

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 31st day of JULY, 2001, there was conducted a REGULAR Public 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:

5:30 P.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.
COMMISSIONER, PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD "TIVIE" VALENCIA
COMMISSIONER, PRECINCT NO. 4

Inelda Garcia Deputy Clerk
COUNTY CLERK

ABSENT:
PEDRO "PETE" BENAVIDES

The meeting was called to order by Judge Hinojosa at 5:40 P.M. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Commissioner Cascos to lead the Court and the 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 July 27, 2001, at 2:31 P. M.:

PRESENTATION ITEMS

**(9) POSSIBLE ACTION REGARDING
MODIFICATIONS, ADDITIONS AND/OR
DELETIONS AT THE CAMERON COUNTY
DETENTION FACILITY AND SHERIFF'S
DEPARTMENT AND ISSUES RELATED THERETO**

At this time, Mr. Juan Bernal, County Engineer/Public Works Director, explained that the modifications at the Cameron County Jail consisted of the removal of electrical outlets from within the inmates cells. He added that the County had been assisted by the Texas A & M Extension Department in developing the landscaping design for the County Detention Facility and Sheriff's Department, and that the two (2) individuals involved would give a brief description of the project.

At this time, Dr. Paul Collazzi, Texas A & M Extension, presented an efficient water usage plan for grass and trees landscaping for the Sheriff's Facility. He recommended to install approximately eighty (80) native trees, such as the following species; 1) Wild Olive; 2) Live Oak; 3) Huisache; 4) Retama; and 5) Honey Mesquite, adding that 25,000 gallons of water would be needed to water the trees for the first year, and that no special irrigation method would be required. Dr. Collazzi noted that approximately 1.4 million gallons of water would be needed per year, for the irrigation of the grass; and the irrigation equipment would cost \$8,500.

Mr. Mike Lannert, Sheriff's Department, explained that by following the described recommendations, the County was realizing a total savings of approximately fifty percent (50%) of the original plan. He noted that the City of Brownsville had accepted the landscaping and that the cost of the trees would be approximately \$14,000.00, adding that the costs for the landscapes were included in the original budget, but with greater savings.

Dr. Enrique Perez, Texas A & M Extension, expressed his appreciation working with staff to design the landscaping that would be water efficient, considering the existing drought situation.

At this time, Commissioner Garza questioned the County Engineer regarding the electrical outlets to be removed from the cells, whether there was one per cell and if an allowance would be given.

A short discussion followed concerning the approximate 150 cells with outlets to be capped, noting that the wiring was in place and that the electrical outlets were part of the light fixtures not yet installed.

Mr. Randy Haas, Landmark Organization, informed the Court that the Sheriff's Facility was completed and ready to be turned to the County.

At this time, Mr. Bernal noted the Sheriff and Maintenance Department needed to conduct the final review before accepting the facility.

Mr. Haas reported that ninety-five percent of the roads and grounds, roof, and exterior brick and block had been completed at the Jail Facility, adding that the furniture and kitchen equipment were being installed.

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the modifications, of removing the outlets and the landscaping designs at the Cameron County Detention Facility and Sheriff's Department, and issues related thereto, were approved.

The Reports are as follows:

(2) **PRESENTATION BY MR. JACK GIBSON
REGARDING PUBLIC SAFETY ISSUES IN
CAMERON COUNTY**

At this time, Mr. Jack Gibson, Arroyo City resident, addressed the Court regarding public safety issues in Cameron County, noting that the automobile liability insurance laws were not being enforced, and that traffic control laws, such as red lights and stop signs were not being respected. He requested that the Sheriff's Department and Constable Departments become pro-active regarding the matter.

Judge Hinojosa stated that he was aware that Constable Precinct No. 5 had conducted traffic checkpoints to verify proof of liability insurance on prior occasions, and suggested that the Sheriff's and Constable Departments conduct traffic checks periodically to enforce the law of liability insurance.

Mr. Douglas Wright, Commissioner's Court Legal Counsel, stated that the Supreme Court had established criteria regarding the issue of check points and recommended to obtain directions from the District Attorney as to what could be requested at the check points.

