

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 17<sup>th</sup> day of December 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

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:

CARLOS H. CASCOS, C.P.A

---

---

The meeting was called to order by Judge Hinojosa at 5:33 P.M. He then asked Pastor Juan J. Morales, Iglesia en La Roca A/D, 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 December 13, 2002, at 4:56 P.M.:

**EXECUTIVE SESSION**

- (43) (d) **To deliberate the appointment of Cameron County Building Maintenance Superintendent; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.074(1).**

At this time, Mrs. Aurora de la Garza, District Clerk, recommended that Mr. Marcelino Ibarra, Interim Building Maintenance Superintendent, be appointed as Cameron County Building Maintenance Superintendent due to his expertise and willingness to assist.

Judge Hinojosa stated that Mr. Joe G. Rivera, County Clerk, and other County Elected Officials had recommended that Mr. Ibarra be appointed to this position.

**The Letters are as follow:**

[REDACTED]

**(43) EXECUTIVE SESSION:**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:37 P.M., to discuss the following matters:

- (e) Confer with Commissioners' Court Legal Counsel concerning matters relating to possible litigation involving Cameron County Detention Facilities and approval of the hiring of experts and outside Counsel; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(A)&(B); and
- (f) Confer with Commissioners' Court Legal Counsel concerning matters relating to possible litigation involving Cameron County Detention Facilities 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 551.071(2).

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the Court reconvened in Regular Session at 6:22 P.M.

[REDACTED]

**(44) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (e) Confer with Commissioners' Court Legal Counsel concerning matters relating to possible litigation involving Cameron County Detention Facilities and approval of the hiring of experts and outside counsel.**
- (f) Confer with Commissioners' Court Legal Counsel concerning matters relating to possible litigation involving Cameron County Detention Facilities 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.**

Commissioner Benavides moved that the Civil Division be authorized to prepare a Professional Services Agreement for the retention of the Law Firm of Charles Willette concerning the matters relating to possible litigation involving Cameron County Detention Facilities, and that the Status Report by Mr. Doug Wright, Commissioners' Court Legal Counsel, be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

[REDACTED]

## **ACTION ITEMS**

**(7) CONSIDERATION AND APPROVAL OF AN EXEMPTION (WAIVER) FROM PARTICIPATION IN THE COUNTY'S RETIREMENT PLAN**

Judge Hinojosa - "Is that just a proforma motion? Is there a problem with that? He is going to be. As I understand the reason he is asking for a waiver on the Retirement Plan is because he's retiring from the Adult Probation Department and they have a Retirement Plan."

Mr. Mark Yates, County Auditor - "Which is our Retirement Plan".

Judge Hinojosa - "Which is our Retirement Plan. So he's already gonna retire and then he's gonna be coming in as a JP (Justice of the Peace) separate from that."

Mr. Yates - "There's not going to be a termination of service. In fact December 31 he leaves the Adult Probation and January 1<sup>st</sup> he becomes JP. Those are the same retirement system, he is continuing in the Retirement System. Regardless of whether he has a breach or break in service or not, unless he only works 17.8 hours a week and is paid for 17.8 hours a week, then everybody who works more than 900 hours in a calendar year must participate in the Retirement System."

Judge Hinojosa - "Why is this Item on for a waiver? Is Mr. Villarreal here? (Mr. Manuel Villarreal, Personnel/Safety Risk Director) I thought we had worked this thing out."

Commissioner Garza - "Manuel Villarreal, Mr. Villarreal."

Judge Hinojosa - "Where's Mr. Villarreal?"

Mr. Remi Garza, Administrative Assistant - "He is out sick unfortunately today."

Mr. Yates - "This does not reduce any of his future benefits. It may reduce the projected future plan of his benefits. Lots of times in your retirement notice if you increase 4% a year they give you certain projections out during the year. Mr. Ortiz is making more as an Adult Probation than he will as a JP of County salary and so his future benefits in years 2007 to 2008 will not grow based on the projections given to him earlier this year."

Judge Hinojosa - "But why can't he. Why would it not be possible for him to retire as an Adult Probation on December 31<sup>st</sup> and not take his Oath of Office until January 2<sup>nd</sup>?"

Mr. Yates - "Well, he would come back on."

Judge Hinojosa - "That's what you're trying to do? Something like that Judge?"

