

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 4th day of June 2002, 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

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

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

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

RICHARD VALDEZ
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 Pro-tem Carlos Cascos, C.P.A., at 5:35 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and Ms. Edna Tamayo and Mr. John Wood, Commissioners Elect, 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 May 31, 2002, at 1:54 P.M.:

ACTION ITEMS

(7) CONSIDERATION AND POSSIBLE ACTION REGARDING SOLICITING PROPOSALS FOR CAMERON COUNTY HEALTH INSURANCE, 3RD PARTY ADMINISTRATOR, AND STOP LOSS INSURANCE CARRIERS

Mr. Remi Garza, Administrative Assistant, reported that when the County was going through the crisis with the Health Insurance Fund, it had indicated that changes be made to the Insurance Plan to allow the Fund to get healthy and thereafter, solicit proposals on administering the Program. He added that he was told that the fund was halfway and that there was a need to go fully funded. Mr. Garza requested authorization to commence the process.

Commissioner Cascos moved that the soliciting of proposals for Cameron County Health Insurance, Third Party Administrator, and Stop Loss Insurance Carriers be authorized.

The motion was seconded by Commissioner Benavides.

Commissioner Garza questioned the year to date status of the Health Insurance Fund since the changes were made and with the incurred expenditures.

Mr. Garza stated that the Health Insurance Fund was at a balance of above \$1 million and that outstanding claims existed.

Mr. Manuel Villarreal, Personnel/Safety Risk Director, stated that the Health Insurance Representative would make a Presentation concerning the Status of the Health Insurance Fund. He reported that the Fund was much healthier, but that funds were needed to cover the ninety days prior and after and the premiums, in the event that the County opted to go fully funded. Mr. Villarreal stated that the Contract for the Third Party Administrator was for a one (1) year period and the Stop Loss Insurance Carrier was a one (1) year Plan. He clarified that the changes needed to be made in August to take effect on September 1, 2002.

Judge Hinojosa suggested that a Workshop be held to update the Court.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously the soliciting of proposals for Cameron County Health Insurance, Third Party Administrator, and Stop Loss Insurance Carriers was authorized.

[REDACTED]

(11) **CONSIDERATION AND ACTION RELATED TO THE SELECTION OF PROJECTS FOR THE PARK SYSTEM TO SUBMIT GRANT APPLICATIONS TO THE TEXAS GENERAL LAND OFFICE UNDER THE COASTAL IMPACT MANAGEMENT PROGRAM**

(20) **AUTHORIZATION FOR THE PARKS SYSTEM TO SUBMIT GRANT APPLICATIONS TO THE GENERAL LAND OFFICE UNDER THE COASTAL IMPACT ASSISTANCE PROGRAM;**

Judge Hinojosa questioned if the projects were in order by priority or if they would all be submitted.

Mr. Javier Mendez, Parks System Director, stated that the Coastal Impact Assistance Program (CIAP) was a one hundred percent (100%) Grant and that there was a maximum of \$50,000.00 per project, adding that a little over \$1 million were available for disbursement to all Counties.

Judge Hinojosa questioned whether Item No. 20 was related.

Mr. Mendez stated that Item No. 20 consisted of larger projects and would require a total match, in the total amount of \$120,707.00, during the 2004 Fiscal Year Budget.

Judge Hinojosa suggested that Projects Nos. 2, 3, and 4 be submitted.

Commissioner Garza questioned the indicated amount of \$100,000.00.

Mr. Mendez explained that the \$100,000.00 pertained to the total cost of each project, adding that any number of Projects could be submitted as long as they did not exceed a total cost of \$100,000.00. He suggested the construction of "cabañas" at Thomae Park.

Commissioner Benavides questioned the Status of the Boca Chica Beach funding.

Mr. Mendez reported that he had sent a letter to the Texas Parks and Wildlife Department (TPWD) requesting authorization to negotiate a type of Land Use Agreement, adding that due to Administrative changes of the TPWD renegotiations were needed.

Judge Hinojosa recommended that Projects Nos. 3, 4, and 5, No. 5 being the construction of cabañas, be submitted for Item No. 20, and that the Parks System Director's recommendation be submitted for Item No. 11.

Mr. Joe Vega, Parks System Assistant Director, requested authorization to seek funding for a Litter Abatement Officer through the CIAP, who would serve only the coastal area.

Commissioner Benavides moved that the selection of the projects, recommended by the Parks System Director, to submit Grant Applications to the Texas General Land Office under the Coastal Impact Management Program be approved.

The motion was seconded by Commissioner Valdez.

Commissioner Garza questioned the deadline to Submit Projects for Item No. 20.

