

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 15th day of June 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:

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 Hinojosa at 9:47 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and he then led the Court and audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on June 10, 2005, at 12:00 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

PRESENTATIONS

(2) **PRESENTATION ON THE STATUS OF THE SOLID WASTE COLLECTION AND DISPOSAL SYSTEM PROJECT. (GS-COUNTY JUDGE)**

Ms. Grace Salinas, County Judge's Office, presented and highlighted a power point presentation on the status of the Solid Waste Collection and Disposal System Project. She reported that she would coordinate with Time Warner Cable to get public announcements to begin an educational program.

Commissioner Garza suggested that local channels be considered since Cable Service was not available in many rural areas.

Judge Hinojosa clarified that \$5.85 fee would be a one time administrative fee. He stated that the agreement between the county and Red River Service Corporation indicated that fees would decrease upon other entities contracting for solid waste collection services with them, and thus questioned the affect on the fees to Cameron County since they contracted with Santa Rosa and Port Isabel.

Mr. David Cooper, Red River Service Corporation, explained that the contracts were being negotiated and that the discount fees would take effect upon the first month of billing to the other entities, adding that significant savings could be given to Cameron County upon Red River Service Corporation contracting with entities whose contract are about to expire.

Ms. Salinas indicated that issue relating to the billing must be addressed to the water supply corporations and issues relating to services must be addressed to Red River Service Corporation to the address provided on the county web site and the report.

Judge Hinojosa stated that the rural trash collection program would begin August 1, 2005, and that Cameron County was the second county to provide said service, the first county being Nueces County.

The Information is as follows:

**(20) AUTHORIZATION TO RENEW CAMERON COUNTY
DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH AUTHORITY APPOINTMENT OF DR.
VICTOR M. GONZALEZ, JR., M.D., F.A.A. F.P. (YS-
HEALTH)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the renewal of appointment of Dr. Victor M. Gonzalez, Jr. M.D. F.A.A.F.P., as Cameron County Department of Health and Human Services Health Authority was authorized.

The Agreement is as follows:

(3) PRESENTATION AND DISCUSSION REGARDING TRIP TO WASHINGTON D.C. ON 6/7-8-/05, BY THE COUNTY JUDGE, COMMISSIONER PRECINCT NO. 2 DIRECTOR OF TRANSPORTATION AND ASSISTANT. (GH-COUNTY JUDGE)

Judge Hinojosa informed that Commissioner Wood, Mr. David Garcia, Department of Transportation Assistant Director, and he traveled to Washington D.C, and presented and highlighted a report regarding the needs and accomplishments of the recent trip.

Commissioner Wood briefed as to the meetings attended to address the Weed ad Seed program and the possibility of offering the availability of the Port of Brownsville for a pilot project to do ship breaking through the Department of Transportation was vital to get funding for Cameron County Projects.

Commissioner Tamayo clarified that there was not doubt that the trips were important and necessary; however she noted she noted that need for process with better communication.

Judge Hinojosa stated a process was in place that has historically been that when a commissioner or the county judge feels that it is in the best interest of the county that they take up and go because this must be done. He added that while he has been in office there has not been a trip taken by the Commissioners or he that was not necessary to make a difference in the County. Judge Hinojosa clarified that trips were quite often not planned because issues pertaining to business that the county is directly engaged in arise suddenly then travel takes place because it was necessary.

Commissioner Tamayo requested that better planning and communication take place.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Report by Judge Hinojosa regarding the trip to Washington D.C. of the County Judge, Commissioner Precinct No. 2 and Department of Transportation Assistant Director Acknowledged.

The Report is as follows:

SUPPLEMENTAL ITEM

(3) CONSIDERATION AND POSSIBLE ACTION REGARDING AUDITOR'S OFFICE INCLUDING BUT NOT LIMITED TO THE AUDIT CONDUCTED FOR THE SHERIFF'S DEPARTMENT FROM NOVEMBER TO PRESENT(COMM. COURT)

Commissioner Tamayo moved that the discussion regarding Auditor's findings as a result of an all audits conducted by the auditor's office including but not limited to the auditor conducted for the Sheriffs Department from November to present was acknowledged.