Mr. Ramon Ortiz, Justice of the Peace Elect, Precinct No. 6 - "If I may address the Court."

Mr. Yates - "He still would be a Cameron County employee. Regardless of whether he terminates service, withdraws his funds, if he starts as a full time County employee, as all Elected Officials are, they have to participate in the County Retirement System. That's a requirement."

Judge Hinojosa - "What were you trying to do here, Judge? I'm sorry. I'm confused."

Mr. Ortiz - "After consulting with the Retirement Personnel in Austin..."

Commissioner Garza - "Can he? Sir, please..."

Judge Hinojosa - "If you can come over here Judge."

Commissioner Garza - "I can't see you."

Commissioner Valdez - "So the rest of the County can see you on camera."

Commissioner Garza - "TV Land."

Mr. Ortiz - "Okay, now you can hear me."

Judge Hinojosa - "If you're going to run in another four (4) years the more tv time you get the better. Okay?"

Mr. Ortiz - "Right. After consulting with the retirement people up in Austin, they said 'you will be getting, we will be issuing a retirement check from Adult Probation, but you will not be physically receiving it if you continue to participate in another Retirement System with the County.' That check will be issued, but it will be held in escrow."

Judge Hinojosa - "Okay."

Mr. Ortiz - "And in order for me to enjoy the benefits of that retirement check, after twenty-five (25) years with Adult Probation, they advised that the County Commissioners Court would have to issue a waiver from my participation in another Retirement Plan."

Judge Hinojosa - "So if we approve a waiver right now, that should take care of it?"

Mr. Ortiz - "Yes, your Honor."

Judge Hinojosa - "Okay, do I hear a motion?"

Commissioner Garza - "I move that we approve the waiver and if there is any legal ramifications..."

Judge Hinojosa - "Let them work that out. Yeah."

Commissioner Valdez - "I'll second."

Mr. Doug Wright, Commissioners' Court Legal Counsel - "If there are legal ramifications you may lock yourselves into that legal ramification. You know. I'm sorry but....(inaudible)."

Commissioner Garza - "No. If there's legal ramifications. You're not with me in a lot of things Doug, okay. But that is a different point. If there are problems we can bring it back to the table."

Commissioner Valdez - "What you're saying is that we're locked in?"

Judge Hinojosa - "We are not going to have..."

Mr. Wright - "That's a close call. But, what I'm saying is that once you make this decision, it may lock the Court into that and you can't reject or retract it."

Judge Hinojosa - "And I'm fine with that. I think, you know. I've been talking to Judge Ortiz about this for a while. I know that he was talking to Manuel Villarreal and I think that they had worked everything out. So, you know the problem that we've got is that we are not going to have another meeting before January 1<sup>st</sup>. And so we need to, if it needs to be done, it needs to be done now and if that is what you're requesting. You've checked it out. I agree with Commissioner Garza. That, let's go ahead and do it and see what happens. There's a motion by Commissioner Garza, second by Commissioner Benavides. Any further discussion? All those in favor, signify by stating aye."

Commissioners Benavides, Garza, Valdez, and Judge Hinojosa - "Aye."

Judge Hinojosa - "All those opposed.... motion carries."



**(25) CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING MR. RAMON "RAY" ORTIZ ON THE OCCASION OF HIS RETIREMENT AFTER 24 YEARS OF SERVICE TO CAMERON AND WILLACY COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT AND PROCLAIMING DECEMBER 17, 2002, AS "RAMON "RAY" ORTIZ" DAY IN CAMERON COUNTY, TEXAS**

Commissioner Garza moved that the Resolution Honoring Mr. Ramon "Ray" Ortiz on the occasion of his retirement after 24 years of service to Cameron and Willacy Counties Community Supervision and Corrections Department and proclaiming December 17, 2002, as "Ramon "Ray" Ortiz" Day in Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Valdez and carried unanimously.

**The Resolution is as follows:**

████████████████████

At this time, Commissioner Garza wished all County employees a Merry Christmas and a Happy New Year.

Commissioner Valdez stated that when Judge Hinojosa appointed him as County Commissioner, in December 2001, he was looking forward to what lay ahead and prayed that he be guided in the right direction to make good decisions for the County. He stated that important decisions had been made, and thanked Judge Hinojosa for appointing and giving him the opportunity to serve the people of Cameron County. Commissioner Valdez thanked the County employees, the public, and his family, and stated that he would seek Public Office in the future to be able to serve Cameron County once again.

