

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 10th day of September 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:

The meeting was called to order by Judge Hinojosa at 5:30 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and he led 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 September 6, 2002, at 2:41 P.M., and the Supplemental Agenda Posted on September 7, 2002, at 3:58 P.M.:

PRESENTATION

**(1) PRESENTATION OF A RESOLUTION HONORING
THE CAMERON COUNTY AUTOMOBILE CRIMES
ENFORCEMENT TASK FORCE FOR RECEIVING
THE 2002 COUNTY BEST PRACTICE AWARD
FROM THE TEXAS ASSOCIATION OF COUNTIES
LEADERSHIP FOUNDATION**

Mr. Tony Yzaguirre, Tax Assessor/Collector, demonstrated the 2002 County Best Practice Award presented to the Cameron County Automobile Crimes Enforcement Task Force by the Texas Association of Counties Leadership Foundation on August 15, 2002.

Judge Hinojosa read the previously adopted Resolution honoring the Cameron County Automobile Crimes Enforcement Task Force for receiving the Award.

Mr. Yzaguirre thanked the Commissioners' Court and the Texas Automobile Theft Prevention Authority for supporting the Cameron County Automobile Crimes Enforcement Task Force.

Mr. Carlos Garcia, Texas Automobile Theft Prevention Authority Representative, congratulated the Cameron County Automobile Crimes Enforcement Task Force for an excellent job performance, and stated that State funding would be insured as long as the excellent job performance continued.

Commissioner Cascos moved that the Presentation of the Resolution honoring the Cameron County Automobile Crimes Enforcement Task Force for receiving the 2002 County Best Practice Award from the Texas Association of Counties Leadership Foundation be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

The Resolution is as follows:

(2) **PRESENTATION BY THE UNIVERSITY OF TEXAS
AT BROWNSVILLE REGARDING THE UPCOMING
PROJECTS AND BONDS ELECTION**

Dr. Bill Strong, University of Texas at Brownsville, informed that the \$97 million Bond Election was scheduled for September 14, 2002. He stated that 24% of the State's population had Bachelors Degrees versus merely 13% of the Rio Grande Valley's population. Mr. Strong stated that nearly 700 new students had enrolled during the present school year and that the student population was projected to double by the 2010 year, adding that the Master Plan was intended to service a population of 20,000 students.

Ms. Rosemary Martinez, University of Texas at Brownsville, explained that safety and historical issues were considered while developing the Campus Master Plan and that the proposed construction would require 1.9 million square feet, resulting in a 1.2 million square feet shortage, even with the already acquired properties. Ms. Martinez noted that the \$97 million represented merely 1/5 of the \$500 million total cost for the expansion, and explained that the project had been categorized according to the portions eligible for State Funding and the portions to be funded through the Bond Election.

At this time, Mr. Strong highlighted the different portions of the proposed project and the cost estimates.

Ms. Martinez stated that the Bond Issue would require a \$0.05.9 tax rate increase and would allow the sale of Bonds of up to \$97 million throughout a ten (10) year period. She explained that the Bond Issue would signify an annual tax increase of \$29.50 for an average home valued at approximately \$50,000.00 within the City of Brownsville.

Judge Hinojosa informed that the University of Texas at Brownsville assisted the community during the crisis that occurred with the former employees of the Levis Strauss Company. He explained that the Rio Grande Valley had the resource needed to become economically strong, yet the resource was not used to its maximum potential because the youth lacked the ability to obtain the higher education needed. Judge Hinojosa commended the University of Texas at Brownsville for providing higher education programs, and noted that although the Public was concerned about a tax increase, there was a need to weigh the value of investing in our community on a long term basis by providing higher quality education for our youth versus the effects of a tax increase.

Commissioner Garza questioned the current tax rate and when the tax increase would take effect.

Ms. Martinez responded that the tax rate was \$0.13 per every \$100.00 evaluation and that the increase would take effect immediately until the Bonds were paid in full. She stated that the Bond Issue would affect the southern portion of the County, and reiterated that the Bond Election was scheduled for September 14, 2002.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Presentation by the University of Texas at Brownsville regarding the upcoming projects and Bonds Election was acknowledged.