The Report is as follows:

EXECUTIVE SESSION

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

Court met in Executive Session at 11:39 A.M. to discuss the following matters:

(28) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING VERSUS FAULKNER , USA FORMERLY KNOWN AS LANDMARK;PURSUANT TO VERNON TEXAS CODE TEXAS 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 V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING SOLID WASTE DISPOSAL IN CAMERON COUNTY ON 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).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL CONSEL CONCERNING CAMERON COUNTY VERSUS BOBO CONSTRUCTION COMPANY IN THE 404TH DISTRICT COURT; CAUSE NO. 2002-05-2015-G FOR DISCUSSION ON STATUS OF CASE ANDMEDIATION AUTHORITY;PURSUANT TO VERNON TEXAS ANNOTATED(V.T.C.A.)GOVERNMENT CODE SECTION 551.071(2)**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL CONSEL CONCERNING ANTHONY MENA VERSUS SALVADOR CARMOA, ET, AL; CASE NO. M-05-109, FOR DISCUSSION AND AUTHORITY FOR LEGAL REPRESENTATION OF LYN PETREE;PURSUANT TO VERNON TEXAS ANNOTED(V.T.C.A.) GOVERNMENT Code, Section 551.071(A);**
- (F) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING THE SUPPLEMETAL ENVIROMENTAL PROJECT TO OFFSET THE FINES FROM ENFORCEMENT DOCKET NO. 2002-1339-MLM-E;PUSUANT TO VERNON TEXAS CODE ANNOTATED (V.T.C.A.)GOVERNMENT CODE SECTION 551.071(A) & (2);**
- (G) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING THE POSSIBLE SALE OF THE HEALTH DEPARTMENT IN SAN BENITO TO THE CITY OF SAN BENITO;PURSUANT TO VERNON TEXAS CODE ANNOTATED(V.T.C.A)GOVERNMENT CODE, SECTION 551.072;**
- (H) DELIBERATION REGARDING BILLIN AGREEMENTS WITH WATER SUPPLY CORPORATIONS AND CCN'S FOR SOLID WASTE GARBAGE COLLECTION SERVICES IN CAMERON COUNTY;PURSUANT TO VERNON TEXAS CODE ANNOTATED(V.T.C.A) GOVERNMENT CODE SECION 551.071(2) AND'**

- (I) **CONFER WITH COMMISSISONERS' COURT LEGAL COUNSEL CONCERNING LEONARDO RINCONES VERSUS CAMERON COURNTY CAUSE NO. 05-06-003057-A IN THE 107TH JUDICIAL DISTRICT COURT FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY; 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 Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 12:19P.M. to discuss the following matters:

- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING VERSUS FAULKNER , USA FORMERLY KNOWN AS LANDMARK;PURSUANT TO VERNON TEXAS CODE TEXAS ANNONETATED(V.T.C.A) GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2);**

Commissioner Garza moved that this item be TABLED.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (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).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, this item was TABLED.

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- (C) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING SOLID WASTE DISPOSAL IN CAMERON COUNTY ON 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).**

Commissioner Garza moved that the Status Report be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (D) **CONFER WITH COMMISSIONERS' COURT LEGAL CONSEL CONCERNING CAMERON COUNTY VERSUS BOBO CONSTRUCTION COMPANY IN THE 404TH DISTRICT COURT; CAUSE NO. 2002-05-2015-G FOR DISCUSSION ON STATUS OF CASE ANDMEDIATION AUTHORITY;PURSUANT TO VERNON TEXAS ANNOTATED(V.T.C.A.)GOVERNMENT CODE SECTION 551.071(2)**

Commissioner Wood moved that the Status Report be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously

- (E) **CONFER WITH COMMISSIONERS' COURT LEGAL CONSEL CONCERNING ANTHONY MENA VERSUS SALVADOR CARMOA, ET, AL; CASE NO. M-05-109, FOR DISCUSSION AND AUTHORITY FOR LEGAL REPRESENTATION OF LYN PETREE;PURSUANT TO VERNON TEXAS ANNOTED(V.T.C.A.) GOVERNMENT Code, Section 551.071(A);**

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

Legal counsel was given authority to **DENY**.