Mr. Mendez responded that the deadline for the preliminary draft was June 19, 2002, and that the deadline for the Final Application was October 2002.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the selection of the Projects recommended by the Parks System Director, to submit Grant Applications to the Texas General Land Office under the Coastal Impact Management Program were approved.

The Lists are as follows:

(12) **CONSIDERATION AND ACTION REGARDING
ADDITIONAL CLAIM FROM THE SHEPARD
GROUP RELATED TO INSTALLATION OF A LOW
POWER FM STATION ON SOUTH PADRE ISLAND**

Mr. Javier Mendez, Parks System Director, stated that the funds to pay the claim were available in the Park Rangers Budget.

Mr. Remi Garza, Administrative Assistant, stated that a meeting was held with the Budget Officer and the Purchasing Agent to review the additional claim submitted by Mr. Ron Woodlock, Shepard Group, and that it was concluded that the claim was valid; therefore, payment was recommended.

Mr. Mark Yates, County Auditor, stated that the Court had made a decision based on a certain dollar amount and that the relocation of the Radio Antenna was never brought before the Court, noting that the Court should be aware of the difference in cost prior to making a decision.

Commissioner Cascos noted that the issue was that no Purchase Order was ever issued, even though there was plenty of time. He expressed his concern with charges and with meetings indicated in the invoice that were not recalled by the participants of the meetings.

Mr. Garza explained that the 10.17 hours being billed for the month of March 2002, equaled the total hours worked for the month. He stated that it was not known that the meetings were held between the three (3) individuals versus discussion with each individual.

Mr. Ron Woodlock, Shepard Group, noted that he felt like his credibility had been challenged. He reviewed the process that was followed and added that every stage of the project was brought before the Court were approved. Mr. Woodlock stated that the invoice was over the budgeted amount by \$2,795.00, and that over \$6,500.00 in Engineer's time had been written off.

Commissioner Cascos noted that it was not Mr. Woodlock's responsibility that the proper process was not followed.

Judge Hinojosa noted that time constraints had prevented that the process be followed, adding that delaying the matter, in order to follow the process would have cost more than the invoice amount being considered.

Commissioner Garza questioned whether search and brown out protections were available with the system.

Mr. Woodlock responded that he had installed the search and brown out protections at his expense, but more was needed. He recommended that an auxiliary power source with a 700-watt capacity be installed.

Commissioner Garza moved that the additional claim from the Shepard Group, related to the installation of a Low Power FM Station on South Padre Island, be approved.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Invoice is as follows:

[REDACTED]

(3) ORDER AUTHORIZING THE ISSUANCE OF \$7,315,000 CAMERON COUNTY, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2002, AWARDED THE SALE THEREOF; AND AUTHORIZING OTHER MATTERS RELATING THERETO

Mr. Noe Hinojosa, Financial Consultant, reported that on April 20, 2002, he was instructed to proceed with the sale of two (2) securities, one (1) in the amount of \$7,315,000.00 and the second in the amount of \$1 million. He stated that he had good faith checks that could be used in the event the bidders did not have the cash at the time of closing the County could go about exercising the checks. Mr. Hinojosa reported that the Market's drop had impacted the interest rates and that as of April 20, 2002, the market was better; therefore, good bids were anticipated. He stated that the Rating Agencies agreed that the financial soundness of the County continued to be strong and that every rating was confirmed on a positive note. Mr. Hinojosa highlighted the Report and noted that Cameron County was the only County that had advertised the sale of bonds at this time. He then proceeded to open the following bids for the \$7,315,000.00 Certificates of Obligation, Series 2002:

Commissioner Cascos moved that the Orde, authorizing the issuance of \$7,315,000.00 Cameron County, Texas Certificates of Obligation, Series 2002, awarding the sale thereof to A.G. Edwards and Sons, Inc., and authorizing other matters relating thereto be adopted, upon the recommendation of the Financial Consultant.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Report and Order are as follow:

(4) **ORDER AUTHORIZING THE ISSUANCE OF
\$1,000,000 CAMERON COUNTY, TEXAS
UNLIMITED TAX ROAD BONDS, SERIES 2002,
AWARDING THE SALE THEREOF; AND
APPROVING ALL OTHER MATTERS RELATING
TO THE ISSUANCE OF THE BONDS**

Mr. Noe Hinojosa, Financial Consultant, proceeded to open the following bids for the \$1 million Unlimited Tax Road Bonds, Series 2002, and stated that the Bonds were being sold at an AAA Rate:

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Order authorizing the issuance of \$1 million Cameron County, Texas Unlimited Tax Road Bonds, Series 2002, awarding the sale thereof to Salomon Smith Borrowing and approving all other matters relating to the issuance of the Bonds was adopted, upon recommendation by the Financial Consultant.

Commissioner Garza questioned if the issued bonds were taxable.