The Pamphlet is as follows:

(4) **PRESENTATION BY DR. JOSEPH COULTER
REGARDING EL MURILLO DRAINAGE PROJECT**

Dr. Joseph Coulter, El Murillo Drainage Project, reported that the El Murillo Drainage Project was formed in the 1960's when the water being released for the Falcon Dam was discovered to have 500,000 million parts of salt and that once it was released from Aster Louise Dam the salt quantity had doubled. He added that the concern had caused discomfort among the Agriculture interest; therefore, they gathered 34 Water Districts, 20 cities, and 235 individuals to raise \$345,000.00 to fund 1/4 of the construction cost of the Project in Mexico. Dr. Coulter stated that the local funds were represented by the Rio Grande Valley Water Committee, non-profit corporation, who in accordance to the By-Law could address any water issues. He stated that the additional costs were funded by the I.B.W.C. in the United States and in Mexico, and presented a Resolution, adopted in 1973, that obligates Cameron County to fund 45% of the El Murillo Drainage Project's annual maintenance and operation costs.

Commissioner Garza questioned if the maintenance cost varied.

Dr. Coulter responded in the affirmative, adding that the maintenance and operational costs were based on Mexican cost.

Commissioner Garza questioned the process followed to appoint Committee members.

Dr. Coulter explained that the Directors nominated individuals to become members, that the members elected the Directors, and that the Directors elected the Officers.

Commissioner Garza requested a copy of the Records of Incorporation.

Judge Hinojosa stated that the information would be made available to the Commissioners.

Commissioner Cascos questioned the basis of the cost.

Dr. Coulter clarified that an invoice, in the amount of \$10,595.91, had been received by the Rio Grande Valley Water Committee in June 2002, of which 45% was to be funded by Cameron County.

Commissioner Benavides moved that the Presentation by Dr. Joseph Coulter regarding El Murillo Drainage Project be acknowledged.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Report is as follows:

SUPPLEMENTAL ITEMS

- (1) CONSIDERATION AND ADOPTION OF A RESOLUTION IN REMEMBRANCE OF THE EVENTS OF SEPTEMBER 11, 2001
- (2) CONSIDERATION AND ADOPTION OF A RESOLUTION IN REMEMBRANCE OF THE SEPTEMBER 15, 2001, COLLAPSE OF THE QUEEN ISABELLA CAUSEWAY
- (3) CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING THE LAW ENFORCEMENT, FIRE FIGHTING, AND OTHER EMERGENCY PERSONNEL WHO RESPONDED TO THE TRAGEDIES OF SEPTEMBER 11, 2001 AND SEPTEMBER 15, 2001

Judge Hinojosa informed that the Resolutions remembering the tragic events of September 11, 2002, and September 15, 2002, and honoring the Law Enforcement, the Emergency Personnel, and the Fire Department who responded to the tragedies would be presented during a Memorial Service scheduled for September 11, 2002, at the Cameron County Central Jury Room.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Resolutions remembering the events of September 11, 2001, and the September 15, 2001, collapse of the Queen Isabella Causeway, and honoring the Law Enforcement, Fire Fighting, and the other Emergency Personnel who responded to the tragedies were adopted.

The Resolutions are as follow:

ACTION ITEMS

(5) BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Commissioner Cascos moved that the 2002-Fiscal Year Budget Amendment No. 2002-37 and/or Salary Schedules be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

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(3) **IN THE MATTER REGARDING PRESENTATION OF PLAQUE BY THE SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT TO THE CAMERON COUNTY COMMISSIONERS COURT FOR THE OUTSTANDING SERVICE AND SUPPORT TO THE SCHOOL COMMUNITY (TABLED)**

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

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(6) **APPROVAL OF MINUTES FOR THE REGULAR MEETINGS HELD AUGUST 6, 2002 AND AUGUST 13, 2002**

Commissioner Garza moved that the Minutes for the Regular Meetings held August 6, 2002, and August 13, 2002 be approved, inclusive of the amendments.

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

AYE: Commissioners Benavides, Garza, Valdez, and Judge Hinojosa,

NAY: None,

ABSTAIN: Commissioner Cascos as to the Minutes for the Regular Meeting held August 13, 2002, due to absence.

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(7) **CONSIDERATION AND AUTHORIZATION TO HOLD PUBLIC HEARING REGARDING THE PROPOSED TAX RATE FOR FY 2002-2003 AT OR BELOW \$0.353526 PER EVERY \$100 VALUATION**

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Public Hearing regarding the proposed tax rate for the 2002-2003 Fiscal Year at or below \$0.353526 per every \$100.00 valuation was opened for Public comments.

Mr. Xavier Villarreal, Budget Officer, informed that the County was working to maintain the tax rate at \$0.340536, and that the different tax rate combinations, the revenues projections, and expenditures had been presented to the Court.

Commissioner Valdez questioned the current tax rate for the Road and Bridge Fund and for the General Fund.