Judge Hinojosa thanked Commissioner Valdez and wished him the best.

Commissioner Benavides thanked Commissioner Valdez as well.

Commissioner Garza congratulated Commissioner Valdez for the services he provided.

████████████████████

## **PRESENTATION**

(1) **PRESENTATION BY MR. RUDY JUAREZ,  
COMPUTER DIRECTOR REGARDING THE  
COUNTY WEB SITE**

Mr. Rudy Juarez, Computer Center Director, introduced Mr. Marco Sanchez, Web Master. He explained that the input from the four (4) County Commissioners was used in the main Cameron County Web Page, and that the Web Site was divided by Departments. Mr. Juarez highlighted the status of the individual County Departments' Web Sites, and stated that information would be added according to the Departments' needs.

Judge Hinojosa requested that the Computer Department continue working on the Web Site because of the importance of informing the public via Internet, and noted the need to develop a County Policy concerning the Web Site and the use of e-mail.

Mr. Juarez requested direction as to whether the web site could be made available to the public.

Judge Hinojosa responded in the affirmative.

Commissioner Garza questioned if the web site would be linked to County employees.

Mr. Juarez responded that the links to be provided would be only those belonging to Cameron County.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Presentation by Mr. Rudy Juarez, Computer Center Director, regarding the County Web Site was acknowledged.

**The Report is as follows:**

**[REDACTED]**

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

Commissioner Valdez moved that the 2002-Budget Amendment No. 2003-05 and the Salary Schedules be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Budget Amendments and Salary Schedule are as follows:**

████████████████████

**(3) APPROVAL OF MINUTES OF THE REGULAR MEETING HELD OCTOBER 22, 2002**

Commissioner Garza asked if the Report had been received from the Maximum Group.

Mr. Mark Yates, County Auditor, explained that his Office had received an e-mail indicating that the Cost Allocation Study should be complete and delivered within a few days, adding that he would provide it to the Court upon receipt.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Minutes of the Regular Meeting held October 22, 2002 were approved.

████████████████████

**(4) CONSIDERATION AND AUTHORIZATION TO ISSUE REQUEST FOR QUALIFICATIONS TO IMPLEMENT A COMPREHENSIVE ENERGY CONSERVATION SERVICES PROGRAM**

Commissioner Valdez moved that the issuance of a Request for Qualification (RFQ) to implement a Comprehensive Energy Conservation Services Program be authorized, subject to legal review.

The motion was seconded by Commissioner Benavides and carried unanimously.

████████████████████

**(5) CONSIDERATION AND POSSIBLE APPROVAL OF DRUG POLICY FOR THE CAMERON COUNTY SHERIFF'S DEPARTMENT AND DETENTION FACILITIES**

Judge Hinojosa stated that the Sheriff's Department had a Policy that allowed for Detention Officers to be tested for drug use upon being hired. He noted the need to prepare a County Policy that indicates when a drug test should be administered and that would enable the County to test for drug use when reason arose. Judge Hinojosa stated that pre-employment polygraph testing was being reviewed and would be presented before the Court in the future. He suggested that Commissioners' Court Legal Counsel be authorized to develop a post-employment Drug Testing Policy for prompt implementation within the Sheriff's Department.

Commissioner Garza suggested that the Policy be intended for all County Departments.

Commissioner Valdez asked if the Court could only suggest what should be done and if the Elected Officials had the ultimate authority in accordance with Constitutional limitations.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that Elected Officials must be involved in the process of developing a Policy, and that he would outline the parameters of what could be done in accordance with the Constitution and would provide them to the Court for direction.



Judge Hinojosa asked if this could be done and if funding was available.

Mr. Villarreal responded in the affirmative, and explained that the salary schedule would need to be changed to create the position because the 357<sup>th</sup> District Court did not have an extra help position.

Mr. Yates stated that funding was available at this time, but might not be available towards the end of the year.

Mr. Villarreal recommended that the position be funded through the Line Item for Court Transcripts.