Commissioner Garza moved that the presentation by Mr. Jack Gibson, Arroyo City resident, regarding public safety issues in Cameron County, be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

(3) **REQUEST FOR REPORT ON SALARY MATRIX
AND POSITIONS BY MS. GRACE SALINAS,
EXECUTIVE ASSISTANT**

At this time, Ms. Grace Salinas, Executive Assistant, presented the Position Analysis Questionnaire that would be distributed the following day to Department Heads and Elected Officials, which when completed and evaluated would result in the formation of a Salary Matrix. She reviewed the time frame for the process, noting that August 10, 2001, was the deadline to return the completed questionnaires and a preliminary status report by the Evaluation Committee would be presented to the Court on August 27, 2001. She noted that there were approximately 1,400 questionnaires to be analyzed, adding that she did not anticipate completing the project until November, and changes or adjustments to the budget could be done in mid-term budget for Fiscal Year 2002.

Commissioner Garza expressed his concerns regarding the delay in implementing the Project, noting that he understood that the salary matrix would be completed in time to plan and make budgetary changes for the coming fiscal year.

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the report on the Salary Matrix and positions by Ms. Grace Salinas, Executive Assistant, was acknowledged.

The Questionnaires are as follows:

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**(4) REQUEST FOR THE PROCESS AND PROCEDURES
FOR A COMMISSIONER TO REQUEST WORK
DONE AT PUBLIC WORKS DEPARTMENT**

At this time, Mr. Juan Bernal, County Engineer/Public Works Director, reported that the Department did not have a formal procedure established for a Commissioner to request work to be done by the Public Works Department. He noted that the common practice was to respond to a Commissioner's request as soon as received, whether to perform work or to visit a certain site or with people in the area to determine the needs.

Judge Hinojosa stated that legitimate requests received by his Office were directed to the Public Works Department, and if was appropriate and could be handled by their Department and would not disrupt any activities, it would be placed on their schedule.

Commissioner Valencia stated that his Office would call or send written memos concerning his requests for work to be performed by the Public Works Department, noting that he was totally satisfied with the process and the work being done by Mr. Bernal.

At this time, Commissioner Garza explained that he requested that the Item be placed on the Agenda because he did not know the process for placing work orders and matters that developed in the precinct level, noting that it was much easier when the process was established.

Commissioner Cascos suggested that written procedures should be established and work orders maintained in order to comply with the new accounting requirements of the work performed on the roads.

Mr. Bernal responded that the Department did have work orders and that all the work was recorded, even if a work order was not provided by the individuals submitting the requests for work to be performed.

Judge Hinojosa expressed his satisfaction with the current procedures and commended Mr. Bernal and his Department for being responsive to the needs of the community and for doing an outstanding job.

Commissioner Garza moved that the request for the process and procedures for a Commissioner to request work done at Public Works Department, be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(5) **REQUEST FOR REPORT ON TRANSFER OF MONEY TO NEW BANK DEPOSITORY FROM COUNTY TREASURER, MR. EDDIE GONZALEZ**

Mr. Eddie Gonzalez, County Treasurer, reported that as of close of business, July 30, 2001, the amount of \$3,512,137.00 remained at First National Bank; Loan Star National Bank had the amount of \$28,273,241.00; Tex Pool \$13,618,762.00; Loan Star Bank Pool \$8,588,016.00 for a total amount of \$53,992,156.00. He explained that a total of a 130 accounts remained at First National Bank, some with zero balances, and that 105 accounts were opened at Lone Star National Bank.

Commissioner Garza questioned why the remaining accounts at First National Bank had not been transferred.

Mr. Gonzalez explained that the biggest balance would be for the Clearing Account, consisting of between \$500,000.00 to \$900,000.00.

Upon motion by Commissioner Garza, seconded by Commissioner Valencia and carried unanimously, the Report on transfer of money to the new Bank Depository by County Treasurer, Mr. Eddie Gonzalez, was acknowledged.

(6) **IN THE MATTER REGARDING A REPORT ON HEALTH INSURANCE EXPENDITURES ON YEAR TO DATE BUDGET EXPENSE (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, this item was **TABLED** for one (1) week.