Mr. Villarreal responded that the current tax rate for the General Fund was \$0.318168 and that the current tax rate for the Road and Bridge Fund was \$0.02236, resulting in a \$357,000.00 deficit for the General Fund and a \$1.1 million deficit for the Road and Bridge Fund.

Judge Hinojosa questioned if the \$357,000.00 included the toll rate increase.

Mr. Villarreal responded negatively, and explained that the \$0.15 increase to the toll rate had been promised to address the debt of the Certificates of Obligation.

Judge Hinojosa questioned whether the \$250,000.00 shortfall would be reduced by the nickel increase to the toll rate.

Mr. Villarreal responded in the affirmative.

Commissioner Cascos questioned the total increase to the toll rate needed to address the debt of the Certificates of Obligation.

Mr. Mark Yates, County Auditor, clarified that according to the Financial Advisor a \$0.15 toll rate increase was needed to fund the \$581,000.00 payment of the Certificates of Obligation.

Judge Hinojosa stated that the General Fund's \$357,000.00 deficit would be reduced by \$250,000.00.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Public Hearing regarding the Proposed Tax Rate for the 2002-2003 Fiscal Year at or below \$0.353526 per every \$100.00 valuation was closed.

[REDACTED]

(10) IN THE MATTER REGARDING POSSIBLE ACTION CONCERNING THE COUNTY BUDGET FOR THE 2002-2003 FISCAL YEAR (TABLED)

Mr. Xavier Villarreal, Budget Officer, reported that a \$500,000.00 deficit was anticipated for the General Fund and a \$1,031,000.00 deficit was anticipated for the Road and Bridge Fund.

Judge Hinojosa stated that the General Fund's \$500,000.00 deficit excluded the additional nickel increase to the toll rate, minimizing the deficit by \$250,000.00.

Mr. Villarreal explained that the \$250,000.00 shortfall excluded the salary increases and new positions, except for the new positions for the Juvenile Department. He added that the increase of the Health Environmental Fees, totaling \$47,000.00, had been factored into the Budget, and that the new position for the Health Environmental Department was excluded.

Judge Hinojosa recommended that the State Criminal Alien Assistance Program (SCAAP) Funds, in the amount of \$500,000.00, received for the 2003 Fiscal Year be added to the revenue projections.

Commissioner Cascos expressed his concern with the number of days of operation available and with the projected Fund Balance for the General Fund and the Road and Bridge Fund, adding that according to the schedules presented by the Budget Officer, the Fund Balance for the Road and Bridge Fund was expected to be nil by year end.

Commissioner Garza stated that he was in favor of the SCAAP Funds being added to the revenues, but opposed the adoption of a deficit Budget.

Commissioner Cascos questioned the impact on the General Fund's deficit to be caused by the transfer of the \$0.0025.

Judge Hinojosa explained that the \$500,000.00 deficit plus the nickel increase to the toll rate would equal \$350,000.00, and that the 3% salary increase would require \$761,000.00, which would result in a \$460,000.00 deficit. He added that upon factoring in an additional nickel, the deficit would be reduced to about \$200,000.00, and suggested that the Lapsed Salaries be factored into the current Budget or to transfer funds from the International Bridge System Fund to cover the \$200,000.00 deficit.

Commissioner Cascos expressed his concern with the inability to provide the 3% salary increases and the needed additional personnel.

Judge Hinojosa clarified that the concern was the expenditure that would affect the Road and Bridge Fund during the 2002-2003 Fiscal Year, and that the Public Works Department would be involved with Proposition II Project that would be funded through the \$10 million Proposition II Fund awarded to Cameron County. Judge Hinojosa explained that \$3 million would fund Proposition II Projects that might be conducted in-house, and that the Force Account's expenditures might be funded through the funds. Judge Hinojosa added that the Texas Department of Transportation (TxDOT) required that the Proposition II Projects be completed within a year period; therefore, he did not anticipate the Road and Bridge Fund to drop as projected by the Budget Officer. He clarified that the Budget Officer was not factoring in the use of local resources for the Proposition II Project through Proposition II Fund to determine the total expenses for the Road and Bridge Fund. He noted that the following options were available: 1) to increase the tax rate; 2) to transfer 1/4 of a penny, 1/2 of a penny, or a whole penny to the Road and Bridge Fund, noting that a transfer exceeding the \$0.0025 would conflict with the proposed 3% salary increases for County employees; or 3) to transfer 1/4 of a penny and risk having the projected deficit within the Road and Bridge Fund. He suggested that an additional increase to the toll rates be considered to provide the 3% salary increases to County employees. Judge Hinojosa stated that the penny could be incrementally transferred into the Road and Bridge Fund since the Proposition II Program was a three (3) year period.