Commissioner Garza moved that a six (6) week transition period for the 357<sup>th</sup> State District Court employee be approved and funded from the through the Line Item for Court Transcripts.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Salary Schedule is as follows:**

████████████████████

(8) **CONSIDERATION AND APPROVAL FOR THE PURCHASE OF AN INTELLIGENCE DECONFLICTION SYSTEM UPGRADE FOR THE SOUTH TEXAS HIDTA FROM A SOLE SOURCE AS PER LOCAL GOVERNMENT CODE SECTION 262.024(A)(7)**

Commissioner Benavides moved that the purchase of an Intelligence Deconfliction System upgrade for the South Texas HIDTA from a sole source as per Local Government Code Section 262.024(a)(7), be approved.

The motion was seconded by Commissioner Garza.

Commissioner Garza questioned the definition of “Deconfliction.”

Mr. Frank Martinez, Assistant District Attorney, explained that the Intelligence Deconfliction System was software utilized to locate the problem and to coordinate law enforcement to assist.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the purchase of an Intelligence Deconfliction System upgrade for the South Texas HIDTA from a sole source as per Local Government Code Section 262.024(a)(7), was approved.

████████████████████

(9) **RECONSIDERATION AND POSSIBLE APPROVAL TO ISSUE A DUNE PROTECTION PERMIT TO APPLICANT HERB HOUSTON FOR QUIXOTE ESTATES PHASE ONE, ALSO KNOWN AS TRACTS 13 & 14 SOUTH PADRE ISLAND INVESTMENT CO. SUBDIVISION**

Judge Hinojosa explained that the Parks System was recommending approval of the permit.

Commissioner Garza moved that issuance of a Dune Protection Permit to applicant Herb Houston for Quixote Estates Phase I, also known as Tracts No. 13 & No. 14, South Padre Island Investment Co. Subdivision, be **DENIED**.

Commissioner Garza stated that he had reviewed the Minutes of Commissioners’ Court, and expressed his concern with having a five (5) member Dune Protection Committee, of which only three (3) were present, two (2) in favor and one (1) against approving the permit. He explained that according to the back-up information provided by the Parks System Director it was “believed” that the applicant complied with the mitigation requirements.

Mr. Javier Mendez, Parks System Director, stated that the applicant complied with the mitigation requirements and State Policy. He stated that he had expressed concern with the mitigation plan and the discharge pipe. Mr. Mendez explained that Mr. Houston had consulted with his engineer and would provide 3,500 cubic yards of mitigation or compensation.

At this time, there was a brief discussion concerning the language utilized in the back-up information, and Mr. Mendez clarified that he was recommending approval of the permit.

Commissioner Garza moved that issuance of a Dune Protection Permit to applicant Herb Houston for Quixote Estates Phase I, also known as Tracts No. 13 & No. 14, South Padre Island Investment Co. Subdivision, be **DENIED**.

The motion died for a lack of a second.

Commissioner Benavides moved that issuance of a Dune Protection Permit to applicant Herb Houston for Quixote Estates Phase I, also known as Tracts No. 13 & No. 14, South Padre Island Investment Co. Subdivision, be approved.

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

AYE: Commissioners Benavides, Valdez, and Judge Hinojosa,

NAY: Commissioner Garza.

**(10) CONSIDERATION AND AUTHORIZATION TO APPROVE CHANGE ORDER NO. 4 TO THE BETTERMENT FUND FOR THE DARREL HESTER BUILDING ADDITION**

Mr. Juan Bernal, County Engineer/Public Works Director, explained that Change Order No. 4 was for major repairs to an existing Fire Line/Back Flow Preventor to be funded through the Betterment Fund.

Upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, Change Order No. 4 to the Betterment Fund for the Darrel Hester Building Addition was approved.

Mr. Mark Yates, County Auditor, stated that the Change Order would expend a portion of the \$65,000.00 Betterment Fund, that intended to be preserved.

