

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 25th day of January 2005, there was conducted a REGULAR 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:

9:30 A.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

PEDRO "PETE" BENAVIDES

The meeting was called to order by Judge Hinojosa at 9:37 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and he then led the Court and 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 January 22, 2005, at 5:10 P.M.:

Judge Hinojosa informed that the Court toured the Dancy Building, and recognized the significance of its renovation for the community and Texas. He suggested that the media do a presentation of the before and after aspects of the courthouse and the work the project has entailed.

Commissioner Wood commented that he attended the Presidential Inauguration Ceremony in Washington D.C., where very cold weather was being experienced. He indicated that he traveled with a group and was able to visit with congressmen.

At this time, Judge Hinojosa acknowledged the presence of representatives from Senator Coryn, Senator Hutchinson, and Congressman Ortiz's Offices. He added that the Commissioners and he were very pleased with the representation and commitment of said offices towards the County.

(1) PUBLIC COMMENTS

None were presented.

ACTION ITEMS

(5) CONSIDERATION AND APPOINTMENT OF MR. THOMAS D. HUSHEN AS CAMERON COUNTY FIRE MARSHALL AND ACKNOWLEDGING HIS CERTIFICATION BY THE STATE OF TEXAS AS A FIRE INSPECTOR/FIRE INVESTIGATOR (GH-COUNTY JUDGE)

Commissioner Wood moved that the certification by the State of Texas of Mr. Thomas D. Hushen, Chief Emergency Officer, as a Fire Inspector/Fire Investigator, be acknowledged and that he be appointed Cameron County Fire Marshal.

The motion was seconded by Commissioner Tamayo.

Commissioner Garza asked if it was necessary to have a Fire Marshal.

Mr. Hushen responded that two (2) State Fire Marshals were present to conduct a survey to determine if such position was needed: Ross Coleman and Bud Martin.

Mr. Ross Coleman, State Fire Marshal, explained that it was necessary for Cameron County to have a Fire Marshal. He added that the survey would be started today and Local Government Code Chapter 352, concerning the establishment of the County Fire Marshall, its duties, assessment of fees and how the appointment of a Fire Marshal can be enacted by Statue. Mr. Coleman explained that the survey seeks areas of service and those that have Volunteer Fire Departments with fire fighting services but no residential/commercial inspections nor fire investigations.

Commissioner Tamayo commented that a foster parent questioned the need to have their home inspected.

Mr. Coleman explained that the Department of Child Protective Service requires that all foster homes be inspected by a Licensed Fire Inspector every two years, adding that daycares have to be inspected as well.

Mr. Hushen explained that the difficulty for twelve (12) State Fire Marshals to fulfill all inspection needs.

Judge Hinojosa stated that the need for a Cameron County Fire Marshal was clear based on the population. He suggested that the department be examined closer and that perhaps provision of more in-depth services to rural areas and smaller cities be considered since they don't have the capacity to provide these services. Judge Hinojosa congratulated Mr. Hushen on the birth of his healthy baby girl, Madison.

Commissioner Wood amended his motion to include requirement that a \$5,000.00 bond be posted for the Fire Marshal.

Judge Hinojosa stated that Mr. Hushen and staff were examining all issues to determine how to change the complexion of how Emergency Management was handled in Cameron County in order to be able to respond to all types of emergencies.

Commissioner Garza asked if everything addressed in the Local Government Code 352 could be addressed by the Fire Marshall and if the code included authorization to levy fines.

Mr. Coleman responded in the affirmative and explained that a list of recommendations by the State Fire Marshal's Office would be provided indicating a number of things that the Fire Marshal could do in accordance with the code. He explained that the code would be provided in the appendix along with the Texas Government Code, Chapter 417, which represents the Texas Fire Marshal's authority and allows prevention fire services, such as the conducting of these types of surveys.

Judge Hinojosa stated that the survey would indicate the number and type of buildings needing inspections.

Mr. Coleman stated that Section 352.016 reads; "The Commissioners Court by Order may authorize the County Fire Marshal to charge a fee to the owner of a single family residence for a plan review or inspection conducted under this court to cover the costs for a plan review or inspection if the plan review or inspection is requested by the owner of the property."

Commissioner Garza asked if fines issued would go to Justice of the Peace Courts.

Mr. Hushen stated that fines have gone to Justices of the Peace in the past. He stated that changes to the fire codes would be examined and presented to the Court in the future.

Commissioner Garza asked if the Fire Marshal had the authority to condemn a building.

Mr. Hushen responded that he would be able to condemn a building if not in accordance with the fire standards adopted by the County or to remedy a fire threatening conditions, and could close down an establishment when overpopulated.