Commissioner Cascos explained that a deficit Budget would not be adopted because the Fund Balance would be used to offset it.

Commissioner Garza expressed his concern with the significant decrease of the Road and Bridge Fund caused by the penny transfer.

Mr. Villarreal clarified that the Road and Bridge Fund's decrease was due to the increase in operational cost.

Judge Hinojosa explained that it was impossible for the Public Works Department to exhaust the \$3 million from the Proposition II Program plus its entire Budget and complete the Proposition II Projects that must be completed, within one (1) year. He explained that an additional nickel increase to the toll rate would decrease the \$250,000.00 deficit, to which the \$550,000.00 SCAAP Funds could be added to equal \$300,000.00, resulting in the need for \$450,000.00 for the 3% salary increase, adding that \$750,000.00 could be raised by increasing an additional nickel to the toll rate.

Commissioner Cascos stated that the \$0.15 toll rate increase was intended to address the debt of the Certificates of Obligation, and clarified that if the increase being considered should total a toll rate of \$1.80 would result in an increase of total \$0.10.

Judge Hinojosa stated that the toll rate could remain at \$1.75 without the 3% salary increase. He suggested that the toll rate be increased to \$1.80 to provide the 3% salary increase, that \$200,000.00 be borrowed from the International Bridge System Funds and repaid from Lapsed Salaries or that the SCAAP Fund be factored into the General Fund to the \$300,000.00 that would allow the \$0.005 transfer to the Road and Bridge Fund and to balance the Budget, without the 3% salary increase.

Commissioner Cascos asked which Departments would be provided additional personnel.

Judge Hinojosa responded that no additional personnel would be provided.

Commissioner Garza stated that everyone opposed an increase to the tax rate, and questioned how the Budget could be supported when projected revenues "soft monies", based on history, were being added. He stated that "soft monies" within the Budget made it difficult to balance the Budget during the following year. Commissioner Garza stated that the Tobacco Funds were being exhausted and that at a certain point the toll rates could no longer be increased. He stated that the Court should support the County's operations through the tax rate, and stated that he would support the tax rate increase to provide the 3% salary increase to County employees, regardless of whether he was ever re-elected, adding that he would attempt to be fiscally responsible for the County employees and the County tax payers. Commissioner Garza stated that the reduction of expenditures had not been discussed but rather had requests for additional funds, noting that the tax rate was the only source that would provide additional revenue.

Judge Hinojosa stated that Cameron County sustained the lowest tax rate in Southern Texas because of the International Bridge System. He stated that the Court had struggled to balance the Budget during the past eight (8) years that he has been in Office, and that throughout the eight (8) years uncertain variables were used to assure that the revenues meet the expenditures, adding that the SCAAP Funds had never been received prior to adopting the Budget. He

clarified that projections were not “soft monies” instead were projected revenues that will be received. Judge Hinojosa stated that he believed that the Budget could be balanced, that a salary increase could be provided, and that a deficit would be made evident within the Road and Bridge Fund in the 2002-2003 Fiscal Year, but not to the extent being projected by the Budget Officer, adding that the deficit would be made up in time. He stated that it was unnecessary to increase the tax rate to balance the Budget and to provide the 3% salary increase to County employees. Judge Hinojosa stated that he was satisfied with the efforts made to develop the proposed Budget, and that the anticipated deficit was relatively small when compared to other governmental entities, adding that the deficit would not exist if the 3% salary increase was not considered.

Commissioner Cascos expressed his concern with deferring the addition of critical new positions, and with the County’s Financial Status’ deterioration, in accordance to the operating days. He noted his understanding to be that the Road and Bridge Fund would be subsidized by the Proposition II Funds, and questioned what would happen if TxDOT mandated that the project be contracted out, adding that the possibilities to replenish the penny minimized as time went by.

Judge Hinojosa noted that the County was financially strong as rated during the recent Bond Issue.

Commissioner Garza questioned the solution.

Mr. Villarreal stated that the solution was to relocate the SCAAP Funds into the General Fund.

Commissioner Garza questioned whether the 3% salary increase could be done by increasing the toll rate to \$1.80.

Mr. Villarreal responded that it could only be done with the transfer of the SCAAP Funds.

Judge Hinojosa suggested that funds, in the amount of \$200,000.00, be borrowed from the International Bridge System to be repaid over a period of time or that it be funded from Lapsed Salaries.

Mr. Villarreal noted the need to fund critical new positions.