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- (F) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING THE SUPPLEMETAL ENVIROMENTAL PROJECT TO OFFSET THE FINES FROM ENFORCEMENT DOCKET NO. 2002-1339-MLM-E;PUSUANT TO VERNON TEXAS CODE ANNOTATED (V.T.C.A.)GOVERNMENT CODE SECTION 551.071(A) & (2);**

Commissioner Garza moved that the County Judge be authorized to sign the report for Commissioners Court.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (G) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING THE POSSIBLE SALE OF THE HEALTH DEPARTMENT IN SAN BENITO TO THE CITY OF SAN BENITO;PURSUANT TO VERNON TEXAS CODE ANNOTATED(V.T.C.A)GOVERNMENT CODE, SECTION 551.072;**

Commissioner Garza moved that the proceeding of the sale of the property on Travis Street be authorized, with the understanding that it was subject to a couple of questions from Civil Legal Division.

The Motion was seconded by Commissioner Tamayo and carried unanimously.

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- (H) **DELIBERATION REGARDING BILLIN AGREEMENTS WITH WATER SUPPLY CORPORATIONS AND CCN'S FOR SOLID WASTE GARBAGE COLLECTION SERVICES IN CAMERON COUNTY;PURSUANT TO VERNON TEXAS CODE ANNONTATED(V.T.C.A) GOVERNMENT CODE SECION 551.071(2) AND'**

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

The motion was seconded by Commissioner Wood and carried unanimously.

- (I) **CONFER WITH COMMISSISONERS' COURT LEGAL COUNSEL CONCERNING LEONARDO RINCONES VERSUS CAMERON COURNTY CAUSE NO. 05-06-003057-A IN THE 107TH JUDICIAL DISTRICT COURT FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY; PURSUANT TO VERNON TEXAS CODE ANNOTATED (V.T.C.A.) GOVERNMENT CODE, SECTION 551.071(A) & (2).**

Commissioner Garza moved that Legal Counsel be authorized to represent Cameron County.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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

Commissioner Garza moved that Budget Amendments, Line Item Transfers and/or Salary Schedules be **APPROVED.**

Commissioner Tamayo seconded the motion and carried unanimously.

The Documents are as follows:

(5) APPROVAL OF MINUTES FOR:

A. APRIL 5, 2005-REGULAR MEETING (TABLED)

B. APRIL 12, 2005 REGULAR MEETING (TABLED)

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, this item was **TABLED**.

(6) CONSIDERATION AND POSSIBLE ACTION
REGARDING THE PROPOSED DEVELOPMENT OF
SOLID WASTE MANAGEMENT FACILITY IN
CAMERON COUNTY.(COMM. COURT)

Mr. Remi Garza, County Administrative Assistant informed that the Lower Rio Grande Valley Development Council Solid Waste Advisory Committee will review the application submitted for the proposed landfill near Los Fresnos on June 21, 2005, Texas A&M Citrus Center in Weslaco, at 9:00am. He clarified that the application was not available at this time, but would be requested from TCEQ. Mr. Garza explained that that a request would be made for the cities and the county to be allowed to present comments regarding the facilities impact on general land use in order to ensure that the county's position opposing the landfill was once again on record.

Commissioner Garza moved that the Report concerning the proposed development of solid waste management facility in Cameron County be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Note: Judge Hinojosa joined the meeting at this time.

**(7) CONSIDERATION AND POSSIBLE ADOPTION OF
ORDER FOR THE PROVISION OF SOLID WASTE
SERVICES.(DJV-LEGAL)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the order for the provision of Solid Waste Service was adopted.

The Order is as follows:

(8) CONSIDERATION AND POSSIBLE APPROVAL OF A LETTER BY THE COUNTY CONCERNING THE COLLECTIN AND DISPOSAL OF RESIDENTIAL SOLID WASTE IN THE UNINCORPORATED PORTIONS OF THE COUNTY. (DW-LEGAL)

Commissioner Benavides moved that the letter by the county concerning the collection and disposal of residential solid waste in the unincorporated portions of the county be **APPROVED**.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Letter is as follows:

(9) IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE APPROVAL OF CONCESSION AGREEMENT WITH COSTA RICA FOOD AND SPIRIT, INC. AND AUICO PROPERTIES LLC FOR A HOTEL AT THE ANDY BOWIE PARK.(DJV-LEGAL)(TABLED)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, this item was **TABLED.**

(10) CONSIDERATION AND POSSIBLE ADOPTION OF A COURT ORDER ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM(NIMS) AS THE STANDARD FORM INCIDENT MANAGEMENT IN THE COUNTY(TH-EMERGENCY MANAGEMENT)

Commissioner Garza moved that the Order adopting the National Incident Management System (NIMS) as the standard for incident management in the County be **ADOPTED.**

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Order is as follows:

(11) CONSIDERATION AND POSSIBLE ADOPTION OF A SCHEDULE OF FEES RELATED TO FIRE INSEPCIONS CONDUCTED BY THE CAMERON COUNTY FIRE MARSHALL. (TH-EMERGENCY MANAGEMENT)

Mr. Jared Hockema, Assistant Emergency Management Director, explained that the State informed that they have had difficulty in doing the survey needed to set fees. He stated that the county developed a proposed schedule of fees that can serve as interim until a report is obtained from state or until data can be generated from county operation that would permit formulation of fees, adding that by law the fees must equal or pay out what the county pays fro providing the service.