Mr. Hinojosa clarified that the bonds were tax exempt.

Mr. Paul Martin, Aiken, Gump, Strauss, Hauer and Feld, L.L.P., stated that the adopted Orders were fairly standard in nature and provided pledge of the security for the various Certificates.

Commissioner Garza questioned if a good sale was obtained.

Mr. Hinojosa stated that at the time the Plan of Finance was presented, rate negotiations with Bank of America were being considered. He stated that the rates were beaten by two (2) or three (3) basis points, and that with the planning conducted the rates obtained were below the anticipated.

At this time there was discussion concerning the Insurance Premium, the comparison of the rating obtained from the three (3) rating agencies versus the rates previously received, and the clarification was made that the A rating expanded the number of investors which resulted in lower rates.

The Order is as follows:

(5) **CONSIDERATION AND ADOPTION OF A
RESOLUTION SUPPORTING THE RIO GRANDE
VALLEY UNITED VETERANS ORGANIZATION'S
CALL FOR A VETERAN ADMINISTRATION
HOSPITAL TO BE LOCATED IN THE RIO
GRANDE VALLEY**

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Resolution supporting the Rio Grande Valley United Veterans Organization's call for a Veteran Administration Hospital to be located in the Rio Grande Valley was adopted.

The Resolution is as follows:

(6) **CONSIDERATION AND APPROVAL TO EXPAND
THE HARLINGEN VA OFFICE TO INCLUDE A
PRIVATE OFFICE**

Judge Hinojosa stated that the renovation of the Harlingen Annex was reviewed by his Office, and suggested that it would be best to construct a new building with the \$1 million already allocated and to the proceeds of the sale of the Harlingen property.

Mr. Juan Bernal, County Engineer/Public Works Director, reported the findings of the Harlingen Annex to be water leaks and mold; therefore, he believed that a new facility should be constructed.

Judge Hinojosa stated that the funds would provide for a larger facility that would allow sufficient space to provide the needed services to the Harlingen area. He added that the Property Manager was asked to present an estimate of the proceed from the possible sale of the property and to locate an accessible property within the City of Harlingen, in order to combine the estimated cost to determine if the project could be done. Judge Hinojosa stated that if the construction of a new facility was considered the time line for the final construction would be one (1) year. He stated that during a meeting, the VA Office was recommended to request additional Office Space from the Texas State Technical College (TSTC) or to otherwise recommend that the \$750.00 for the Private Office be approved

Mr. Salvador Salinas, VA Office, informed that TSTC was consulted and that space was not available.

Commissioner Garza moved that the expansion of the Harlingen VA Office to include a Private Office be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

(1) **BUDGET AMENDMENTS AND/OR SALARY
SCHEDULES**

Mr. Xavier Villarreal, Budget Officer, reported that three (3) Salary Schedules were being presented; two (2) Salary Schedules combining the two (2) Part-Time Secretarial Positions for the Justice of the Peace, Precinct No. 3, Place No.1, and Justice of the Peace, Precinct No. 7, Place No. 1, into one full time position, and one (1) Salary Schedule for the County Judge's Office for the approved appointment of Ms. Veronica De La Fuente to the Unidos Podemos Coordinator Position, extending the funding throughout the remainder of the Fiscal Year. He stated that Ms. De La Fuente was classified as Extra Help and would be entitled to benefits since she would now be working over 900 hours within the Calendar Year, resulting in the creation of a Slot at the same rate of pay for the remainder of the Fiscal Year. Mr. Villarreal reported that the Budget Amendments were inclusive of the Justice of the Peace's general maintenance and the Extra Help being requested by the County Judge's Office.

Commissioner Cascos stated that the manner in which the Budget Amendment was being presented was not the way he had understood that it would happen. He noted his understanding to be that the Extra Help would be eliminated rather than it being increased, and that according to the Salary Schedule \$30,000.00 were being allocated for the last 8.7 pay periods.

Mr. Villarreal explained that \$30,000.00 was the total annual rate of pay.

Commissioner Cascos questioned why the Slot was being created if Ms. De La Fuente would only finish the remainder of the fiscal year and why the Extra Help Slot could not be used.

Mr. Villarreal stated that it could not be done because she would not be eligible for benefits.

Commissioner Cascos questioned why the Extra Help Slot could not be eliminated.

Mr. Villarreal noted that the Extra Help Slot could not be eliminated because it was already paid.

Commissioner Cascos stated that the Extra Help slot was being increased.

Mr. Villarreal stated that there was a request to increase the Extra Help Slot.

Commissioner Cascos questioned the indirect cost reimbursement.

Mr. Villarreal stated that two (2) weeks ago the position to oversee the Unidos Podemos Program was presented to the Court in a way that would be funded from the indirect cost reimbursement.