**(11) IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE APPROVAL REGARDING THE COUNTY FEMA MAPS UPDATE AND INTERLOCAL AGREEMENT WITH HIDALGO COUNTY (TABLED)**

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

(12) **CONSIDERATION AND APPROVAL OF BOND FOR THE FOLLOWING ELECTED OFFICIALS: GILBERTO HINOJOSA, COUNTY JUDGE; JOE G. RIVERA, COUNTY CLERK; AURORA DE LA GARZA, DISTRICT CLERK; EDDIE A. GONZALEZ, COUNTY TREASURER; JOHN WOOD, COUNTY COMMISSIONER PRECINCT NO. 2; EDNA TAMAYO, COUNTY COMMISSIONER, PRECINCT NO. 4; BENNIE OCHOA, III, JUSTICE OF THE PEACE, PRECINCT NO. 1; OSCAR TULLOS, JUSTICE OF THE PEACE, PRECINCT NO. 2, PLACE NO. 2; DAVID GARZA, JUSTICE OF THE PEACE, PRECINCT NO. 3, PLACE NO. 2; DAVID WISE, JUSTICE OF THE PEACE, PRECINCT NO. 5, PLACE NO. 2; AND RAMON ORTIZ, JUSTICE OF THE PEACE, PRECINCT NO. 6**

Mr. Joe G. Rivera, County Clerk, requested that his Bond be approved subject to legal review. He recommended that Mr. Marcelino Ibarra, Maintenance Department, be considered as permanent Building Maintenance Superintendent.

Mr. Doug Wright, Commissioners' Court Legal Counsel, clarified that the Bond for the two (2) new County Commissioners were approved solely by the County Judge.

Commissioner Garza moved that the Bonds of all Elected Officials be approved subject to legal review.

The motion was seconded by Commissioner Benavides and carried unanimously.

(13) **CONSIDERATION AND ACTION REGARDING CAMERON COUNTY LEGISLATIVE AGENDA FOR THE 2003 LEGISLATIVE SESSION**

Judge Hinojosa informed that all the Legislative Agenda Items had been combined, and that the legislator would be asked to allow the County to collect its own Delinquent Taxes as opposed to requiring that it be done by a Law Firm.

Commissioner Valdez asked if the matter regarding the Water Districts to be mandated to collect trash collection fees for the County had been incorporated into the Legislative Agenda.

Judge Hinojosa suggested that Item No. 19 be added to the Legislative Agenda and that it read as follows: Requesting that Water Districts be mandated to collect rural trash collection fees in the event that the County passed a Resolution requiring them to do so for a Rural Trash Collection System.

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the Cameron County Legislative Agenda for the 2003 Legislative Session was approved, inclusive of Item No. 19.

**The Agenda 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. 14: Mr. Mark Yates, County Auditor, presented additional claims prepared for contractual payments due before the first of each month and informed that Warrant No. 00088101 would be substituted by Warrant No. 00088385.

ITEM NO. 23: Commissioner Garza questioned the reduction of rent amount.  
Mr. Javier Mendez, Parks System Director, explained that the original contract had been copied and that Bingo Services were not provided during the month of November 2001 due to the causeway collapse. He added that the Contract was revised to include the month that was excluded.  
Commissioner Garza asked if the compensation could be modified without conflict.  
Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that conflict would not be present if the amount was made part of the compensation and the County was receiving benefit.  
Mr. Mendez stated that the compensation could be modified, and noted the need to modify the contract previously approved.

ITEM NO. 42-a: Mr. Xavier Villarreal, Budget Officer, requested that this Item be tabled.

Commissioner Benavides moved that the "Consent and Travel Items" be approved, and that Item No. 42-a be

**TABLED.**

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

AYE: Commissioners Benavides, Garza, and Valdez,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00088385, payable to Mr. Manuel Hinojosa, in the amount of \$ 273.86.

At this time, Judge Hinojosa informed that the dedication of the Sergeant Jose M. Lopez Statue had been rescheduled for January 25, 2003.

**(14) APPROVAL OF CLAIMS;  
The Affidavit follows:**

**(15) ACKNOWLEDGMENT OF THE ADDITION AND DELETION OF THE  
AUTHORIZED SIGNATURE'S ON THE FOLLOWING ACCOUNT:  
CAMERON COUNTY;  
CAMERON COUNTY JAIL COMMISSARY; AND  
ACCOUNT NO. 66501172.**