Commissioner Tamayo asked if county inspections were required when state does the inspections.

Mr. Hockema explained that an inspection could be done either by State of County upon it being requested at which time a fee could be assed, ant that the service would be available upon request rather that a patrolling service, except when a safety hazard may exist.

Mr. Armando Lucio, Fire Marshal, stated that the service was beneficial due to the lack of staff from the State.

Judge Hinojosa clarified that the fees would be assessed only when service is requested.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the schedule of fees related to Fire inspections conducted by Cameron County Fire Marshall was adopted.

The Fee Schedule is as follows:

SUPPLEMENTAL ITEM:

(4) IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE ACTION REGARDING STATUS OF THE CAMERON COUNTY INDIGENT HEALTH CARE PROGRAM (COMM. COURT) (TABLED)

Mr. Remi Garza, County Administrative Assistant, reported that placement of this item stems from a letter produced by the Auditor, distributed by the Department of Health And Human Services, informing local medical providers that the Indigent Health Care Program was out of funds and would be shut down. He stated that in the past the court initiated different type of programs, which he believed that the Auditor was attempting to accomplish in the letter. Mr. Garza stated that it was important that the court be informed of status of the program in order for any action to be done thru the court.

Ms. Yvette Salinas, Department of Health Director, stated that the financial aspect of the Indigent Health Care Program was handled by the County Auditor and the eligibility portion was handled by the Health Department. She stated that funds for the Indigent Healthcare Program were exhausted, except for limit funds that would not be sufficient for the month, and that apparently there would be not funds from State for Cameron County.

Judge Hinojosa asked if this meant that no more 90/10 funds would be available for Cameron County.

Ms. Salinas explained that State has funds reserved for Counties who have not met their 8% and that indicated that no more funds would be provided to Cameron County.

Judge Hinojosa commented that Cameron County cannot afford to spend more money on indigent healthcare if marching state funds are not provided.

Commissioner Wood commented that this was the reason why the auditor sent letters to physicians advising that funds may soon be exhausted and no other funds would be available.

Mr. Yates stated that there was a number of unpaid bills, that Cameron County was allocated \$1.1 million out of the \$5.1 million allocated by State for 9/10 funds for different counties for Indigent Health Care Funds. He stated that the court authorized and additional expenditure of \$1 million for health care services, and reiterated that confirmation was given that no additional funds were available for indigent health care. Mr. Yates stated that approximately \$3.7 million were spend on indigent health care, and advised that next year Cameron County's allocation of funds would be limited to 20% rather than 35%. He stated that the Health Service District was approached asking if they would considered using Tobacco funds for provision of Indigent Health Care and the Dr. Card responded , in a letter, that a mechanism for that was not in place.

Ms. Salinas suggested that this item be **TABLED** until next week.

Commissioner Tamayo moved that this item be **TABLED**.

The motion was seconded by Commissioner Benavides and carried unanimously.

SUPPLEMENTAL ITEM:

(1) AUTHOTIZATION TO COMMENCE THE PROCESS OF REFUNDING INTERNATIONAL TOLL BRIDGE COMBINATION TAX & REVENUE REFUNDING BONDS, 1996-A, INTERNATIONAL TOLL BRIDGE TAX REVENUE COS, SERIES 1996 B AND THE COMBINATION TAX & LIMITED PLEDGE REVENUE COS, SERIES 2000 TOTALING \$22,255.00. TO INCLUDE THE POSSIBLE ADDITION OF FUNDS FOR PROJECT ROADMAP AND ADDITIONAL COUNTY PROJECTS.(COMM. COURT)

Judge Hinojosa stated that a list of projects needing to be funded was included on the second page of the financing option presented by Estrada-Hinojosa Investment Bankers. He explained that the list includes projects that have proceeded onto design and construction process and the \$4.4 million for the potential repairs to Carrizales-Rucker Detention Center.