(7) **PRESENTATION BY COUNTY ENGINEER ON THE USE OF OIL ON THE COUNTY ROADS**

At this time, Mr. Juan Bernal, County Engineer/ Public Works Director, reported that the Department used an oil mixture on the County roads for dust control, but noted that the said practice had raised numerous complaints and requested the Court's guidance. He noted that the mixture consisted of one (1) gallon of oil to five (5) gallons of water, adding that people were complaining and expecting the County to wash their vehicles.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated the National Association of Transportation Engineers, had an organization that made recommendations on the issues, and added that if the oiling of roads was an acceptable standard and the roads had proper signs, the County should not be responsible for washing the vehicles.

Judge Hinojosa suggested that Mr. Wright review the matter and recommended that the County Engineering Department continue placing the oil on County roads upon requests, following the County Engineer's guidelines.

Upon motion by Commissioner Garza, seconded by Commissioner Valencia and carried unanimously, the presentation by County Engineer on the use of oil on the County Roads, was acknowledged.

ACTION ITEMS

(8) APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Commissioner Garza moved that the 2001 Fiscal Year Budget Amendments No. 2001-32 and the Salary Schedules for the Airport Maintenance Department, Fund No. 880-5190 and Crime Victims Act Department, Fund No. 250-4742, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Budget Amendment and Salary Schedules are as follows:

(10) **POSSIBLE ACTION REGARDING CAMERON COUNTY AND CITIES CHALLENGING CENSUS 2000 COUNTS, AND ISSUES RELATED THERETO**

Mr. Remi Garza, Administrative Assistant, reported that the government had responded to the Cameron County and Cities Challenging Census 2000 Counts, and that the attorneys were reviewing the response.

Commissioner Garza questioned whether the maps were available and Mr. Garza responded negatively.

Commissioner Valencia moved that the Report regarding the **Cameron** County and Cities Challenging Census 2000 Counts and issues related thereto, be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

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(11) **AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) OF THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS**

Upon motion by Commissioner Garza, seconded by Commissioner Valencia and carried unanimously, the issuance of Request for Proposals (RFP) for the purchase of Automated External Defibrillators was approved.

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(12) **POSSIBLE ACTION REGARDING EXCESS FUNDS REMAINING IN 2000 LOCAL LAW ENFORCEMENT BLOCK GRANT**

Commissioner Valencia moved that the matter be **TABLED**.

At this time Mr. Remi Garza, Administrative Assistant, reported that the excess funds remaining in the 2000 Local Law Enforcement Block Grant were in the amounts of \$2,600.00, adding that Constable Haas Lozano, Precinct No. 4, had requested a Radar Gun, a copy machine and one additional item.

Judge Hinojosa recommended that the money be used to purchase a radar gun and a copy machine for Constable Precinct No. 4.

Upon motion by Commissioner Garza, seconded by Commissioner Valencia and carried unanimously, the purchase of a radar gun and a copy machine for Constable Precinct No. 4, were approved, with the excess funds remaining in the 2000 Local Law Enforcement Block Grant.

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(13) **AUTHORIZATION TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF SAN BENITO, REGARDING THE APPLICATION OF EMULSION TO THE FOLLOWING STREETS IN SAN BENITO, TEXAS- SCHNEIDER ROAD, YOST ROAD, HAINE DRIVE, AND MAYFIELD ROAD, NORTH OF HAINE DRIVE, TURNER FROM RATLIFF WEST TO LAST HOUSE SWEEZY LANE**

Commissioner Garza moved to enter into an Interlocal Cooperation Agreement between Cameron County and the City of San Benito, regarding the application of emulsion to the following Streets in San Benito, Texas; Schneider Road, Haine Drive, and Mayfield Road, North of Haine Drive, and Turner from Ratliff West to the last house on Sweezy Lane, the work to be done by the Public Works staff, as time permits.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(14) **AUTHORIZATION TO PURCHASE V-ONE EQUIPMENT SYSTEM FOR THE OPERATION OF THE REGIONAL INFORMATION SHARE SYSTEM NETWORK (RISSNET) FROM A SOLE SOURCE**

Judge Hinojosa questioned if the purchase of the V-one Equipment System for the operation of the Regional Information Share System Network (RISSNET) from a sole source had been reviewed and approved by the Purchasing Agent.