Commissioner Cascos stated that the funding from the indirect cost reimbursement was subject to the County Auditor.

Mr. Villarreal stated that the County Auditor had indicated that he would prefer not to obtain funding from the indirect cost reimbursement.

Commissioner Cascos questioned if the Administrative Assistant Slot, Extra Help Slot and the Program Coordinator Slot would be considered during the next Budgetary Process.

Mr. Villarreal responded negatively.

Commissioner Cascos suggested that the Extra Help Slot be used for Ms. De La Fuente and that the amount be increased to the needed amount for the remainder of the Fiscal Year. He stated that the Salary Schedule appeared as if another full time position was being created and the Extra Help Slot would remain, adding that it was not known if the process was being followed.

Mr. Villarreal explained that the amount was already expended and that there was a request for Extra Summer Help.

Commissioner Garza clarified that there were two (2) items being considered, the new Slot and the additional funding for Extra Help.

Mr. Remi Garza, Administrative Assistant, explained that it was a combination of the Extra Help Slot she was previously in, and that the funds allocated for a copier and from the Emergency Management were being considered for Extra Help. He explained that Mr. Jared Hockema, County Judge's Office, would be coming back to the County during the Summer to assist in developing a County Plan relating to the water issues being experienced at this time.

Commissioner Cascos suggested that the needed funds for the remainder of the fiscal year be added to the Extra Help Slot No. 9, and to change the title of the Slot in order to avoid the appearance of a new Slot being created. He stated that otherwise the new slot and extra help would be refunded in the next fiscal year. Commissioner Cascos questioned the duties assigned to Ms. De La Fuente and who was paying her salary while attending events such as ribbon cutting ceremonies, since the salary was funded through grant funds.

Mr. Garza stated that her time worked was being submitted to TNRCC.

Commissioner Cascos noted his understanding to be that funding would be extended to fund her position for the remainder of the fiscal year through the Extra Help Slot.

Mr. Villarreal stated that the Salary Schedule was set up in the manner presented because there were no Extra Help positions that received benefits.

Commissioner Cascos questioned if the Budget Officer was recommending that a new Slot be created and that Extra Help remain as it was.

Mr. Villarreal noted that his recommendation was based on what the Court had approved, adding that approval to fund her through the remainder of the fiscal year had caused her to be entitled to benefits. He stated that he had developed the Salary Schedule to reflect that she was an individual who receives benefits, and questioned whether the Slot could be funded from the Extra Help Slot No. 9. Mr. Villarreal clarified that his intent was to fund the Slot for the remainder of the fiscal year.

Commissioner Cascos questioned if \$14,442.00 could be added to the Extra Help Slot No. 9.

Judge Hinojosa moved that the Budget Amendments and Salary Schedules be approved.

Mr. Mark Yates, County Auditor, recommended that the \$4,900.00 be funded from Lapsed Salary.

Judge Hinojosa stated that the new Slot would be created for the remainder of the fiscal year with specific duties being assigned, and that the Court would determine if the position would be funded during the next fiscal year. He stated that Ms. De La Fuente was working on matters relating to issues that the County was dealing with at this time.

Commissioner Valdez stated that the two (2) Extra Help Slots represented one (1) Slot and would be indicated as so in next year's Budget.

Commissioner Cascos stated that although there were two (2) Extra Help Slots listed there was only one (1) Extra Help Slot that was being increased from \$13,880.00 to \$15,558.00. He noted his understanding to be that funds would be transferred to Extra Help to fund the position for the remainder of the fiscal year. Commissioner Cascos stated that the Salary Schedule did not reflect what the Court had considered.

Mr. Garza stated the Commissioner Cascos' understanding that the funds would be added to Extra Help was correct, but that when hours were reviewed, it was concluded that she would be entitled to benefits; therefore, additional funds were be needed.

Commissioner Cascos noted that there was no discussion relating to the creation of another slot.

Mr. Garza stated that the \$13,800.00 from the TNRCC Grant would go into the \$15,000.00.

Commissioner Garza questioned if the Extra Help was funded from the grant.

Mr. Garza responded that the \$13,800.00 were the TNRCC Grant in total before the Budget Amendment, and that the additional funds were being requested.

Commissioner Garza stated that the bottom line was that a new position was being created, and questioned if the salary was pro-rated.

Mr. Villarreal responded in the affirmative.

The motion was seconded by Commissioner Valdez.

Mr. Yates recommended that the Lapsed Salary be increased rather than assigning revenue that has not been certified.

Commissioner Garza noted that the Indirect Cost Reimbursement was being created from zero and that the County had some cost being questioned already.

Judge Hinojosa stated that the cost was being questioned because the County was not monitoring the Grant.