Commissioner Garza asked if funding for these projects needed to be approved, and if the bonds do not have to be sold if not needed.

Mr. Noe Hinojosa, Estrada-Hinojosa Investment Bankers, reported that they were ready to sell on the refinancing approved May 16, 2005.

Commissioner Garza asked how much interest would be gained by the savings over the period of the bond.

Mr. Hinojosa responded that that the savings would average about \$78,000.00 at this time although the graph indicates \$66,994.00, adding that he would front load the savings to minimize the impact on the tax rate of annual payment if new financing was done. He stated that he assumes that the property rental savings would not be obtained next year, rather until 2007.

Mr. Hinojosa responded that the savings would average about \$78,000.00 at this time although the graph indicates \$66,994.00, adding that he would front load the savings to minimize the impact on the tax rate or annual payment if new financing was done. He stated that he assumes that the property rental savings would not be obtained next year rather until 2007. Mr. Hinojosa stated that the current tax rate for I & S Tax rate with Carrizalez-Rucker at 3.6 pennies for debt service would need an additional allocation of 8/10 of a penny for debt service at the most. He stated that the refinancing would not be recommended unless savings would be acquired.

Judge Hinojosa stated that \$300, 00.00 savings for property rental could go towards the debt payment, addition to the \$78,000 savings from the refinancing, totaling half of the debt service, excluding a restructuring issue. He added that the debt service would be decreased significantly if the \$4.4 million were obtained thru litigation.

Mr. Hinojosa stated that the additional annual payments would be of \$625,000.00 if the refinancing was done, and that it could be offset by the possible property rental saving and market refunding. He stated that many things were in the county's favor and that he did not think that the tax rated would be impacted. Mr. Hinojosa stated that the county's debt was less than one half of a percent of taxable percent value and that this was known by the rating agencies, whom expressed concerns with the conditions of the county's fund balance resulting from the loss of federal inmates.

Judge Hinojosa asked if his suggestion to possible use healthcare funds to rebuild the reserves was reviewed by the Budget Officer.

Commissioner Benavides moved that Bond Counsel was instructed to present a resolution to the court next week for authority to proceed with publication of certificate of obligations to include possible funds for Project Road Map.

Commissioner Wood seconded the motion and carried unanimously.

The Report is as follows:

(14) **CONSIDERATION AND APPROVAL OF
RESOLUTION ASKING THE U.S. DEPARTMENT OF
HOMELAND SECURITY AND CUSTOMS AND
BORDE PROTECTION TO OPERATE 24-HOURS A
DAY AT THE VETERANS INTERNATIONAL BRIDGE
AT LOS TOMATES. (PS-DEPT OF
TRANSPORTATION)**

Commissioner Garza moved that the Resolution asking the U.S. Department of Homeland Security and Customs and Border Protection to operate 24 hours a day at the Veterans International Bridge at Los Tomates be adopted.

The Motion was seconded by Commissioner Wood and carried unanimously.

The Resolution is as follows:

(15) **CONSIDERATION AND AUTHORIZATION TO HOLD PUBLIC HEARING FOR THE PURPOSE TO DISCONTINUE AND ABANDON A PORTION OF SIGLER AVE. LOCATED IN OLMITO TOWNSITE SUBDIVISION, IN PRECINCT NO. 2 (PS-DEPT OF TRANSPORTATION)**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Public Hearing for the purpose to discontinue and abandon a portion of Sigler Avenue located in Olmito Townsite Subdivision, in Precinct No. 2, was opened for public comment.

Mr. Pete Sepulveda, Department of Transportation Director, reported that a request was received to abandon a portion of a road that has not been improved. He stated that the process has been followed. That the abandonment has been approved by legal and that the public hearing was one of the steps to the process.

Upon motion by Commissioner Wood and seconded by Commissioner Benavides and carried unanimously, the Public Hearing for the Purpose to discontinue and abandon a portion of Sigler Avenue located in Olmito Townsite Subdivision, in Precinct No. 2 was closed.

(16) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER TO DISCONTINUE AND ABANDON A PORTION OF SIGLER AVE. LOCATED IN OLMITO TOWNSITE SUBDIVISION, IN PRECINCT NO. 2((PS-DEPT OF TRANSPORTATION)**

Commissioner Tamayo moved that the Order to discontinue and abandon a portion of Sigler Ave. Located in Olmito Townsite Subdivision, in Precinct No. 2 be **ADOPTED**.