Mr. Rudy M. Juarez, Computer Center Director, explained that the purchase V-one Equipment System for the operation of the Regional Information Share System Network (RISSNET) was from a sole source, in order to connect the different items within the System and that a consultant was hired to approve installation.

Upon motion by Commissioner Garza, seconded by Commissioner Valencia and carried unanimously, the purchase of a V-One equipment system for the operation of Regional Information Share System Network (RISSNET) from a sole source vendor, was approved.

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[REDACTED]

(15) **APPROVAL FOR COUNTY JUDGE, TAX ASSESSOR COLLECTOR AND COUNTY AUDITOR, TO SIGN AND ACCEPT THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY GRANT FOR THE CAMERON COUNTY AUTOMOBILE CRIMES ENFORCEMENT FOR THE THIRD YEAR**

Commissioner Valencia moved that the County Judge, Tax Assessor Collector and the County Auditor be authorized to sign and accept the Texas Automobile Theft Prevention Authority Grant for the Cameron County Automobile Crimes Enforcement, for the third year.

The motion was seconded by Commissioner Garza and carried unanimously.

[REDACTED]

(16) **AUTHORIZATION FOR THE INTERNATIONAL BRIDGE SYSTEM DIRECTOR TO NEGOTIATE A CONTRACT WITH LAMB AND LERCH FOR PROFESSIONAL SERVICES ON FILING AN APPLICATION WITH THE FOREIGN TRADE ZONE BOARD FOR EXPANSION OF FOREIGN TRADE ZONE NO. 62, TO THE FREE TRADE COMMERCE CENTER AT LOS INDIOS**

Mr. Pete Sepulveda, International Bridge System Director, reported that the total cost for the service would be approximately \$20,000.00, adding that Cameron County would be responsible for 50%; and the cities of San Benito and Harlingen responsible for 25% respectively. Mr. Sepulveda explained that some of the application process work would be done by the office, but the firm would complete the application to be considered by the Foreign Trade Zone Board.

Commissioner Valencia moved that the International Bridge System Director be authorized to negotiate a contract with the firm of Lamb and Lerch for professional services on filing an application with the Foreign Trade Zone Board for expansion of Foreign Trade Zone No. 62, of the Free Trade Commerce Center at Los Indios.

The motion was seconded by Commissioner Garza and carried unanimously.

[REDACTED]

(17) **IN THE MATTER REGARDING A 5.0 FOOT EASEMENT TO MS. JESSICA GONZALEZ FOR THE INSTALLATION OF A WATER LINE (TABLED)**

Mr. Juan Bernal, County Engineer/Public Works Director, explained that Ms. Jessica Gonzalez had requested a 5.0 foot wide easement for the installation of a waterline.

Judge Hinojosa suggested that the matter be examined and considered the following week.

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

(18) AUTHORIZATION OF CONNECTION OF UTILITY SERVICE FOR THE LORENZO GUTIERREZ FAMILY AT 8909 S. BROWNIE ROAD, BROWNSVILLE, TEXAS, PRECINCT NO. 1, EL JARDIN SUBDIVISION, OUT OF SHARE NO. 32, BLOCK 4 (0.5 ACRES), UNDER THE TEXAS LOCAL GOVERNMENT CODE NO. 232.029

Mr. Juan Bernal, County Engineer/Public Works Director, reported that the request for the water and sewer utility services connections by the Gutierrez Family was based on a hardship situation and recommended approval.

Commissioner Valencia moved that the connection of utility service for the Lorenzo Gutierrez Family at 8909 S. Brownie Road, Brownsville, Texas, Precinct No. 1, El Jardin Subdivision, out of Share 32, Block No. 4 (0.5 Acres), under the Texas Local Government Code No. 232.029, be approved.

The motion was seconded by Commissioner Garza.

Mr. Doug Wright, Commissioners' Court Legal Counsel, suggested that the services be qualified on the recommendation by the County Engineer that the hardship circumstances existed and that it would be the only reasonable way to provide water and sewer services to the family.

Commissioner Garza questioned if the services included water, sewer, and electrical utilities and Mr. Bernal responded that the services were for water and sewer.

Upon motion duly made by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the connection of utility service for the Lorenzo Gutierrez Family at 8909 S. Brownie Road, Brownsville, Texas, Precinct No. 1, El Jardin Subdivision, out of Share 32, Block No. 4 (0.5 Acres), under the Texas Local Government Code No. 232.029, was approved, based on the hardship circumstances.