Mr. Yates explained that the Grant was being monitored, but that the County was lacking the cooperation of those running the Program.

Mr. Villarreal stated that the Budget Amendment was set up this way based on the Agenda Item that was approved.

Commissioner Garza questioned the Lapsed Salaries being considered.

Mr. Villarreal noted that the Lapsed Salaries being considered were from the District Courts Department.

Judge Hinojosa moved that the Budget Amendments and Salary Schedules be approved.

The motion was seconded by Commissioner Valdez.

Mr. Villarreal questioned if the revenues would be recognized.

Commissioner Cascos noted that the Budget Amendment was incorrect and the need to restate the motion that would indicate the correct funding source.

Mr. Villarreal stated that the Budget Amendment was set up to recognize the indirect cost reimbursement from Unidos Podemos as Revenue.

Judge Hinojosa stated that the County Auditor had recommended that the request be funded from Lapsed Salaries.

Mr. Villarreal requested that the Budget Amendment be amended in order to fund the request for Lapsed Salaries.

Commissioner Benavides moved that the Budget Amendments be amended and that the 2002- Fiscal Year Budget Amendment No. 2002-25 and Salary Schedules be approved.

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

AYE: Commissioners Benavides, Valdez, and Judge Hinojosa,

NAY: Commissioners Cascos and Garza.

The Budget Amendments and Salary Schedules are as follow:

(2) **APPROVAL OF MINUTES:**

- A) **APRIL 30, 2002 - REGULAR;
MAY 3, 2002- EMERGENCY; AND
MAY 7, 2002- REGULAR**

Commissioner Benavides moved that the Minutes for the Regular Meetings held April 30, 2002, and May 7, 2002, and the Emergency Meeting held May 3, 2002, be approved.

The motion was seconded by Commissioner Valdez.

At this time, Mrs. JuaNita Brodecky, Rio Hondo resident, questioned when she would be able to obtain a certified copy of the Minutes for this Meeting, in order to get the percentages of the Certificates of Obligation approved by the Court.

Mrs. Maricruz Robles, Commissioners' Court Secretary, stated that due to the absence of Mrs. Inelda T. Garcia, former Chief Deputy, she was the only person assigned to transcribing the Court's Minutes and that it was being delayed in order to be as accurate as possible.

Upon motion duly made by Commissioner Benavides that the Minutes for the Regular Meetings held April 30, 2002, and May 7, 2002, and the Emergency Meeting held May 3, 2002, be approved.

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

AYE: Commissioners Benavides, Valdez, and Judge Hinojosa,

NAY: None,

ABSTAIN: Commissioner Cascos, as to the Minutes for the Regular Meetings held May 7, 2002, and Commissioner Garza, as to the Minutes for the Emergency Meeting held May 3, 2002.

(8) **CONSIDERATION AND APPROVAL TO ACCEPT
THE GRANT CONTRACT FOR THE 2002 COPS
UNIVERSAL HIRING PROGRAM**

Mr. Frank Bejarano, Project Development and Management Director, stated that the new three (3) year grant, in the amount of \$150,000.00, for the Sheriff's Department required a match in the amount of \$3,502.00.

Commissioner Benavides moved that the Grant Contract for the 2002 COPS Universal Hiring Program be approved.

The motion was seconded by Commissioner Garza.

Commissioner Garza questioned an asterisk on the Agenda Item.

Mr. Bejarano stated that the Grant award started on March 1, 2002, and ended March 1, 2003, adding that the Program ran for three (3) years. He explained that the asterisk on the form was a typo.

At this time there was discussion concerning the balance of Lapsed Salaries and how it was determined, that the Lapsed Salaries in the Sheriff's Department was kept as a cover for the overtime generated due to insufficient staff, and the clarification was made that the overtime payment was being factored in as well and that the overtime generated during the collapse of the Queen Isabella Causeway would be funded through Texas Department of Transportation (TxDOT).

Commissioner Garza questioned the date of the grant and if the salaries would be retroactive from March 1, 2002.

Captain Robert Lopez, Sheriff's Department, responded that the funding was now available and would continue for one (1) year.

Commissioner Garza asked if new staff would be hired.

Captain Lopez responded in the affirmative.

Upon motion duly made Commissioner Benavides that the Grant Contract for the 2002 COPS Universal Hiring Program be approved.

The motion was seconded by Commissioner Garza.

The Contract is as follows:

(9) **CONSIDERATION AND AUTHORIZATION TO
CREATE FIVE (5) DETENTION OFFICER SLOTS**

Captain Robert Lopez, Sheriff's Department, requested that five (5) Detention Officer Slots be created that would be located at the Detention Center No. 2, three (3) to be funded from revenues from the Marshal's Office and two (2) to be reimbursed directly from the Marshal's Office.