Commissioner Garza asked if the same would apply to homes.

Mr. Hushen responded that homes were slightly different and that he would study the matter, noting that the International Fire Code includes the rules and regulations for all buildings.

Commissioner Garza stated that he would like to know the authorities that the Fire Marshal would have.

Mr. Hushen stated that the authorities were in the International Fire Code.

Judge Hinojosa asked when the report would be obtained.

Mr. Coleman responded that the report would be complete in a couple of months.

Mr. Hushen stated that the International Fire Code would be provided to the Court for review.

Judge Hinojosa suggested that recommendations be presented to the Court as well.

Upon motion duly made by Commissioner Wood that the certification by the State of Texas of Mr. Thomas D. Hushen, Chief Emergency Officer, as a Fire Inspector/Fire Investigator, be acknowledged, that he be appointment Cameron County Fire Marshal and that the requirement of a \$5,000.00 Bond be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Report is as follows:

PRESENTATIONS

(2) DISCUSSION REGARDING SUBMITTAL OF PROJECTS FOR FEDERAL FUNDING (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, reported that requests for federal funding were submitted by the county or through the Cities of Brownsville and Harlingen for the West Railroad and the North Railroad Relocation Projects and that funding was received. He stated that funding was also received for the straightening of the intracoastal. Mr. Sepulveda requested direction from the Court with regards to other projects for which federal funding would be requested.

Mr. Sepulveda introduced the following individuals from the respective Offices, Jesse Harper-Senator Hutchinson, Ana Maria Garcia, Senator Cornyn, and Maria Congressman Ortiz. He stated that a funding request would be prepared for submission by the county and the City of San Benito for the North Railroad Relocation Project because part of the project was within the Districts of Congressmen Hinojosa and Ortiz.

Judge Hinojosa stated that rail relocation projects were ongoing and would take time to complete. He suggested that assistance be requested from the Senators and Congressmen to designate \$13 million in federal funds, allocated for construction of overpasses that would not longer be built, for removal of at-grade crossings. Judge Hinojosa explained that the county understands that the program was a competitive program and that he did not want to diminish the support and commitment obtained from TXDOT, towards the West Railroad Relocation Project. He stated that perhaps more could be done by examining if part of the funds allocated for overpass construction could be reprogrammed towards railroad relocation projects. He noted that a number of cities throughout Texas were examining the matter, including San Antonio and El Paso.

Commissioner Wood stated that the \$13 million allocation for overpasses was only for Brownsville.

Commissioner Garza stated that said funding categories were set by the Federal Highway Administration and that they could not deviate from said funding categories.

Mr. Sepulveda stated that the issue was that the money was provided by the federal government to TXDOT for safety issues and that its use was strictly up to the end user. He suggested that the any request to reprogram funds be done at State level.

Judge Hinojosa suggested that direction be obtained from the federal government on how the money was allocated since it was still Washington, DC. He commented that other counties were interested on leaning how the railroad relocation was being done.

Mr. Sepulveda stated that getting the two projects authorized was very important to get funding designated every fiscal year.

Judge Hinojosa recognized Senator Hutchinson and Cornyn and Congressmen Ortiz and Edwards for helping obtain \$100,000.00, \$300,000.00, and \$800,000.00 in the last three (3) years. He stated that the first study was complete, that the second study was underway, that the environmental study was about to be started, and that the next step was to get an allocation for the engineering, followed by construction of the realignment, at an estimated cost of \$5 million. Judge Hinojosa noted the need to get rid of the dangers that exist at the intracoastal canal. He stated that the county was a day away from being out of fuel, when the causeway collapsed because half of the fuel supply comes in through the Brownsville Port.

Mr. Sepulveda informed that he met with Motorola Representatives with regards to the interoperable system.

Commissioner Wood stated that federal funding would be requested for the interoperable data system.

Mr. Sepulveda stated that FEMA funding was available, and that timelines were in place.

Commissioner Garza asked if FEMA funding was available for flood zone maps, and Mr. Sepulveda responded in the affirmative.

Judge Hinojosa noted the need to upgrade the flood zone maps because many areas classified as flood zone were no longer so as a result of drainage improvements, thus affecting property values and insurance.

Judge Hinojosa noted the need to modify the method used to determine reimbursement rate for housing federal inmates because SCAAP Funds, monies paid to house undocumented aliens, were being deducted from the reimbursement.

Commissioner Wood stated that there were counties that do not house federal inmates that receive SCAAP Funds without penalties. He stated that there was now a special division that determines the reimbursement rate for housing federal detainees.