Judge Hinojosa stated that the transfer from Hart Forms to another company was due to previous problems.

Commissioner Cascos questioned whether Ferey International Inc., met the bid specifications.

Mr. Ortiz responded in the affirmative.

Commissioner Cascos questioned if the decision to go with the high bid was subjective.

Mr. Yates stated that it was based on experience.

Judge Hinojosa questioned whether the County was required to approve the low bid.

Mr. Yates explained that if the low bid was not the recommendation then the Court was required to allow the low bidders an opportunity to speak.

Commissioner Cascos expressed his concern with not having an objective reason for not awarding the bid to the lowest bidder.

Commissioner Garza moved that Annual Bid No. 2680 for voting supplies be awarded as follows:

- Category A - CAPITAL GRAPHIC, Hutto, Texas \$1,658.00
- Category B - FEREY INTERNATIONAL, Vienna, VA \$27,875.00
- Category C - CAPITAL GRAPHIC, Hutto, Texas \$0.61
- Category D - CAPITAL GRAPHIC, Hutto, Texas \$0.75

The motion was seconded by Commissioner Cascos.

At this time, Mr. Ortiz recommended that the Annual Bid No. 2680 be awarded to Ferey International.

Upon motion duly made by Commissioner Garza, seconded by Commissioner Cascos and carried unanimously, Annual Bid No. 2680 for voting supplies was awarded as follows:

- Category A - CAPITAL GRAPHIC, Hutto, Texas \$1,658.00
- Category B - FEREY INTERNATIONAL, Vienna, VA \$27,875.00
- Category C - CAPITAL GRAPHIC, Hutto, Texas \$0.61
- Category D - CAPITAL GRAPHIC, Hutto, Texas \$0.75

The Tabulation is as follows:

[REDACTED]

(20) **CONSIDERATION AND POSSIBLE ACTION
AUTHORIZING COUNTY DELEGATION
TRAVELING TO NEW YORK, NEW YORK, TO
INSPECT THE SERGEANT JOSE LOPEZ STATUE
TO ISSUE NOTICE TO PROCEED TO THE NEXT
PHASE OF THE PROJECT**

Judge Hinojosa stated that the County would pay the travel expenses for Mr. Juan Bernal, County Engineer/Public Works Director, and Mr. Remi Garza, Administrative Assistant, would pay his travel expenses. He explained that the County Engineer would travel to New York, New York, to inspect the Sergeant Jose Lopez Statue of for purposes of designing and constructing its base.

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the County delegation traveling to New York, New York, to inspect Statue of Sergeant Jose Lopez to issue notice to proceed to the next Phase of the Project was authorized.

[REDACTED]

(8) **IN THE MATTER REGARDING PRESENTATION
BY MR. TONY DELEON WITH NEW YORK LIFE
SECURITIES INC. TO MARKET 457 DEFERRED
COMPENSATION PLAN TO COUNTY
EMPLOYEES (TABLED)**

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

[REDACTED]

(9) **CONSIDERATION AND AUTHORIZATION TO
PROVIDE FUNDING TO THE RIO GRANDE
VALLEY PARTNERSHIP TO UPDATE THE
MOBILITY PLAN**

Commissioner Cascos moved that the provision of funding to the Rio Grande Valley Partnership to update the Mobility Plan be authorized.

The motion was seconded by Commissioner Benavides and carried unanimously.

[REDACTED]

At this time, Judge Hinojosa requested that the Commissioners be present for the Cameron County 1st Anniversary Memorial Service in remembrance of the September 11, 2001 and September 15, 2001 tragedies to be held at the Central Grand Jury Room.

NOTE: JUDGE HINOJOSA LEFT THE MEETING AT THIS TIME.

[REDACTED]

(12) **CONSIDERATION AND AUTHORIZATION TO HOLD PUBLIC HEARING REGARDING CAMERON COUNTY'S PROPOSED USE OF 2002 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS FROM THE BUREAU OF JUSTICE**

At this time, Judge Pro-tem Cascos opened the Public Hearing regarding Cameron County's proposed use of the 2002 Local Law Enforcement Block Grant Funds from the Bureau of Justice for Public comments.

Mr. Frank Bejarano, Project Development and Management, stated that the 2002 Local Law Enforcement Block Grant Funds, totaled \$98,000.00 including the local match in the amount of \$9,900.00, and explained that the allocation process required that the County appoint an Advisory Committee to review the requests. He stated that the Advisory Committee had approved the requests and developed a listing of recommendations.