(19) AUTHORIZATION TO REQUEST ARCHITECTURAL QUALIFICATIONS FOR DESIGN AND DEVELOPMENT OF THE CAMERON COUNTY LAW ENFORCEMENT SUBSTATION, TCDD CONTRACT NO 721101

Commissioner Garza moved that the authorization to request Architectural Qualifications for Design and Development of the Cameron County Law Enforcement Substation, be approved.

The motion was seconded by Commissioner Valencia.

Judge Hinojosa noted that the grant was in the amount of \$67,000.00, but questioned the type of building that could be designed for that amount, and suggested the option of expanding the range to \$100,000.00.

Mr. Frank Bejarano, Program Development and Management Director, explained that the County had two (2) constraints, that being the amount of the budget and the size of the lot that was going to be used. He noted that the

preliminary layout was designed by Mr. Robert Ruiz, pro bono, and that once the architect was retained, the final plans and location could be considered.

Upon motion duly made by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the Request for Architectural Qualifications for the design and development of the Cameron County Law Enforcement Substation, that being Texas Community Development Program (TCDP) Contract No. 721101, was approved.

(20) **AUTHORIZATION TO CONTRACT WITH TEDSI
INFRASTRUCTURE GROUP FOR A TRAFFIC
IMPACT STUDY, PURSUANT TO THE
OCCUPANCY AND REUSE OF THE DANCY
BUILDING**

Mr. Frank Bejarano, Program Development and Management Director, stated that the main purpose of the contract with TEDSI Infrastructure Group, was to do a Traffic Impact Study, in order to determine the feasibility of closing Monroe Street, between Eleventh and Twelfth Streets, to provide additional parking and to minimize pedestrian and vehicle potential accidents.

Commissioner Cascos expressed his concerns with the amount of money to be spent and whether the City of Brownsville would approve the recommendations.

Mr. Bejarano reported that Administrative staff was contacted regarding the study, and added that the City would not commit to the Project, until the results of the study were determined, unless the County placed the Project on the City Commissioners' Agenda.

Judge Hinojosa moved that the contract with TEDSI Infrastructure Group for a Traffic Impact Study, pursuant to the occupancy and reuse of the Dancy Building, be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

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(21) **APPROVAL OF THE REQUEST FOR PROPOSAL FOR THIRD PARTY ADMINISTRATION FOR SECTION IRC NO. 125 PLAN AND FLEXIBLE SPENDING ACCOUNT SPECIFICATIONS WHICH MAY REQUIRE OPEN AND/OR CLOSED SUPPLEMENTAL POLICIES PROVIDERS TO INCLUDE ADVERTISING IN THE BROWNSVILLE HERALD AND VALLEY MORNING STAR**

Mr. Manuel Villarreal, Personnel Director, requested approval for the advertisement of Request for Proposals (RFP) for the Third Party Administration for Section IRC No. 125 Plan and Flexible Spending Account, noting that the specifications included the options of open or closed supplemental policies providers.

Commissioner Cascos requested clarification on certain sections of the Request for Proposal, specifically the point systems to be awarded for certain categories, and expressed his concerns regarding some to the items or qualifications requested.

Mr. Villarreal noted that the Request for Proposal (RFP) was a standard category type system used by the Purchasing Department.

Mr. Remi Garza, Administrative Assistant, noted that the criteria being used was the same as the ones presented in the 1995 Requests for Proposals.

Mr. Villarreal requested approval to advertise on the Sunday paper, and noted that the changes could be made on the specifications packet and could be available for the bidder by Tuesday.

Commissioner Garza questioned the effective dates and the language of the contract regarding the options for renewal, and the open or closed provisions.

Mr. Garza recommended that the language of the Request for Proposal (RFP) be used as a guide, assuming that Mr. Mike Forbes, Purchasing Agent, was able to use it and make all the appropriate modifications.

Judge Hinojosa recommended that the criteria requirements be decreased by half (1/2).

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the advertising in the Brownsville Herald and Valley Morning Star of the specifications for the Requests for Proposal (RFP) for Third Party Administration, for Section IRC No. 125 Plan and Flexible Spending Accounts, which may require open and/or closed supplemental policies providers, was approved.

