by Commissioner Wood and carried unanimously.

F. Deliberation regarding Real property concerning the possible Concession Lease Agreement of Dolphin Cove Oyster Bar at the Isla Blanca Park.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the existing concessionaire was authorized to have an addendum to the existing agreement extending the term for an additional three years on the condition that it is specifically understood that there continues to be an absolute right of either party to terminate the agreement on a thirty days notice.

The Addendum is as follows:

G. Deliberation regarding Real Property concerning the possible concession lease agreement at Andy Bowie Park Concession Building "A."

Commissioner Wood moved that Mr. Javier Mendez, Parks & Recreations Department Director, be authorized to initiate and comply with County Policy concerning concessions and that the necessary publications for a concession be authorized.

The motion was seconded by Commissioner Tamayo and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 11:38 A.M.

APPROVED this 19th day of **July 2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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