Mr. Karen Fischer, Chair of the Advisory Committee, requested that the Advisory Committee's recommendation be approved.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Public Hearing regarding Cameron County's proposed use of the 2002 Local Law Enforcement Block Grant Funds from the Bureau of Justice was closed.

[REDACTED]

(13) **CONSIDERATION AND APPROVAL OF CAMERON COUNTY'S PROPOSED USE OF 2002 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND AUTHORIZATION FOR PROJECT DEVELOPMENT AND MANAGEMENT DEPARTMENT TO SUBMIT FUNDING REQUEST TO THE BUREAU OF JUSTICE ASSISTANCE**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Cameron County Advisory Committee's proposed use of 2002 Local Law Enforcement Block Grant Funds was approved and the Project Development and Management Department was authorized to submit a funding request to the Bureau of Justice Assistance.

The List is as follows:

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(17) **IN THE MATTER REGARDING THE CAMERON COUNTY HEALTH ENVIRONMENTAL FEES (TABLED)**

Commissioner Benavides recommended that two (2) County employees be trained on the fumigation process, and requested a brief explanation concerning the training and tests, adding that he would support increasing the Health Environmental Fees, contingent upon additional personnel being provided to the Health Environmental.

Mr. Ray Rodriguez, Health Environmental Director, explained that a book was available and revised tests were provided. He noted the critical need for additional personnel and equipment in order to providing prompt services offered by the County.

Commissioner Benavides questioned how often fumigations were scheduled.

Mr. Rodriguez responded that the fumigation was done upon request, and explained that due to the lack of rain the requests were minimal.

Judge Pro-tem Cascos noted that he would not support the increase to the Health Environmental Fees without providing additional personnel to the same.

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

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(18) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE SELECTION AND SUBMISSION OF EARLY VOTING LOCATIONS FOR THE NOVEMBER GENERAL ELECTION FOR PRE-CLEARANCE BY THE DEPARTMENT OF JUSTICE**

Mr. Robert Mendoza, Elections Division Administrator, informed that the submission of the revised listing of the Early Voting Location for the November General Election was running late, and that the HEB Grocers had declined the request to host the Early Voting Sites due to a Policy recently approved by the Cooperate Office located in San Antonio, Texas.

Commissioner Benavides questioned the location that would substitute the HEB Groceries Early Voting sites.

Mr. Mendoza explained that the HEB located on Central Boulevard would be substituted by the Brownsville Public Library. He stated that the Lopez Supermarkets had indicated that they were not interested in hosting an Early Voting Site.

Mr. Silvestre Garcia, County Judge's Office, informed that one (1) Lopez Supermarket had declined and that several stores were available.

Mr. Mendoza stated that several unsuccessful attempts to contact Mr. Joey Lopez, Lopez Supermarket, had been made.

Commissioner Garza noted that the Headstart Facility was the only Early Voting Site listed for San Benito, and questioned if the County Annex could be utilized.

Mr. Mendoza stated that the traffic congestion was inappropriate for the County Facility.

Commissioner Garza noted that the Headstart had limited parking.

Mr. Garcia recommended that the County Annex be utilized.

Mr. Mendoza informed that the Valle Vista Mall had agreed to host an Early Voting Site and that the HEB in Port Isabel had been substituted by the Port Isabel City Hall.

Commissioner Benavides moved that the selection and submission of Early Voting locations for the November General Election for pre-clearance by the Department of Justice be approved, inclusive of modifications.

The motion was seconded by Commissioner Garza and carried unanimously.

The list is as follows:

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(13) **CONSIDERATION AND APPROVAL OF CAMERON COUNTY'S PROPOSED USE OF 2002 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND AUTHORIZATION FOR PROJECT DEVELOPMENT AND MANAGEMENT TO SUBMIT A FUNDING REQUEST TO THE BUREAU OF JUSTICE ASSISTANCE**

Mrs. Grace Salinas, Executive Administrator, requested that the Court reconsider the request presented by the County Judge pertaining to a dispatcher position and two (2) Law Enforcement positions, at a cost of \$98,000.00, previously funded through the 2001 Local Law Enforcement Block Grant Fund, adding that the positions would be lost if not funded. She explained that in the past the equipment requested by the various Law Enforcement Departments had been placed on the Equipment List in order to fund the two (2) positions.

Judge Pro-tem Cascos stated that the Chair of the Advisory Committee and the Project Development Management Director were no longer present. He clarified that the County Judge's Office request totaled \$98,000.00, and that the Juvenile Probation's request, the training, and the supplies for County Court at Law No. 2 would not be funded, adding that the equipment requested would be placed on the Equipment List. Judge Pro-tem Cascos questioned whether the Advisory Committee was aware of the impact to be caused by its recommendations and that the equipment could be funded through the equipment list.