Mr. Mark Yates, County Auditor, reported that approximately \$136,000.00 would be generated from housing the forty-two (42) inmates for 108 days and that the five (5) Detention Officer would cost \$154,000.00, adding that after considering all the expenditures a surplus of about \$16,000.00 would remain.

Judge Hinojosa questioned the time line and if the additional staff was required to open the jail pod.

Captain Lopez responded that a Representative from the Marshal's Office would inspect the facility and the vehicles and that the housing could commence immediately upon his approval. He stated that the additional staff was required prior to the opening of the jail pod.

Judge Hinojosa reported that the Cameron County Sheriff, Mr. Roger Olson, Law Enforcement Risk Management, and he were working on the possibility to train employees from the Levis Strauss Company in order to hire them as Detention Officers.

At this time, there was a brief discussion concerning the suggested possibility of working the training program for Detention Officers with Hidalgo County and the detailed training involved.

Commissioner Garza moved that the creation of five (5) Detention Officer Slots be authorized.

The motion was seconded by Commissioner Valdez.

Commissioner Cascos questioned if the \$30,000.00 was included of fringe benefits.

Mr. Yates responded in the affirmative.

Commissioner Cascos questioned if the new Willacy County Jail Facility would impact the Cameron County Jail Facility.

Captain Lopez responded negatively.

Upon motion duly made by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the creation of five (5) Detention Officer Slots was authorized.

The Salary Schedule is as follows:

(10) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE CONNECTION OF UTILITY SERVICES TO THE JOSE PICO FAMILY RESIDING AT 11131 ALABAMA ROAD UNDER TEXAS LOCAL GOVERNMENT CODE 232.029(C)(2)**

Commissioner Benavides moved that the connection of Utility Services to the Jose Pico Family, residing at 11131 Alabama Road, under Texas Local Government Code 232.029(C)(2) be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.

(13) **CONSIDERATION AND POSSIBLE ACTION REGARDING ADDITIONAL SECURITY MEASURES FOR THE RUBEN M. TORRES DETENTION CENTER**

Mr. Juan Bernal, County Engineer/Public Works Director, stated that the project would cost between \$9,000.00 and \$10,000.00.

Captain Robert Lopez, Sheriff's Department, reported that the project consisted of the installation of barb wire fencing around the recreation area and the patios, and the installation of connecting double wire all around.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the additional security measures for the Ruben M. Torres Detention Center were approved.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ITEMS WERE HEARD COLLECTIVELY UNLESS OPPOSITION WAS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WAS CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

ITEM NO. 7: Mr. Mark Yates, County Auditor, presented the following late claims: Warrant No. 00077224, as to Ole Travel, in the amount of \$224.00; Warrant No. 00077225, as to Ozarka, in the amount of \$199.74; and Warrant No. 00077226, as to State Bar of Texas, in the amount of \$50.00.

ITEM NO. 27-c: Mr. Xavier Villarreal, Budget Officer, stated that the travel requested by Justice of the Peace Precinct No. 5, Place No. 1 for five (5) staff members and herself to attend the JPCA Conference did not meet the requirements of the County Travel Policy. He explained that the travel for Mrs. Sally Gonzalez, Justice of the Peace Precinct No. 5, Place No. 1, met the requirements, but the remainder of the staff did not, adding that she was requesting lodging, mileage, and registration fees. Commissioner Benavides questioned the method of travel and the date of travel. Mr. Villarreal stated that a van would be used and that the travel was from June 18 through June 23, 2002. He stated that the total request was not in accordance to the guidelines adopted by the County Travel Policy.

Commissioner Garza questioned the portion of the request that would be in accordance to the Travel Policy.

Mr. Villarreal stated that the Travel of Mrs. Gonzalez would qualify due to her being sworn-in as President of the JPCA state Association.

Commissioner Garza asked if training would be provided and whether a vehicle was being rented.

Mr. Villarreal responded that training would be provided but that the staff had already obtained said training, and that a van would be borrowed.

Commissioner Garza asked if the Certification or Credits could be carried over for the following year.

Commissioner Garza moved that the following "Consent and Travel Items" be approved.

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

AYE: Commissioners Benavides, Cascos, Garza and Valdez,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00077169, payable to Southwest Key Program La Esperanza, in the amount of \$11,978.10.