**(16) ACCEPTANCE OF PARCEL NO. 7, FM 802;**

- (17) **ACCEPTANCE OF PARCEL NO. 7, OF TRANSPORTATION REIMBURSEMENT IN THE AMOUNT OF \$5,604.73, FOR WATERLINE ADJUSTMENTS IN CONJUNCTION WITH THE FM 509 RIGHT OF WAY PROJECT;**
- (18) **AUTHORIZATION TO PAY LICENSE FEE RENEWAL FOR THE ASSISTANT COUNTY ENGINEER;**
- (19) **APPROVAL TO ADD VEHICLE FOR CONSTABLE PRECINCT NO. 3 TO THE 2003 EQUIPMENT LIST;**
- (20) **RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO APPLY FOR FIFTH YEAR GRANT FUNDING FROM THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE VICTIM ASSISTANCE PROGRAM AND DESIGNATING SOURCE OF THE REQUIRED MATCH;**  
**The Resolution follows:**
- (21) **RESOLUTION AUTHORIZING THE SUBMISSION OF THE CONTINUATION APPLICATION FOR THE PURCHASE OF JUVENILE ALTERNATIVES GRANT TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION;**  
**The Resolution follows:**
- (22) **AUTHORIZATION FOR THE CAMERON COUNTY PARKS SYSTEM TO RENEW A PUBLIC PARK AND RECREATION LEASE FROM THE U.S. ARMY CORP. OF ENGINEERS;**
- (23) **AMENDMENT OF A CONTRACTUAL AGREEMENT BETWEEN CAMERON COUNTY (PARK SYSTEM) AND ANDY ANDREWS, BINGO DIRECTOR;**  
**The Amendment follows:**
- (24) **EXECUTION OF A CONTRACT WITH THE TEXAS GENERAL LAND OFFICE TO RECEIVE COASTAL MANAGEMENT PROGRAM, GRANT CYCLE #7 GRANT FUNDS FOR THE RENOVATION OF THE BATHHOUSE AT CONEY ISLAND AND BUILD A DUNE WALKOVER IN THE ISLA BLANCA PARK;**  
**The Contract follows:**
- (25) **IN THE MATTER REGARDING THE ADOPTION OF A RESOLUTION HONORING RAMON "RAY" ORTIZ ON THE OCCASION OF HIS RETIREMENT AFTER 24 YEARS OF SERVICE TO CAMERON COUNTY WILLACY COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT AND PROCLAIMING DECEMBER 17, 2002, AS "RAMON "RAY" ORTIZ" DAY IN CAMERON COUNTY, TEXAS; (ACTION TAKEN SEPARATELY)**
- (26) **RESOLUTION HONORING MRS. MANUELA RENDON ON HER 25<sup>TH</sup> ANNIVERSARY AS DIRECTOR OF THE NEIGHBORS IN NEED OF SERVICES (NINOS) HEADSTART PROGRAM;**  
**The Resolution follows:**
- (27) **RESOLUTION HONORING MRS. RUTH H. GRIMALDO ON THE OCCASION OF HER RETIREMENT AFTER 23 YEARS OF SERVICE TO CAMERON COUNTY, TEXAS;**  
**The Resolution follows:**
- (28) **ACCEPTANCE OF PUERTA DEL CIELO AVENUE, HEAVENLY COURT, AND MELVA COURT LOCATED IN THE PUERTA DEL CIELO SUBDIVISION, SECTION 1, PRECINCT NO. 2, INTO THE COUNTY ROAD SYSTEM;**
- (29) **ACCEPTANCE OF MILLENNIUM ROAD LOCATED IN THE HARLINGEN INDUSTRIAL PARK NO. 4 SUBDIVISION, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM;**

