

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 1st day of July 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:

11:30 A.M.

PRESENT:

GILBERTO HINOJOSA\
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

=====

The meeting was called to order by Judge Hinojosa at 11:30 A.M.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on June 28, 2005, at 10:31 A.M.:

(1) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION (COMM. COURT)**

Judge Hinojosa informed that discussion took place regarding possible expansion of publication notice to include funds for land acquisition in La Paloma and El Ranchito and that available options were being reviewed in order to not dilute money available for projects already underway. He stated that Mr. Javier Mendez, Parks & Recreations Department Director, and Mr. Xavier Villarreal, Budget Officer, were instructed to review the matter and requested that they present a report at this time.

Mr. Xavier Villarreal, Budget Officer, presented a report concerning Reserve Balances and reported that the County Park System Reserve dropped from \$1.9 million in fiscal year 2003 to \$1.4 million in fiscal year 2004 totaling 134 days of operation. He stated that aside from said funds, \$700,000.00 were set aside in operating reserves in addition to the bond debt reserves, which is there, and thus reserves were already set aside, aside from the \$1.4 million in working capital for the Parks System.

Judge Hinojosa stated that the said amount excludes the \$500,000.00 to be received from state, and that funds were available in the budget for land acquisition. He suggested that the funding for land acquisition be included in the publication notice regardless, with the understanding amongst the court that it will be funded from the Parks System and if money is left over from the construction projects that it then be viewed as an option. Judge Hinojosa proposed to add two other projects to the publication notice; them being the Courthouse Security Project and Arroyo City Fire Station, contingent upon enough funding being available and with the understanding that the priorities are the projects discussed when it was agreed to issue Certificates of Obligation. He stated that the Mr. Noe Hinojosa, Estrada-Hinojosa Investment Bankers, indicated that he believes that the county could generate enough money to fund construction of the fire station and that only the interest on the bonds to be sold, and so he suggested that the project be added to the publication notice. Judge Hinojosa stated that he wants to move forward on the project and proceed with the publication notice based on Mr. Hinojosa's representation that the county has enough money on the interest of bond sales to fund it, adding that this would resolve Commissioner Garza's concerns.

Commissioner Garza asked if making a regional park location made more sense instead of little parks throughout.

Judge Hinojosa stated that he did not remember discussing a regional park system.

Commissioner Tamayo indicated that the matter was never discussed with him.

Judge Hinojosa explained that discussions pertained to the need to have a Master Plan and that it was being worked on, reason being why an application was not submitted for the Rio Hondo project. He stated that he too would like to have large parks in key location, but the problem with so in Cameron County was that it has many significant size colonias that are isolated. Judge Hinojosa added that the county was trying to have parks for recreation within walking distance for our youth, and that these parks were community parks that will be control by communities with regards to tournaments and so forth, noting that a perfect example was Laguna Heights Park.

Commissioner Garza stated that the Laguna Height Park was a little park, and that he heard that the property being considered for purchase was forty acres.

Judge Hinojosa stated that the forty acres was to be purchased for the same price as Laguna Heights. He stated that the court concluded the need for Laguna Heights for that community although Port Isabel had many parks and suggested that the same thing be done along the river.

Commissioner Tamayo stated that La Paloma has many new colonias and was developing fast and would have the population for a park. She stated that El Ranchito has a park with little space.

Judge Hinojosa suggested that the county partner with the Town of San Pedro to build a park there because this was another isolated area.

Commissioner Garza suggested that the possible use of school grounds during after hours be explored.

Commissioner Tamayo stated that Rio Hondo does not have enough recreational areas for the tournaments that it holds.

Commissioner Garza stated that lack of recreational grounds was of issue everywhere.

Judge Hinojosa stated that lack of recreational area was not good because children need a place to play.

Commissioner Wood stated that the county can't build parks to accommodate large tournaments but rather to meet the communities' daily needs. He suggested that the county look at a subdivision developer to provide recreational areas within its plans.

Judge Hinojosa stated that years ago the Subdivision Regulations were approved including a provision requiring the developers to set aside land for parks within their subdivisions.

Commissioner Wood commented that the developers continue to build subdivision and the county has to build the parks.

Commissioner Garza stated that the requirement exist within city limits.

Judge Hinojosa explained the problem to be that there was no maintenance structure for these areas.

Commissioner Tamayo requested that Judge Hinojosa review all additions to the publications notice.

Judge Hinojosa stated that the Parks publication notice.

Mr. Remi Garza, County Administrative Assistant, stated that the language added to the publication notice was included in the draft notice, including land acquisition, construction/renovation/equipment and improvement to various county parks, installation of security equipment at the county courthouse and various county annexes, construction and equipment of the County's Arroyo City Fire/Law Enforcement Sub-station. He noted that the total was not changed and that the language was made broad enough for the court to have flexibility to address any issues that might arise.

Commissioner Garza stated that the \$4.4 million designated for the Carrizalez-Rucker Detention Center would not be used and bonds not sold if funds were obtained from the litigation, but now the court was adding language with enough leeway to where all the money would be used.