- (14) **APPROVAL OF CLAIMS;**
The Affidavit follows:
- (15) **RESOLUTION HONORING BROWNSVILLE CHIEF OF POLICE CARLOS GARCIA ON HIS APPOINTMENT TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY BOARD OF DIRECTORS;**
The Resolution follows:
- (16) **RENEWAL OF THE LEASE AGREEMENT FOR OFFICE SPACE FOR THE CAMERON COUNTY TASK FORCE;**
The Agreement follows:
- (17) **RENEWAL OF THE LEASE AGREEMENT FOR THE STORAGE OF VEHICLES BY THE CAMERON COUNTY TASK FORCE;**
The Agreement follows:
- (18) **RESOLUTION AUTHORIZING THE DISTRICT CLERK'S OFFICE TO APPLY FOR A RECYCLING GRANT FROM THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION;**
The Resolution follows:
- (19) **CONTRACT BETWEEN CAMERON COUNTY AND VALLEY PROUD ENVIRONMENTAL COUNCIL FOR THE ILLEGAL DUMPING PUBLIC SERVICE ANNOUNCEMENT PROJECT;**
The Contract follows:
- (20) **IN THE MATTER REGARDING AUTHORIZATION FOR THE PARKS SYSTEM TO SUBMIT GRANT APPLICATIONS TO THE GENERAL LAND OFFICE UNDER THE COASTAL IMPACT ASSISTANCE PROGRAM(NO ACTION TAKEN);**
- (21) **AUTHORIZATION TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR CAMERON COUNTY OWNED TRACT OF LAND, MEASURING APPROXIMATELY 3.0 ACRES LOCATED AT LOS TOMATES BRIDGE LOS TOMATES;**

- (22) **LEASE AGREEMENT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND DR. DAGOBERTO MARTINEZ, SOUTHMOST LIMITED PARTNERSHIP TO RENT SPACE FOR WIC PROGRAM SERVICES;
The Agreement follows:**
- (23) **LEASE AGREEMENT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND DR. DAGOBERTO MARTINEZ, CLINICA SANTA MARIA TO RENT SPACE FOR WIC PROGRAM SERVICES;
The Agreement follows:**
- (24) **LEASE AGREEMENT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND DR. ASIM ZAMIR, BROWNSVILLE CHILDREN'S CLINIC, TO RENT SPACE FOR WIC PROGRAM SERVICES;
The Agreement follows:**
- (25) **OPENING THE FOLLOWING BIDS/PROPOSALS:**
 - A. **INSURANCE FOR INTERNATIONAL BRIDGES - ANNUAL BID NO. 1458;**
 - AND**
 - B. **FUEL SUPPLIES - ANNUAL BID NO. 2280-2.**
- (26) **ADVERTISING FOR ANNUAL REQUEST FOR PROPOSALS (RFP) NO. 1220 FOR INDEPENDENT AUDITORS.**

TRAVEL ITEMS

- (27) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
 - (a) Constable Precinct No. 1, to attend the "Justice of the Peace and Constables Association (JPCA) Annual Convention", in El Paso, Texas, June 18-23, 2000;
 - (b) Sheriff's Captain to attend the "Training on Critical Incident and Emergency Management", in San Antonio, Texas, June 23-27, 2002;
 - (c) Justice of the Peace Precinct No. 5, Place No. 1 to attend "Justice of the Peace and Constables Association (JPCA) Annual Convention Conference", in El Paso, Texas, June 18-23, 2002;
 - (d) Commissioners' Court Legal Counsel to attend the "State Bar of Texas Annual Meeting", in Dallas, Texas, June 13-16, 2002;
 - (e) Health Administrator to attend the "Cardiovascular Disease and Stroke Summit", in San Antonio, Texas, June 19-21, 2002;
 - (f) Health Department employee to attend the "Smallpox VAX Meeting"; in San Antonio, Texas, June 10-12, 2002;
 - (g) Four (4) Juvenile Probation Staff to attend the "Microsoft Excel Training", in McAllen, Texas, June 21, 2002; and
 - (h) Juvenile Probation Employee to attend "Advanced Caseworker 4 Training", in Austin, Texas, July 31-August 1, 2002.

- (14) APPROVAL OF CLAIMS.
The Affidavit is as follows:**

- (15) **RESOLUTION HONORING BROWNSVILLE CHIEF OF POLICE CARLOS GARCIA ON HIS APPOINTMENT TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY BOARD OF DIRECTORS.**
The Resolution is as follows:

- (16) **RENEWAL OF LEASE AGREEMENT FOR OFFICE SPACE FOR THE CAMERON COUNTY TASK FORCE.**
The Agreement is as follows:

- (17) **RENEWAL OF LEASE AGREEMENT FOR THE STORAGE OF VEHICLES BY THE CAMERON COUNTY TASK FORCE.**
The Agreement is as follows:

- (18) RESOLUTION AUTHORIZING THE DISTRICT CLERK'S OFFICE TO APPLY FOR A RECYCLING GRANT FROM THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION.**

The Resolution is as follows:

- (19) CONTRACT BETWEEN CAMERON COUNTY AND VALLEY PROUD ENVIRONMENTAL COUNCIL FOR THE ILLEGAL DUMPING PUBLIC SERVICE ANNOUNCEMENT PROJECT.
The Contract is as follows:**