- (30) ACCEPTANCE OF ANAQUA DR. LOCATED IN THE ANAQUITOS ESTATES ROAD IMPROVEMENTS PROJECT - COUNTY, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM;
- (31) ACCEPTANCE OF RESACA SANTA DRIVE LOCATED IN THE RESACA SANTA SUBDIVISION SECTION I, PRECINCT 4, INTO THE COUNTY ROAD SYSTEM;
- (32) ACCEPTANCE OF DANIELLA COURT LOCATED IN THE MAGNOLIA ESTATES SUBDIVISION, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM;
- (33) ACCEPTANCE OF SUMMER VIEW COURT LOCATED IN THE SUMMER VIEW SUBDIVISION, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM;
- (34) ACCEPTANCE OF LAGO VIEJO DRIVE LOCATED IN THE LA IGLESIA VIEJA SUBDIVISION, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM;
- (35) ACCEPTANCE OF PEPPER STREET AND BUCK STREET LOCATED IN THE NORTH POMELO SUBDIVISION, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM;
- (36) ACCEPTANCE OF CALLE RANCHO GRANDE N., CALLE SAN JOSE, CALLE SAN MARTIN AND CALLE SAN ANDRES LOCATED IN THE RANCHO GRANDE S. SUBDIVISION SECTION VII, PHASE II, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM;
- (37) ACCEPTANCE OF BENSON DRIVE AND NAHESSI PLACE LOCATED IN THE MARQUEZ GARDENS SUBDIVISION, PRECINCT NO. 2, INTO THE COUNTY ROAD SYSTEM;
- (38) ACCEPTANCE OF RUSSELL COURT AND RESACA VIEW LOCATED IN THE SAN JOSE RESACA VIEW SUBDIVISION PHASE I, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM;
- (39) PRELIMINARY AND FINAL APPROVAL:
- (a) PRECINCT NO. 1 - GENESIS II SUBDIVISION - BEING 5.307 ACRES, OUT OF THE NORTH 27.44 ACRE TRACT OUT OF BLOCK NO. 1, EL JARDIN SUBDIVISION;
  - (b) PRECINCT NO. 4 - VANESSA ESTATES - BEING THE NORTH 9.21 ACRES OUT OF THE SOUTH 19.21 ACRES OUT OF BLOCK NO. 96 OF THE MINNESOTA-TEXAS IRRIGATION COMPANY; AND
  - (c) PRECINCT NO. 4 - MARICELA ESTATES - BEING THE NORTH 5.00 ACRES OF BLOCK NO. 115, AND THE SOUTH 5.00 ACRES OF BLOCK NO. 116, OF THE HOOKS AND HODGES SUBDIVISION II.
- (40) AWARDING OF THE FOLLOWING BIDS/PROPOSALS:
- (a) FOOD: MEATS - QUARTERLY BID NO. 2170-1; AND
  - (b) PATROL CARS (QTY-18).
- The Tabulation follows:
- (41) OPENING OF THE FOLLOWING BIDS/PROPOSAL:
- (a) WATER TRUCKS (QTY. 3) NO. 021122-1;
  - (b) DUMP TRUCK (QTY. 1) NO. 021122-2;
  - (c) VANS (QTY.4) NO. 021122-3; AND
  - (d) STRUCTURAL INSPECTION - COUNTY INTERNATIONAL BRIDGES RFQ NO. 1230-021101 AND APPROVAL OF RECOMMENDED EVALUATION COMMITTEE.

## **TRAVEL ITEMS**

**(42) AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

- (a) In the matter regarding International Bridge System Director and Commissioner Elect Precinct No. 2, to meet with EPA Officials regarding the West Rail Project, in Dallas, Texas, December 12, 2002; **(TABLED)**.
- (b) County District Attorney attend the "South Texas HIDTA Executive Board Meeting", in San Antonio, Texas, December 16, 2002;
- (c) Unit Director to attend the "Quarterly Meeting for South Texas HIDTA", in Port Aransas, Texas, January 8-10, 2003;
- (d) PD&M employee to obtain Willacy County Judge's Signature on Contract Amendment and Proposed New Funding for Self-help Center Grant, in Raymondville, Texas, December 10, 2002;
- (e) Three (3) County Extension Agents to attend the "Better Living for Texans Training", in Weslaco, Texas, December 18, 2002;
- (f) Two (2) County Extension Agents to assist with the District 12 4-h Food Show", in Falfurrias, Texas, December 14, 2002;
- (g) District Clerk and three (3) deputies to attend the "Texas A&M/VG Young Institute of County Government", in College Station, Texas, January 12-16, 2003; and
- (h) Elections Administrator to attend the "Joint Election Officials Liaison Committee Work Sessions", in Washington, DC, January 8-12, 2003.