Judge Hinojosa noted the need to have legislative involvement and that the matter only affects Border States that house federal inmates.

Mr. David Garcia, Department of Transportation, stated that a set of priorities must be in place from the county, and suggested that members of the Court travel to Washington, DC, to meet with the agencies and the representatives appropriating the funding

Judge Hinojosa stated that he would travel to Washington, DC, in March. He stated that about \$200,000.00 were needed to complete the Santa Rosa Boys & Girls Club Project and requested assistance from the representatives. He explained that Cameron County committed itself to fund \$15,000.00 in operation cost.

Mr. Sepulveda stated that February 7, 2005 was the deadline. He stated that authorization of the West and North Railroad Relocation Projects and the realignment of the intracoastal canal would be requested under the new Transportation Bill, that work would continue with Motorola concerning the Interoperability Wireless System, that a report would be drafted and presented to the Court concerning the FEMA issue, that letters addressing the concerns regarding SCAAP Funds would be drafted to be sent to Washington, DC, and that meetings would be scheduled with the Santa Rosa Boys & Girls Club. Mr. Sepulveda stated that meetings would be scheduled in Washington, DC, to present the requests.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the discussion regarding submittal of projects for federal funding was acknowledged.

The Report is as follows:

(20) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY PROGRAM DEVELOPMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON FEBRUARY 2, 2005 FOR THE PURPOSE OF SUBMITTING ONE OR MORE GRANT APPLICATION(S) TO THE 2004 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM. (FB-PD & M)

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Cameron County Program Development Department was authorized to conduct a Public Hearing on February 2, 2005, for the purpose of submitting one or more grant application(s) to the 2004 Texas Community Development Program Colonia Economically Distressed Areas Program.

(9) CONSIDERATION AND APPROVAL OF WAIVER FOR SUBMITTAL OF FINAL ENGINEERING REPORT FOR GIOVANNI SUBDIVISION, PRECINCT 4, BEING A 0.756 ACRE TRACT OF LAND OUT OF A 3.039 ACRE TRACT FORMERLY REFERRED TO AS 3 ACRES OF LAND MORE OR LESS, OUT OF THE NORTHEAST CORNER OF BLOCK 70 OF THE WILSON TRACT SUBDIVISION OUT OF SCHOOL LANDS LEAGUE NO. 25 IN CAMERON COUNTY, TEXAS, ACCORDING TO VOL. 9, PG. 28 OF THE MAP AND PLAT RECORDS OF CAMERON COUNTY, TEXAS (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, explained that requirement for the requested waiver of preparations of an engineering report were met and recommended approval. He stated that the infrastructure was in place prior to the requirements being set, thus they were being grandfathered.

Commissioner Garza questioned the need for Court action if the project was being grandfathered.

Mr. Sepulveda stated that Legal Division indicated that formal request of a waiver was a needed step.

Mr. Ernesto Hinojosa, County Engineer, explained that this was not a variance, but rather a waiver to file the plat without the engineering report.

Commissioner Garza expressed concern with approving a waiver of the model rules.

Mr. Hinojosa stated that anything occurring before September 1, 1989, did not need Court approval; however, this was more of a courtesy.

Commissioner Garza stated that he would support approval if the recommendation was provided in writing.

Commissioner Tamayo moved that the waiver for submittal of final engineering report for Giovanni Subdivision, Precinct 4, being a 0.756 acre tract of land out of a 3.039 acre tract formerly referred to as 3 acres of

land more or less, out of the northeast corner of Block 70 of the Wilson Tract Subdivision out of School Lands League No. 25 in Cameron County, Texas, according to Volume 9, Page 28, of the Map and Plat Records of Cameron County, Texas, be approved

The motion was seconded by Judge Hinojosa and carried as follows:

AYE: Commissioners Benavides, Wood, Tamayo, and Judge Hinojosa

NAY: Commissioner Garza

(6) CONSIDERATION AND ADOPTION OF A RESOLUTION CALLING ON THE 79TH LEGISLATURE TO APPROVE LEGISLATION ALLOWING FOR THE APPOINTMENT OF A CRIMINAL HEARING OFFICE IN CAMERON COUNTY (COMM. COURT)