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(22) **POSSIBLE ACTION APPROVING THE COLOR SCHEME OF THE FORMICA TO GO ON THE WORKSTATIONS TO BE BUILT AND INSTALLED IN THE NEW ADULT PROBATION BUILDING IN SAN BENITO BY THE BUILDING MAINTENANCE DEPARTMENT CARPENTRY DIVISION**

Mr. Roger Ortiz, Building Maintenance Supervisor, requested approval of the color scheme of the Formica, that being the color "fruitwood" for the workstations to be installed in the New Adult Probation Building in San Benito.

Commissioner Garza moved that the color scheme of the Formica, that being the color "fruitwood", be approved for the workstations to be installed in the New Adult Probation Building in San Benito, by the Building Maintenance Department Carpentry Division.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(23) **IN THE MATTER REGARDING COMMISSIONER'S COURT APPROVAL ON ADVERTISING FOR THE FOLLOWING PROPOSALS FISCAL, YEAR 2001-2002: (TABLED)**

- a) DENTAL SERVICES-INFIRMARY
- b) DIETICIAN SERVICES-INFIRMARY
- c) PSYCHOLOGICAL SERVICES-INFIRMARY
- d) MEDICAL DIRECTOR-INFIRMARY
- e) DELINQUENT TAX COLLECTIONS SERVICES
- f) BONDS COUNCIL
- g) BOND FINANCIAL ADVISOR.

There was some questions regarding the terms of the contracts and the location of the medical services to be provided at the new jail facility and the suggestion was made to table the matter.

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

There was some discussion concerning the Delinquent Tax Collections Services and whether the Contract had expired and it was noted that the services were being provided on a month to month basis.

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

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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 CONSENT AGENDA ITEMS:

ITEM No. 38-C: Mr. Remi Garza, Administrative Assistant, noted that the Item should read Supervisor, instead of Chief Deputy.

Commissioner Cascos questioned if the mandatory continuing education travel policy was being adhered to, and the Budget Officer responded that the travel item in question was being funded from the Child Support Funds, and was exempted from the travel policy.

Commissioner Valencia recommended that the Item be amended to include members of the Commissioners' Court.

ITEM No. 24: Commissioner Garza recommended that the numerous phone bills that exceeded the budgeted amount be reviewed.

ITEM No. 29: Commissioner Garza questioned if there were any concerns with the release of Security to First National Bank for a total amount of \$9,000,000.00 at PAR, from the collateral package securing the Deposits of the County.

Mr. Doug Wright, Commissioners' Court Legal Counsel, responded that it was the recommendation of the County Treasurer, and suggested the matter be TABLED and discussed after the Executive Session.

ITEM No. 33: Commissioner Garza requested clarification from Mr. Juan Bernal, County Engineer/ Public Work Director.

Mr. Bernal stated that the cost estimate of the Study exceeded the projected cost, and that the amount was for the remaining balance.

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the "Consent" Agenda Items were approved as follows:

AYE: Commissioners Benavides, Cascos, Garza and Valencia,

NAY: None

ABSTAIN: Judge Hinojosa as to Southwest Key Program La Esperanza, Warrant No. 60055, in the amount of \$21,043.96.