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

- (20) **RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO APPLY FOR FIFTH YEAR GRANT FUNDING FROM THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE VICTIM ASSISTANCE PROGRAM AND DESIGNATING SOURCE OF THE REQUIRED MATCH.**  
**The Resolution is as follows:**

- (21) **RESOLUTION AUTHORIZING THE SUBMISSION OF THE CONTINUATION APPLICATION FOR THE PURCHASE OF JUVENILE ALTERNATIVES GRANT TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION.**  
**The Resolution is as follows:**

- (23) AMENDMENT OF A CONTRACTUAL AGREEMENT BETWEEN CAMERON COUNTY (PARK SYSTEM) AND ANDY ANDREWS, BINGO DIRECTOR.  
The Amendment is as follows:**

- (24) **EXECUTION OF A CONTRACT WITH THE TEXAS GENERAL LAND OFFICE TO RECEIVE COASTAL MANAGEMENT PROGRAM, GRANT CYCLE #7 GRANT FUNDS FOR THE RENOVATION OF THE BATHHOUSE AT CONEY ISLAND AND BUILD A DUNE WALKOVER IN THE ISLA BLANCA PARK.**  
**The Contract is as follows:**

- (26) **RESOLUTION HONORING MRS. MANUELA RENDON ON HER 25<sup>TH</sup> ANNIVERSARY AS DIRECTOR OF THE NEIGHBORS IN NEED OF SERVICES (NINOS) HEADSTART PROGRAM.**

**The Resolution is as follows:**

- (27) **RESOLUTION HONORING MRS. RUTH H. GRIMALDO ON THE OCCASION OF HER RETIREMENT AFTER 23 YEARS OF SERVICE TO CAMERON COUNTY, TEXAS.**  
**The Resolution is as follows:**

- (40) AWARDING OF THE FOLLOWING BIDS/PROPOSALS:**  
**(a) FOOD: MEATS - QUARTERLY BID NO. 2170-1; AND**  
**(b) PATROL CARS (QTY-18).**  
**The Tabulation is as follows:**

## **EXECUTIVE SESSION**

### **(43) EXECUTIVE SESSION:**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 7:21 P.M., to discuss the following matters:

- (a) Deliberation regarding Real Property concerning the possible renewal of Mini Storage Space Contract with Multi Mini Storage for the Sheriff's Department; 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 office space in Harlingen for the Cameron Count Health Department; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (c) To deliberate evaluation of the County Engineer; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.074(1); and
- (d) To deliberate the appointment of the Cameron County Building Maintenance Superintendent, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code Vernon Texas Code Annotated (V.T.C.A.) Government Code Section 551.074(1).

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 8:02 P.M.

**NOTE: COMMISSIONER GARZA LEFT THE MEETING AT THIS TIME.**

### **(44) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (a) **Deliberation regarding Real Property concerning the possible renewal of Mini Storage Space Contract with Multi Mini Storage for the Sheriff's Department.**

Commissioner Valdez moved that Judge Hinojosa be authorized to execute the Renewal of Mini Storage Space Contract with Multi Mini Storage for the Sheriff's Department.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Lease is as follows:**

████████████████████

**(b) Deliberation regarding Real Property concerning the possible lease of office space in Harlingen for the Cameron County Health Department.**

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the Status Report by Mr. Joseph Ardito, Property Manager, concerning the possible Lease of office space in Harlingen for the Cameron County Health Department was acknowledged.

████████████████████

**(c) To deliberate evaluation of the County Engineer.**

Commissioner Valdez moved that the County Engineer be given a good evaluation and that a salary increase to \$95,000.00 to be effective today be approved.

The motion was seconded by Commissioner Benavides.

Mr. Doug Wright, Commissioner s' Court Legal Counsel, questioned whether funding was available.

Mr. Xavier Villarreal, Budget Officer, responded that the salary increase would have to be taken from a vacant slot within the Road and Bridge Fund or from an individual line item of the Engineering Department's Budget.

Upon motion duly made by Commissioner Valdez that the County Engineer be given a good evaluation and that a salary increase to \$95,000.00 to be effective today be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

████████████████████

**(d) To deliberate the appointment of the Cameron County Building Maintenance Superintendent.**

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, Mr. Marcelino Ibarra, Carpentry Division, was appointed as Permanent Maintenance Supervisor with a salary recommendation of \$45,000.00 per year and that the Budget Officer make the necessary arrangements that provide for the payment of the set salary effective today.

████████████████████

There being no further business to come before the Court, upon motion by Commissioner Benavides seconded by Commissioner Valdez and carried unanimously, the meeting was **ADJOURNED** at 8:07 P.M.

═══════════════════════  
═══════════════════════

**APPROVED** this 14<sup>th</sup> day of **January 2003**.

──────────────────────────  
**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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