Judge Hinojosa reported that District and County Court at Law Judges unanimously approved moving forward on the proposed resolution that calls for legislation that would allow them to appoint a Criminal Hearing Officer to conduct arraignments and probable cause hearings in order to deal with jail population issues. He stated that Senator Lucio, Representative Solis, and Representative Oliveira want to sponsor the proposed legislation that nearly represents the system that Harris County has in place. Judge Hinojosa explained that upon approval of the legislation the Judges would appoint a Hearing Officer to assume the responsibilities of the present Magistrate. He stated that significant reduction of the time that inmates were incarcerated was anticipated based upon the history of Harris County; therefore, resulting in significant savings in cost. Judge Hinojosa explained that the quick processing of inmates could alleviate the population and provide available beds to house federal inmates and would enable better management of the jail. He stated that weekly meetings were being held with the Offices of the District Attorney, County Clerks, District Clerk, Sheriff's Department, and his Office to put together procedures to be implemented once the legislation was passed. Judge Hinojosa stated that minor modifications were made: such as District Judges wanting to appoint the Hearing Officers on their own. He stated that the bill would allow the District Judges to appoint Hearing Officer to hear traffic citations that are currently being sent to municipal judges, causing tremendous revenue loss for the county.

Commissioner Garza stated that he did not understand how there was not sufficient Justices of the Peace to do the present workload. He stated that Justices of the Peace were willing to spend time at the jail to serve said purpose.

Judge Hinojosa stated that all but one Justice of the Peace signed a letter concurrent to the appointment of the magistrate at the jail to reduce the jail population.

Commissioner Garza questioned where inmates were being magistrated at the jail.

Sheriff Omar Lucio stated that the jail has a courtroom and that it was opened to the public after going through a locked door and a screening process.

Commissioner Tamayo asked Sheriff Lucio what he found upon taking office with regards to the inmates back log.

Sheriff Lucio responded that upon taking office he found over a hundred people who had not been processed or magistrated in nearly three (3) weeks. He stated that his people worked on a 24-hour basis to process, classify, and magistrate all individuals. Sheriff Lucio stated that Judge Torres was accessible to his department at any time upon the need arising.

Commissioner Garza asked if the Criminal Hearing Officer had the authority to sign search warrants for the Sheriff's Department anywhere in the county and if the requests were not being made to the Judges.

Sheriff Lucio responded that the Magistrate has said authority and thus the requests did not have to go to the elected position.

Judge Hinojosa indicated that the Magistrate was allowed by law to execute search warrants. He expressed appreciation for all that Sheriff Lucio has done to his department, and continuous support.

Commissioner Garza asked if the final draft would be provided soon.

Mr. Remi Garza, County Administrative Assistant, stated that the Legislative Counsel was attempting to have the Bill out by Friday in order to comply with the 30 day publication notice requirement.

Commissioner Tamayo moved that Resolution calling on the 79th Legislature to approve legislation allowing for the appointment of a Criminal Hearing Office in Cameron County be adopted.

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

AYE: Commissioners Benavides, Wood, Tamayo, and Judge Hinojosa

NAY: None,

ABSTAIN: Commissioner Garza

The Resolution is as follows:

(12) APPROVAL OF CLAIMS

Mr. Mark Yates, County Auditor, suggested that the warranty of a project be recorded upon the Court accepting the project and that the claim be reviewed then in order to have official records of acceptance.

EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 10:56 A.M. to discuss the following matters:

(35) EXECUTIVE SESSION:

- A Confer with Commissioners' Court Legal Counsel concerning Juan Jose Mireles versus Cameron County, Texas and Conrado Cantu; Cause No. 2004-12-6113-E, to discuss status of case and authorization to remove the case to Federal Court; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)&(2);
- B Confer with Commissioners' Court Legal Counsel concerning Michael McGhee Scott versus Yolanda De Leon, Criminal District Attorney and Cameron County, Texas in the 107th District Court; Cause No. 03-01-122-A, for discussion on status of case and settlement offer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)&(B)&(2);
- C Confer with Commissioners' Court Legal Counsel concerning claim of Anthony Mena for discussion and authority to represent the county; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)&(2);
- D Confer with Commissioners' Court Legal Counsel concerning claim of Jose Luis Hernandez, Jr., for discussion and authority to represent the county; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)&(2);
- E Confer with Commissioners' Court Legal Counsel concerning claim of Robert David Johnson, for discussion and authority to represent the county; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)&(2);
- F Confer with Commissioners' Court Legal Counsel concerning claim of Patricia Ann Trinidad, for discussion and authority to represent the county; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)&(2);
- G Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404th District Court; Cause No. 2002-05-2015-G, for authority to hire an attorney to assist in trial; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- H Deliberation regarding Real Property concerning the possible acquisition of 1048 E. Monroe St., Brownsville, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2) & 551.072;
- I To confer with Commissioners' Court Legal Counsel regarding the Arroyo City Fire Station Project, on which the duties 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);