Mrs. Salinas responded in the affirmative.

Judge Pro-tem Cascos questioned whether a deadline applied.

Mrs. Salinas suggested that the motion be rescinded and that the item be tabled.

Judge Pro-tem Cascos stated that the motion was made by Commissioner Garza; therefore, he should withdraw his motion and motion that the item be tabled.

Commissioner Garza stated that he believed that the motion should stand, and suggested that the matter should be placed on the Court's Agenda for the following week in order to have the back-up information available. He emphasized the need to have the applicable information presented in a timely fashion.

Judge Pro-tem Cascos suggested that the Item be replaced on the Court's Agenda for the following week and that all applicable parties and the Chair of the Advisory Committee be present.

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**(19) CONSIDERATION AND APPOINTMENT OF
PRESIDING AND ALTERNATE ELECTION
JUDGES FOR THE 2002-2003 TERM**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the following individuals were appointed as the presiding and alternate Election Judges for the 2002-2003 Term.

The List is as follows:

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 WAS TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

ITEM NO. 29: Mr. David Gomez, Engineering Department, clarified that the recommendation was only for preliminary approval.

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

The motion was seconded by Commissioner Garza.

ITEM NO. 30: Mrs. JuaNita Brodecky, Rio Hondo resident, commented that the Travel Items totaled seventeen (17) County employees traveling for fifty-four (54) days. She stated that the County Judge had previously indicated that the Travel Budget would be reduced. Mrs. Brodecky suggested that a cap be placed on the 3% salary increases, and that no Elected Officials should not receive a salary increase.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the following "Consent and Travel Items" were approved:

- (21) **APPROVAL OF CLAIMS;**
The Affidavit follows:
- (22) **RESOLUTION DECLARING SEPTEMBER 2002 AS COMMUNITIES IN SCHOOLS MONTH IN CAMERON COUNTY, TEXAS;**
The Resolution follows:
- (23) **RESOLUTION HONORING MR. PETE RAMIREZ FOR HIS ACHIEVEMENTS IN THE FIELD OF MARTIAL ARTS;**
The Resolution follows:
- (24) **CONTRACT BETWEEN CAMERON COUNTY AND THE CITY OF SAN BENITO TO PROVIDE COMMUNITY BUILDING FOR THE CAMERON COUNTY EMPLOYEE HEALTH FAIR;**
The Contract follows:
- (25) **AUTHORIZATION TO SUBMIT THE LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) APPLICATION FY 2003 TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY DIVISION OF EMERGENCY MANAGEMENT;**
The Application follows:
- (26) **OPENING THE FOLLOWING BIDS/PROPOSAL:**
 - A. **IMAGING & MICROFILMING SERVICES - ANNUAL RFP NO. 1455V AND APPROVAL OF RECOMMENDED EVALUATION COMMITTEE.**
 - B. **DISH SOAP/CLEANERS - ANNUAL BID NO. 2060**
 - C. **FOOD: MEATS - ANNUAL BID NO. 2170**
 - D. **FOOD: TORTILLAS - ANNUAL BID NO. 2240**

- (27) **AMENDMENT OF CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND TEXAS DEPARTMENT OF HEALTH TUBERCULOSIS ELIMINATION DIVISION;**
The Contract follows:
- (28) **CONTRACT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF HEALTH TUBERCULOSIS (TB) ELIMINATION DIVISION PROGRAM TO PROVIDE TB SERVICES IN CAMERON COUNTY;**
The Contract follows:
- (29) **PRELIMINARY AND FINAL APPROVAL FOR:**
A. PRECINCT NO. 3 - CALIFORNIA CROSSING SUBDIVISION - BEING A 37.61 ACRE TRACT, OUT OF PASTO VERDE SUBDIVISION, RECORDED IN CAB. 1 PAGE 1904-A, CONSISTING OF RESERVE "A" AND THE 60.0' R.O.W. TO C.C.I.D. NO. 1, RECORDED IN CAB. 1 PAGE 1904-A, CAMERON COUNTY, TEXAS.

