

THE STATE OF TEXAS §
COUNTY OF CAMERON §

BE IT REMEMBERED on the 16th day of September 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:

8:30 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 Pro-tem Pedro “Pete” Benavides at 8:33 A.M. He then asked Commissioner Tamayo for the invocation, and she then led the Court and audience in reciting the Pledge of Allegiance.

The Court then considered the following matters as posted and filed for Record in the Office of the County Clerk on September 12, 2005, at 4:00 P.M.:

ACTION ITEMS

(1) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING REGARDING THE FISCAL YEAR 2005-2006 BUDGETS. (XV-BUDGET OFFICER)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Public Hearing regarding the Fiscal Year 2005-2006 Budget was opened for public comment.

Mr. Xavier Villarreal, Budget Officer, reported that the recommended Budget was filed at the County Clerk's Office, that the notice was published to give the public to voice their opinion during today public hearing.

NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.

At this time, Justices of the Peace David Wise, Dan Sanchez, Bennie Ochoa, Adam Gonzalez, and Rolando Muniz, expressed concern with regards to the salaries of their clerks and requested that the disparity between their clerks and those in the District Clerk's Office be addressed.

Mr. David Gonzalez, Executive Assistant District Attorney, stated that the District Attorney's Office needs six positions; however, they were willing to settle for four positions, them being two Investigator Position to work with federal intelligence, a CPS Attorney Position that can be partially reimbursed by State and one attorney to specialize in prosecution of thefts committed by businesses since they are presently not being prosecuted due to limited resources.

Mr. Roger Ortiz, Elections Administrator, reminded the Court that an almost total new system would be in place this year and noted the need for additional personnel, adding that personnel has not increase since he has been in office. He stated that the upcoming year would be tough for the Elections Division because of the new equipment being received and expressed concern.

The following Justices of the Peace Ramon Ortiz, David Garza and Julian Sanchez also expressed concern with regards to the salaries of their clerks and requested that an increase and equalization of the salaries of their clerks be considered.

Judge Hinojosa explained that they have been scrambling to find money to fund the salary increases being requested since the Justices of the Peace last came before the Court, and that the first time they heard the proposal was when the JPs first came before the Court to speak of equalization of salaries. He explained that the Court was working to balance the budget and that this was difficult do due to increased expenses arising from increased fuel prices and slots added throughout the year, five being from within the offices of the Justices of the Peace. Judge

Hinojosa stated that the county did not approve salary increases last year because of the shortage of revenue resulting from the loss of federal inmates, adding that the inmates and revenue were back but this was not enough to fund an across the board salary increase. He stated that all existing revenues were used when balancing the budget, yet these were not enough so toll rate were increased to generate a 4% salary increase to all county employees and even then a \$200,000.00 shortage remained. Judge Hinojosa explained that when the Court was taking these actions, the sheriff and constables requested additional slots and that it was determined 1/3 of a penny was taken from Road and Bridge into General Fund to fund these slots, yet this was not enough. He added that before the Justices of the Peace talked to him, the District Attorney requested six slots and that he asked Mr. Sepulveda if revenues were available within the Bridge System, adding that after the needed funds were taken a balance of \$62,000.00 remained. Judge Hinojosa stated that part of the \$62,000.00 must be set aside for use towards the grievances of elected officials, aside from the 4% salary increase, and that the request being presented totals \$92,000.00, excluding the new slots. He stated that he instructed the Budget Officer determine how to distribute the \$50,000.00 amongst all JP clerks and that the total excludes the 4% salary increase, totaling about \$70,000.00 if the 4% was added. Judge Hinojosa stated that this amount was not enough for the equalization being requested and that he does not recall said request being presented to him before it was presented to the Court last week. He agreed that the county must work towards the equalization; however, the request was presented too late for the court to work on it. Judge Hinojosa added that another concern being faced was the lack of SCAAP Funds and that these needs in the District Attorney's Office and the equalization must be addressed once these funds are received. He stated that for the meantime he was proposing that the \$50,000.00 be added to the 4% salary increase plus the 15% needed to fund fringe benefits. Judge Hinojosa stated that no other department was getting salary increases aside from the 4% salary increase in the Fiscal Year 2005-2006 Budget.

Commissioner Garza stated that the Emergency Management increased by nearly 50%.

Judge Hinojosa clarified that many department budgets were increased; however, he was making strict reference to salary increases within the new budget. He proposed that the equalization and needed slots be reviewed once SCAAP Funds are received.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing regarding the Fiscal Year 2005-2006 Budget was closed.

SUPPLEMENTAL AGENDA

(1) DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2005-2006 BUDGET. (XV-BUDGET OFFICER)

Commissioner Garza questioned why the top employee for each JP is not a court administrator.

Mr. Xavier Villarreal, Budget Officer, stated that each court has a different situation as to why there is not a court administrator. He added that some positions were originally temporary and other JP's only asked for a clerk not an administrator.

Commissioner Garza stated that there needs to be equalization across the board as it seems it's not fair that individuals are not getting paid the same to do the same work.

Judge Hinojosa stated that Commissioner Garza is quick is judge and criticize and added that he was the only one who voted against the toll increase.

Commissioner Garza stated that there could have been further review into the budget to find money for the court administrators.

Judge Ortiz added that the top clerk in his office is not a court administrator and has been employed 14 years.

Commissioner Garza stated that even if there were to be equalization across the board for the JP Court Administrators, they would still be \$62,000 short of the District Clerks' salaries.

Mr. Villarreal noted that after revenues and expenditures are calculated, there would be \$57,819 in overages. He asked for clarification on the tax rate and what the law enforcement salary increases would be.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, authorization was given to Xavier Villarreal to prepare a budget that contains the following: the recommended slots including the law enforcement slots, increase in salaries to the staff of the JP's for \$50,000, the 4% salary increase for all employees, a transfer of \$320,000 worth of tax rate from the Road and Bridge Program to the general revenue program on the condition that the amount of money that it generates is used contingent upon the State of Texas approving the bond for the second call of Proposition 2.

The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 10:08 A.M. to discuss the following matters:

(2) EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE
SALE OF PROPERTY AT 1027 E. WASHINGTON STREET, PURSUANT TO V.T.C.A.
GOVERNMENT CODE, SECTION 551.072.**
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(3) ACTION RELATIVE TO EXECUTIVE SESSION:

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 10:13 A.M. to discuss the following matters:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE
SALE OF PROPERTY AT 1027 E. WASHINGTON STREET, PURSUANT TO V.T.C.A.
GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza moved to accept the offer of \$65,000 on the property located at 1027 E. Washington St.

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

AYE: Commissioner Garza, Benavides, and Tamayo

NAY: None

ABSTAIN: Commissioner Wood as he was not present during Executive Session.

The Resolution is as follows:

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 10:14 A.M.

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

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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