The motion was seconded by Commissioner Wood and carried unanimously.

The Order is as follows:

(12) CONSIDERATION AND POSSIBLE ACTION TO DESIGNATE THE CAMERON COUNTY FIRE MARSHALL'S OFFICE AS A LAW ENFORCEMENT AGENCY, UNDER THE AUTHORITY OF CAMERON COUNTY COMMISSIONERS COURT, TO THE TEXAS COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION (TH-EMERGENCY MANAGEMENT)

Commissioner Tamayo moved that the designation of the Cameron County Fire Marshall's Office as a law enforcement agency be approved under the authority of the Cameron County Commissioner's Court, to the Texas Commission of Law enforcement Officer Standards and Education.

The motion was seconded by Commissioner Benavides and carried unanimously.

Commissioner Wood asked why staff from the Fire Marshall's office would need to carry guns.

Mr. Jared Hockema, Emergency Management Assistant Director, responded that the officers would carry a weapon only when needed.

Judge Hinojosa stated that he wanted the officers to be armed when conducting investigations or arrests relating to arson. He asked who the officers would be commissioned under.

Mr. Hockema responded that the Officers would be Commissioned by the Emergency Management Director, Tom Hushen.

Upon motion duly made Commissioner Tamayo the designation of the Cameron County Fire Marshall's Office as a law enforcement agency be **APPROVED** under the authority of the Cameron County Commissioner's Court, to the Texas Commission on Law Enforcement Standards and Education.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Information is as follows:

(13) CONSIDERATION AND POSSIBLE APPROVAL OF A MAINTENANCE CONTRACT WITH IBM FOR THE INFOPRINT, MODEL 1145-DNI PRINTER IN THE ELECTIONS/VOTER REGISTRATION OFFICE.(RO-ELECTIONS)

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Maintenance contract with IBM for the Info print, Model 1145-DNI printer in the Elections/Voter Registration Office was **APPROVED** subject to legal review.

The Contract 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

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, Garza and Tamayo

Nay- None

Abstain- Judge Hinojosa as to Warrant No. 010139608 payable to the Laguna Madre Water District in the amount of \$3,950.00.

(17) APPROVAL OF CLAIMS.

The Claims and Affidavit are as follow:

(18) CONSIDERATION AND POSSIBLE AUTHORIZATION TO EXECUTE A STANDARD FORM OF AGREEMENT BETWEEN CAMERON COUNTY AND THE FELIX DE LA FUENTE D/B/A LOS FRESNOS CONSTRUCTION FOR THE INSTALLATION OF 55 WOOD PILINGS FOR THE BIRD WATCH OVERLOOK PROJECT. (JM-PARK SYSTEM)

The Agreement is as follows:

(19) CONSIDERATION AND APPROVAL CONTRACT AMENDMENT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES ASSOCIATE COMMISSIONER FOR FAMILY HEALTH TO PROVIDE FAMILY PLANNING SERVICES.(YS-HEALTH)

The Amendment is as follows:

(20) CONSIDERATION AUTHORIZATION TO RENEW CAMERON COUNTY DEPARTMENT OF HEALTH AND HEALTH AND HUMAN SERVICES HEALTH AUTHORITY APPOINTMENT OF DR. VICTOR M. GONZALEZ, JR., M.D, F.A.A.F.P.(YS-HEALTH)

The Contract is as follows:

(21) CONSIDERATION AND ACTION FOR THE APPROVAL OF A MEMBERSHIP WITH THE TEXAS SURPLUS PROPERTY & PROCUREMENT PROGRAM.(MB-CONSTABLE PCT. 6)

(22) CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING 138TH STATE DISTRICT JUDGE ROBERT GARZA ON THE OCCASION OF HIS RETIREMENT. (COMM. COURT)

The Resolution is as follows:

(23) CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR(MF-PURCHASING)

A. BUILDING SUPPLIES: PUMBLING-ANNUAL BID #2005-2A TO PRIMARY-MARRISON, SECONDARY-BUSH SUPPLY.

The Tabulation follows:

(24) CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR(MF-PURCHASING)

A. COUNTY INTERNATIONAL BRIDGES OCCUPANCY INSURANCE-ANNUAL BID #1458 TO SMITH REGAN INSURANCE.

The Tabulation follows:

(25) DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO SUBMIT A REQUEST TO THE CITY OF BROWNSVILLE TO CLOSE E. HARRISON ST. BETWEEN 9TH AND 10TH STREETS.(PS-DEPT. OF TRANSPORTATION)

(26) CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSIONS FOR PARCELS 18, 20,22,23,24 AND 25, FOR FM 106(GENERAL BRANDT ROAD) EAST AND SOUTH OF FM 510 IN THE PRECINCT NO. 3 AREA(PS-DEPT OF TRANSPORTATION)

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. 103RD DISTRICT COURT COORDINATOR, TO TRAVEL TO AUSTIN, TX, ON 6/20-24/05, TO ATTEND THE "TEXAS CENTER FOR THE JUDICIARY, INC."**
- B. DEPARTMENT OF HEALTH AND HUMAN SERVICES EPIDEMIOLOGIST, TO TRAVEL TO LAREDO, TX, ON 6/21-22/05, TO ATTEND THE 63RD ANNUAL MEETING "BINATIONAL HEALTH TO DOSTER DEVELOPMENT"**
- C. COUNTY EXTENSION AGENT, TO TRAVEL TO LAREDO, TX , ON 6/16/05, TO ATTEND THE CASH MANAGEMENT TRAINING-BEST PRACTICES: FINANCIAL RESOURSE MANAGEMENT TRAINING.**
- D. COUNTY EXTENDSION AGENT, TO TRAVEL LAREDO, TX, ON 6/13-16/05, TO ATTEND THE DISTRICT 12-4-H LEADERSHIP LAB.**
- E. ELECTIONS ADMINISTRATOR AND EMPLOYEE(3), TO TRAVEL TO AUSTIN, TX, ON 7/19/05, TO ATTEND THE TWENTY-THIRD ANNUAL ELECTION LAW SEMINAR FOR COUNTY CLERK/ELECTIONS ADMINISTRATORS.**

SUPPLEMENTAL ITEM:

(5) CONSIDERATION AND POSSIBLE ACTION REGARDING ESTABLISHING A SUMMER MEETING SCHEDULE FOR COMMISSIONERS' COURT.(COMM. COURT)

Judge Hinojosa explained that the court would not meet as often during the summer and that the meetings would be held on a week by week basis rather than setting a schedule.

Mr. Yates stated that only regular claims would be released when a meeting would not be held and that claims with special concerns would be until the court meets.

(17) APPROVAL OF CLAIMS.

The Claims and Affidavit are as follow:

- (18) CONSIDERATION AND POSSIBLE AUTHORIZATION TO EXECUTE A STANDARD FORM OF AGREEMENT BETWEEN CAMERON COUNTY AND THE FELIX DE LA FUENTE D/B/A LOS FRESNOS CONSTRUCTION FOR THE INSTALLATION OF 55 WOOD PILINGS FOR THE BIRD WATCH OVERLOOK PROJECT. (JM-PARK SYSTEM)**

The Agreement is as follows:

(19) CONSIDERATION AND APPROVAL CONTRACT AMENDMENT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES ASSOCIATE COMMISSIONER FOR FAMILY HEALTH TO PROVIDE FAMILY PLANNING SERVICES.(YS-HEALTH)

The Amendment is as follows:

- (20) CONSIDERATION AUTHORIZATION TO RENEW CAMERON COUNTY DEPARTMENT OF HEALTH AND HEALTH AND HUMAN SERVICES HEALTH AUTHORITY APPOINTMENT OF DR. VICTOR M. GONZALEZ, JR., M.D, F.A.A.F.P.(YS-HEALTH)**

The Contract is as follows:

- (22) **CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING 138TH STATE DISTRICT JUDGE ROBERT GARZA ON THE OCCASION OF HIS RETIREMENT. (COMM. COURT)**

The Resolution is as follows:

- (23) **CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR(MF-PURCHASING)**
A. BUILDING SUPPLIES: PUMBLING-ANNUAL BID #2005-2A TO PRIMARY-MARRISON, SECONDARY-BUSH SUPPLY.

The Tabulation follows:

- (24) **CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR(MF-PURCHASING)**
A. COUNTY INTERNATIONAL BRIDGES OCCUPANCY INSURANCE-ANNUAL BID #1458 TO SMITH REGAN INSURANCE.

The Tabulation follows:

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 1:35 P.M.

APPROVED this 11th day of **October 2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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