**(24) Approval of County Claims;
The Affidavit follows:**

- (25) **Adoption of a Resolution honoring Mr. Brennan Wells and Mr. Ernesto Lopez, for their recent acts of heroism and rescue of swimmers;
The Resolution follow:**
- (26) **Adoption of Proclamation on behalf of Su Clinica Familiar recognizing August as World Breast Feeding Month and designating the month of August as “Breast Feeding Awareness Month” in Cameron County, Texas;
The Proclamation follows:**
- (27) **Acknowledgment of Continuing Education Credit for Commissioner Precinct No. 3;
The Certificate is as follows:**
- (28) **Adoption of a Resolution needed to purchase multiple Certificate of Deposits with Lone Star National Bank;
The Resolution follows:**
- (29) **Approval to release a Security to First National Bank for a total of \$9,000,000.00 at PAR, from the collateral package securing the deposits of the County;**
- (30) **Authorization to advertise for bids for shelving of the Evidence Room, Records and Warrants Division;**
- (31) **Authorization to purchase 90 computers, 2 laptops, and 20 printers from CDW-G utilizing State of Texas General Service Commission-QISV Cooperative Purchasing Program;**
- (32) **Approval for the October 1, 2001-September 30, 2002 Holiday Schedule;
The Schedule is as follows:**
- (33) **Approval for purchase without a Purchase Order to Raba Kistner in the amount of \$1,160.38;**
- (34) **Authorization for final approval:**
- a) **Precinct No. 4- Summer View Estates - Being 20.445 acres (20.442 acres) comprised of 9.746 acres (9.743 acres) in Section 139 and 10.699 acres in Section No. 298, both lying west of Leeland Subdivision;**
 - b) **Precinct No. 4- Magnolia Estates Subdivision - Being a Resubdivision of the west 10.08 acres of Lot No. 34, Adams Gardens Subdivision “B”, La Feria Grant;**
 - c) **Precinct No. 4- Costilla Subdivision - A 2.909 acre of land, more or less, out of Block No. 22, Pomelo Subdivision; and**
 - d) **Precinct No. 4- A- Gonzalez Subdivision - Being a tract containing 1.13152 acre (57,288 square feet) of land situated in Lot No. 4 of Frias Subdivision.**
- (35) **Authorization for preliminary approval:**
- a) **Precinct No. 3- Canelo Fields Phase Nos. 1 and 2 Subdivision - A 28.621 acre tract of land being Phase I and II Subdivision, Precinct No. 3 a 28.621acres tract of land being Phase II out of the East one half (½) of Lot No. 2, Block No. 1, all of Lot No. 1, Block No. 4, Bowie Subdivision of Lots B,C,D, and the E, of the Espiritu Santo Irrigation Land Company; and**

- b) **Precinct No. 3- Canelo Fields Phase No. 3 Subdivision - A 28.696 acres tract of land being Phase III out of the north 30 acres more or less, (30.0 ac) of Lot No. 2 Block No. 5, Bowie Subdivision of Lot A, of Espiritu Santo Irrigation; and**
 - c) **Precinct No. 3- La Tina County Estates Phase I - A 3.523.83 acres out of a 1.268.98 acre tract consisting of "La Tina" tract A 1.010.86 acre tract of land and "Marshal" tract, A 258.12 acre tract of land situated in and part of Tract No. 50 of the Paredes Tract Subdivision "G", of Espiritu Santo Grant, Share 19.**
- (36) **Authorization to renew a Mobile Vendor's Permit for Jaime and Maria Catalina Salazar D/B/A Ruby's Elotes; and**
- (37) **Authorization to continue participation in the State of Texas Department of Information Resource - Interlocal Purchasing Agreement.**

TRAVEL ITEMS

- (38) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- a) Assistant County Auditor to attend the "Not for Profit Accounting and Auditing Issues", in Weslaco, Texas, July 27, 2001;
 - b) County Extension Agent to attend the "District 12 Family Consumer Sciences Retreat", in San Antonio, Texas, August 8-6, 2001;
 - c) District Clerk and Deputy District Clerk Supervisor to attend the "Texas Association of Counties 2001 Post Legislative Conference and Board of Directors Meeting", in Austin, Texas, August 14-17, 2001, (and members of Commissioners' Court);
 - d) District Clerk and Supervisor to attend the "2001 Vital Statistics Conference", in Laredo, Texas, August 2-3, 2001;
 - e) Health Department Employee to attend the "Mandatory Windows 2000 Training", in Austin, Texas, August 14-17, 2001;
 - f) Parks Director to attend the "Traps Region No. 6 ", in Corpus Christi, Texas, July 20, 2001;
 - g) Nine (9) Drug Enforcement Commanders, Field Supervisor and Seven (7) Agents to attend the "Texas Narcotics Control Program Annual Training Conference", in Corpus Christi, Texas, August 12-15, 2001;
 - h) Unit Director to attend the "High Intensity Drug Trafficking Area Manager's Meeting", in Baltimore, Maryland, September 17-20, 2001;
 - i) S.P.E.E.D. Grant Officer to attend the "A 24 Hour Course, TCLEOSE Accredited, Multi-Grade Comprehensive School Based Alcohol Prevention Curriculum", in San Antonio, Texas, August 5-8, 2001;
 - j) Deputy Constable Precinct No. 5 to attend the "A S.A.V.E. Class (Stop Alcohol Violation Early Course)", in San Antonio, Texas, August 5-8, 2001;