TRAVEL ITEMS

- (30) **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 Administrator, County Engineer, member of Commissioners' Court and member of Committee to travel to New York, New York, September 10-12, 2002, to inspect the Sergeant Jose Lopez Statue;
 - (b) Deputy Sheriff to attend the "Narcotics Training Specialists", in El Paso, Texas, September 29- October 5, 2002;
 - (c) Juvenile Probation employee to attend the "Texas Community Service Association 2002 Conference", in Corpus Christi, Texas, September 22-25, 2002;
 - (d) Four (4) Juvenile Probation employees (4) to attend the "Office of Juvenile Justice Delinquency Prevention 3rd National Leadership Conference", in Dallas, Texas, September 19-22, 2002;
 - (e) Assistant District Attorney to attend the "Trial Advocacy II Course", in Columbia, South Carolina, October 7-11, 2002;
 - (f) International Bridge System Director to meet with Officials from the State of Tamaulipas regarding the West Rail Project in Mexico City, Mexico, September 5-6, 2002;
 - (g) 197th District Court employee to attend the "Texas Association for Court Administrators Education Conference", in San Antonio, Texas, October 22-25, 2002;
 - (h) 107th District Court Administrator to attend the "Texas Association for Court Administration Education", in San Antonio, Texas, October 22-25, 2002;
 - (i) Two (2) Computer Center employees to attend the "Hewlett Packard World Conference", in Los Angeles, California, September 24-26, 2002;
 - (j) Project Development and Management employee to attend the "Lower Rio Grande Valley Development Council Professional Advisory Review Panel Meeting" in Harlingen, Texas, September 11, 2002; and
 - (k) Assistant Health Administrator to attend the "Homeland Security Special Executive Roundtable", in Austin, Texas, September 12-13, 2002.

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

- (22) **RESOLUTION DECLARING SEPTEMBER 2002 AS COMMUNITIES IN SCHOOLS MONTH IN CAMERON COUNTY, TEXAS.**
The Resolution is as follows:

- (23) **RESOLUTION HONORING MR. PETE RAMIREZ FOR HIS ACHIEVEMENTS IN THE FIELD OF MARTIAL ARTS.**
The Resolution is as follows:

- (24) **CONTRACT BETWEEN CAMERON COUNTY AND THE CITY OF SAN BENITO TO PROVIDE COMMUNITY BUILDING FOR THE CAMERON COUNTY EMPLOYEE HEALTH FAIR.**
The Contract is as follows:

- (25) **AUTHORIZATION TO SUBMIT THE LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) APPLICATION FY 2003 TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY DIVISION OF EMERGENCY MANAGEMENT.**

The Application is as follows:

- (27) **AMENDMENT OF CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND TEXAS DEPARTMENT OF HEALTH TUBERCULOSIS ELIMINATION DIVISION.**
The Contract is as follows:

- (28) CONTRACT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF HEALTH TUBERCULOSIS (TB) ELIMINATION DIVISION PROGRAM TO PROVIDE TB SERVICES IN CAMERON COUNTY.
The Contract is as follows:**

[REDACTED]

EXECUTIVE SESSION

(31) EXECUTIVE SESSION:

Upon motion by Commissioner Valdez, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 7:47 P.M., to discuss the following matters:

- (a) Deliberation regarding Real Property concerning the Economic Development Corporation of South Padre Island's Proposal for a Wetland Birding and Nature Study Center; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.
- (b) Deliberation regarding Real Property concerning the possible lease of approximately 3.84 gross acres of land adjacent to Beach Access No. 3, South Padre Island, Cameron County, Texas, to Costa Rica Food & Spirits, Inc.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- (c) Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Trustee Properties as listed below; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.(see Attachment)

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 8:04 P.M.

[REDACTED]

(32) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) **In the matter regarding deliberation regarding Real Property concerning the Economic Development Corporation of South Padre Island's Proposal for a Wetland Birding and Nature Study Center. (TABLED)**

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

- [REDACTED]
- (b) **Deliberation regarding Real Property concerning the possible lease of approximately 3.84 gross acres of land adjacent to Beach Access No. 3, South Padre Island, Cameron County, Texas, to Costa Rica Food & Spirits, Inc.**

Commissioner Garza moved that the County Judge be authorized to sign a Lease Agreement of approximately 3.84 gross acres of land adjacent to Beach Access No. 3, South Padre Island, Cameron County, Texas, to Costa Rica Food & Spirits, Inc.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Lease is as follows:

[REDACTED]

(c) **Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Trustee properties as listed below.**

Upon motion by Commissioner Garza seconded by Commissioner Benavides and carried unanimously, the re-sale of various Cameron County Trustee properties as listed below and the inclusions of the street locations was authorized, regardless of what the Tax Attorneys say.

The list is as follows:

████████████████████

There being no further business to come before the Court, upon motion by Commissioner Valdez, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 8:06 P.M.

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APPROVED this 15th day of **October 2002**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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