Judge Hinojosa explained the problem to be that the county does not have a choice as to repairing the detention center because the county was told that it will have some problems if the facility is not repaired. He asked if the architects were nearly finished with the repair designs or much longer it would be.

Mr. Pete Sepulveda, Department of Transportation Director, responded that completion of the designs would take another forty-five days, adding that the schematics would be complete sooner.

Judge Hinojosa asked when the project would be ready to be bid out for construction.

Mr. Sepulveda stated that he would consult with the architect.

Judge Hinojosa noted the need to be able to tell the Texas Jail Standards scheduled to visit the county by the end of August that it was in the process of starting construction at the detention center, noting that for this reason the sale of the bonds could not be delayed.

Commissioner Garza asked if the bonds would have to be sold.

Mr. Sepulveda responded that the bonds would have to be sold if the money was to be available in September.

Judge Hinojosa stated that the funds could be paid back.

Commissioner Garza stated that the wordiness of the publication notice was so broad that anything could be funded through the bond issue. He noted the need to limit county spending at some point.

Judge Hinojosa noted the need to add the Courthouse Annex adjacent to Carrizalez-Rucker Detention Center, and stated that the \$4.4 million could be used to either begin repairs to the detention center or to expand it. He stated that no one was proposing to misuse the funds, but rather to have the flexibility to fund things

fundamentally needed to operate the county. Judge Hinojosa suggested that the court give itself the flexibility to spend the \$4.4 million, and stated that the court agrees that the original set of projects were the priorities as to how the money would be spent and that nothing else would be touched until those projects were complete. He stated that the prudent thing to do is to fund things needed upon bid being lower than projected and money being received through the ongoing litigation. Judge Hinojosa stated that more jail space was needed and that a decision was to be made with respect to the \$4.4 million bond funds, thus he opposed limiting the court's ability to use the funds as long it is agreed that funds are spent according to the priorities originally set and only use bond money for the other projects if left over or if reimbursement is received and not used to pay off the bonds.

Commissioner Garza explained his concern to be that the initial idea behind the selling of the bond projects was to fund project from the initial idea and that if any funds were recovered through the litigation that the \$4.4 million would be repaid rather than being further in debt. He stated that priorities change as the years go by, yet his idea was not to go that much into debt if not needed.

Judge Hinojosa asked what would be done about the jail which was full.

Commissioner Garza asked what was wrong with operating the jail at capacity.

Judge Hinojosa explained that the county was growing.

Commissioner Garza stated that efforts by county personnel and Justices of the Peace to decrease the inmate population were ongoing.

Judge Hinojosa stated that four years ago the county added 650 beds to the jail system and these were now full and asked what would be done to meet the growth. He stated that the county could not wait and that the prudent thing to do if money was borrowed for the improvements and funds were received through the litigation was to begin looking to use the \$4.4 million towards increasing the capacity of the jail to meet future growth. Judge Hinojosa stated that the benefits were that the county would increase capacity of the jail and would keep itself out of trouble and would have additional beds to lease out to the federal government. He stated that the county has gotten itself out of financial jams was because the beds were available to lease to the federal government.

Commissioner Wood noted the need to bill for State inmates that have not been transported to state prisons after their paper work has been ready for forty five day, adding that this was a tracking issue of the Sheriff's Department.

Commissioner Garza commented that he was just fiscally conservative.

Commissioner Wood stated that he had no problem with possible expansion of the jail.

Commissioner Garza stated that he had no problem with including funds for acquisition of land for parks; however, the initial discussion of this sale was centered on other projects. He stated that he did not want for things to get to a point to where the county is told that it would not be wised for it to go further into debt because it was too far in debt and it would not fair well with the rating agencies.

Judge Hinojosa stated that Mr. Hinojosa indicated that Cameron County's debt was minuscule when compared to other border counties as to property tax values because the county has been very prudent in borrowing money.

Commissioner Garza expressed concern with footnote in the financial report cautioning that the county General Fund reserve was low.

Judge Hinojosa stated that the borrowing does not affect the reserve.

Commissioner Garza noted the need to put money back into that fund.

Judge Hinojosa stated that adding 650 bed to Carrizalez-Rucker Detention Center and leasing out 200 to the U.S. Marshall's Office would cause reserves to increase.

Mr. Javier Mendez, Parks & Recreations Department Director, noted the need to borrow money for repairs for Isla Blanca Park because it is a revenue generating park. He stated that repairs range from 3.3 miles of road needing improvement to replacement of sewer lines, totaling about \$800,000.00.

Judge Hinojosa stated that he spoke to Mr. Hinojosa about doing a separate bond issue for the Parks System and that he said that doing a separate issuance from this made no sense unless it would be substantial. He explained that the court was unable to delay the issuance of bonds to add the funds for the Parks System because of needed repairs to Carrizalez-Rucker Detention Center. Judge Hinojosa added that Mr. Hinojosa wants to sell all bonds at one time due to the administrative costs associated.

Mr. Garza stated that the notice was broad enough to be able to fund repairs to Isla Blanca Park.

Judge Hinojosa added that the amount on notice night not be enough.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, this item was **APPROVED**.

The Resolution is as Follows:

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 12:55 P.M.

APPROVED this 25th 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