- (22) **LEASE AGREEMENT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND DR. DAGOBERTO MARTINEZ, SOUTHMOST LIMITED PARTNERSHIP TO RENT SPACE FOR WIC PROGRAM SERVICES.**
The Agreement is as follows:

- (23) **LEASE AGREEMENT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT
WIC PROGRAM AND DR. DAGOBERTO MARTINEZ, CLINICA SANTA MARIA
TO RENT SPACE FOR WIC PROGRAM SERVICES.
The Agreement is as follows:**

- (24) **LEASE AGREEMENT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT
WIC PROGRAM AND DR. ASIM ZAMIR, BROWNSVILLE CHILDREN'S CLINIC
TO RENT SPACE FOR WIC PROGRAM SERVICES.
The Agreement is as follows:**

EXECUTIVE SESSION

(28) EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 7:19 P.M., to discuss the following matters:

- (a) Deliberation regarding Real Property concerning the approval of the Lease between Cameron County and Mr. Mario R. Villarreal, Sr.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (b) Consideration and authorization for the acquisition of Real Property in and around the Dancy Building in the Brownsville Original Townsite; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- (c) Confer with Commissioners' Court Legal Counsel concerning the case styled Mr. William E. McCoy versus Cameron County Sheriff's Department, Sheriff Omar Lucio, et. al., Case No. B-02-031 for discussion and authority to hire Counsel; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- (d) Deliberation regarding Real Property concerning the possible Lease of the Office Space for the Unidos Podemos Program or other County Departments; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (e) Deliberation regarding Real Property concerning the possible purchase of various properties located adjacent to Flor De Mayo Road; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- (f) Deliberation regarding Real Property concerning the possible Lease of Cameron County owned tract of land, measuring approximately 3.0 acres located at Los Tomates Bridge; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- (g) Deliberation regarding Real Property concerning the Amendment to the Original Lease Agreement between Cameron County and UETA of Texas, Inc.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 7:54 P.M.

NOTE: JUDGE HINOJOSA LEFT THE MEETING AT THIS TIME.



(29) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) Deliberation regarding Real Property concerning the approval the of Lease between Cameron County and Mr. Mario R. Villarreal Sr.**

Commissioner Benavides moved that Mr. Joseph Ardito, Property Manager, be authorized to enter into the Lease Agreement between Cameron County and Mr. Mario R. Villarreal Sr., be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

The Agreement is as follows:

[REDACTED]

(b) Consideration and authorization for the acquisition of Real Property in and around the Dancy Building in the Brownsville Original Townsite.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Status Report by Mr. Frank Bejarano, Project Development and Management, concerning the acquisition of Real Property in and around the Dancy Building in the Brownsville Original Townsite was acknowledged.

[REDACTED]

(c) Confer with Commissioners' Court Legal Counsel concerning the case styled Mr. William E. McCoy versus Cameron County Sheriff's Department, Sheriff Omar Lucio, et. al., Case No. B-02-031 for discussion and authority to hire Counsel.

Commissioner Garza moved that Mr. Doug Wright, Commissioners' Court Legal Counsel be authorized to represent the County in the case styled Mr. William E. McCoy versus Cameron County Sheriff's Department, Sheriff Omar Lucio, et. al., Case No. B-02-031.

The motion was seconded by Commissioner Benavides and carried unanimously.

[REDACTED]

(d) Deliberation regarding Real Property concerning the possible Lease of Office Space for the Unidos Podemos Program or other County Departments.

Commissioner Benavides moved that renegotiations of the Lease Agreement of the Office Space for the Unidos Podemos Program or other County Departments be authorized.

The motion was seconded by Commissioner Valdez and carried unanimously.

[REDACTED]

(e) In the matter of deliberation regarding Real Property concerning the possible purchase of various properties located adjacent to Flor De Mayo Road.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED**.

[REDACTED]

(f) Deliberation regarding Real Property concerning the possible Lease of Cameron County owned tract of land, measuring approximately 3.0 acres located at Los Tomates Bridge.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Request for Proposals (RFP) for the Lease of Cameron County owned tract of land, measuring approximately 3.0 acres located at Los Tomates Bridge was authorized.

[REDACTED]

(g) Deliberation regarding Real Property concerning the Amendment to the Original Lease Agreement between Cameron County and UETA of Texas, Inc.

Commissioner Garza moved that the County Judge be authorized to sign the Amended Version to the Original Lease Agreement between Cameron County and UETA of Texas, Inc.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Amendment is as follows:

There being no further business to come before the Court, upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 7:55 P.M.

APPROVED this 2nd day of **July 2002**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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