- k) County Clerk, Chief Deputy and Supervisor to attend the “Texas College of Probate Judges Annual Conference”, in San Antonio, Texas, September 6-8, 2001;
- l) Juvenile Probation Supervisor and two (2) employees to attend the “Segovia Unit, provided by the Texas Department of Criminal Justice”, in Edinburg, Texas, August 17, 2001; and
- m) Three (3) Juvenile employees to attend the “Summer Training Series Workshop”, in Austin, Texas, July 15-18, 2001.



(24) **Approval of County Claims;**
The Affidavit follows:

**(25) Adoption of a Resolution honoring
Mr. Brennan Wells and Mr. Ernesto Lopez,
for their recent acts of heroism and rescue of swimmers;
The Resolutions follow:**

- (26) Adoption of Proclamation on behalf of Su Clinica Familiar
recognizing August as World Breast Feeding Month
and designating the month of
August as “Breast Feeding Awareness Month”
in Cameron County, Texas;
The Proclamation follows:**

**(27) Acknowledgment of Continuing Education Credit
for Commissioner Precinct No. 3,
The Certificate is as follows:**

- (28) **Adoption of a Resolution needed to purchase multiple Certificate of
Deposits with Lone Star National Bank;
The Resolution follows:**

**(32) Approval for the October 1, 2001-September 30, 2002
 Holiday Schedule;
 The Schedule is as follows:**

EXECUTIVE SESSION

39) EXECUTIVE SESSION:

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 7:37 P.M. to discuss the following matters:

- a) Confer with Commissioners' Court Legal Counsel regarding Tax Abatement Agreement between Cameron County and FINSA-Harvest, LTD, on matters 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 551.072;
- b) Confer with Commissioners' Court Legal Counsel concerning the case styled Ruben R. Peña versus Jose Alfredo Jimenez, et. al, In the 107th Judicial District State Court of Cameron County, Texas; Cause No. 98-02-00663-A, for discussion and authorization to provide legal representation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (A) and (B), and 551.071;and
- c) Confer with Commissioners' Court Legal Counsel concerning potential litigation with Bank Depository (Lone Star/First National); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.

Upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the Court reconvened in Regular Session at 8:15 P.M.

(40) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) Confer with Commissioners' Court Legal Counsel regarding the Tax Abatement Agreement between Cameron County and FINSA-Harvest, LTD, on matters 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 Valencia, seconded by Commissioner Garza and carried unanimously, Mr. Frank Bejarano, Program Development and Management Director, was authorized to send notice to FINSA-Harvest to come in compliance within thirty (30) days concerning the Tax Abatement Agreement.

- [REDACTED]
- (b) **Confer with Commissioners' Court Legal Counsel concerning the case styled Ruben R. Peña versus Jose Alfredo Jimenez, et. al, in the 107th Judicial District State Court of Cameron County, Texas; Cause No. 98-02-00663-A, for discussion and authorization to provide legal representation.**

Commissioner Valencia moved that the Contract of Counsel Chris Boswell be amended to include the State Court action in his representation of the County Officials in the case styled Ruben R. Peña versus Jose Alfredo Jimenez, et. al., in the 107th Judicial District State Court of Cameron County, Texas; Cause No. 98-02-00663-A.

The motion was seconded by Commissioner Garza and carried unanimously.

- [REDACTED]
- (c) **Confer with Commissioners' Court Legal Counsel concerning potential litigation with Bank Depository (Lone Star/First National).**

Upon motion by Commissioner Garza, seconded by Commissioner Valencia and carried unanimously, the Statutes Report by Commissioners' Court Legal Counsel concerning the potential litigation with Bank Depository (Lone Star/First National), was acknowledged.

[REDACTED]

There being no further business to come before the Court, upon motion by Commissioner Valencia, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 8:14 P.M.

[REDACTED]

APPROVED this 21st day of **AUGUST, 2001.**

[REDACTED]

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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