- J Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)&(2);
- K Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- L Deliberation regarding Real Property concerning the possible sale of county properties in Harlingen and San Benito; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 11:35 A.M., to discuss the following matters:

(36) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) Confer with Commissioners' Court Legal Counsel concerning Juan Jose Mireles versus Cameron County, Texas and Conrado Cantu; Cause No. 2004-12-6113-E, to discuss status of case and authorization to remove the case to Federal Court.**

Commissioner Wood moved that Legal Counsel be authorized to file a motion for removal of this case from Federal Court.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (B) Confer with Commissioners' Court Legal Counsel concerning Michael McGhee Scott versus Yolanda De Leon, Criminal District Attorney and Cameron County, Texas in the 107th District Court; Cause No. 03-01-122-A, for discussion on status of case and settlement offer.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Status Report by Legal Counsel was acknowledged and Legal Counsel was authorized to make settlement offer according to the terms discussed in Executive Session.

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- (C) In the matter regarding confer with Commissioners' Court Legal Counsel concerning claim of Anthony Mena for discussion and authority to represent the county. (DENIED)**
 - (D) Confer with Commissioners' Court Legal Counsel concerning claim of Jose Luis Hernandez, Jr., for discussion and authority to represent the county.**
 - (E) In the matter regarding confer with Commissioners' Court Legal Counsel concerning claim of Robert David Johnson, for discussion and authority to represent the county. (DENIED)**
 - (F) Confer with Commissioners' Court Legal Counsel concerning claim of Patricia Ann Trinidad, for discussion and authority to represent the county.**

Commissioner Tamayo moved that the Status Report by Legal Counsel be acknowledged, that Legal Counsel be authorized to represent the County, and that the claims of Anthony Mena and Robert David Johnson be **DENIED.**

The motion was seconded by Commissioner Wood and carried unanimously.

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- (G) **Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404th District Court; Cause No. 2002-05-2015-G, for authority to hire an attorney to assist in trial.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Legal Counsel was authorized to bring in Mr. Charles Willette, Willette & Guerra Law Firm, to assist with the litigation on this case.

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- (H) **Deliberation regarding Real Property concerning the possible acquisition of 1048 E. Monroe St., Brownsville, Texas.**

Commissioner Tamayo moved that the Resolution authorizing the execution of closing documents be approved, and that Bond Funds be used for the property designated for parking

The motion was seconded by Commissioner Wood and carried unanimously

The Resolution is as follow:

- (I) To confer with Commissioners' Court Legal Counsel regarding the Arroyo City Fire Station Project, on which the duties 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 Tamayo moved that Legal Counsel be authorized to draft a letter indicating that the county would not take any liability responsibility with regards to fire hydrants.

The motion was seconded by Commissioner Wood and carried unanimously.

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- (J) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA, formerly known as Landmark.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously the Status Report by Legal Counsel was acknowledged.

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- (K) Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building.**

Commissioner Garza moved that the Status Report by Legal Counsel be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (L) Deliberation regarding Real Property concerning the possible sale of county properties in Harlingen and San Benito.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, Commissioner Garza was designated for the sale of the property of San Benito and Commissioner Tamayo was designated for the sale of the property of Harlingen.

(3) **BUDGET AMENDMENTS, LINE ITEM TRANSFERS
AND/OR SALARY SCHEDULES**

Commissioner Tamayo moved that the Budget Amendments, Line Item Transfers and/or Salary Schedules be approved.

The motion was seconded by Commissioner Wood.

Commissioner Garza asked what the rationale was for the significant increase in overtime in the Sheriff's Department and the Federal Division.

Mr. Xavier Villarreal, Budget Officer, responded that the revenue under the Sheriff's Department pertains to the Stone Garden Program approved recently. He explained that the overtime in Federal Detention Division pertained to needed personnel for coverage and transportation during the time that DC II was opened.

Commissioner Garza requested that a report regarding the Stone Garden Program be provided if available.

Commissioner Tamayo suggested that such report be generated if not available and provided to the court.

Mr. Remi Garza, Assistant County Administrator, stated that the activities should be available in logs.

Commissioner Wood stated that the U.S. Border Patrol Office should have status report on the whole program's successes and failures.

Mr. Villarreal stated that the timeline should end January 2005 with the funding in place.

Upon duly motion made by Commissioner Tamayo that the Budget Amendments, Line Item Transfers and/or Salary Schedules be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

The documents are as follow:

**(4) IN THE MATTER REGARDING APPROVAL OF MINUTES FOR:
A. DECEMBER 21, 2004-REGULAR MEETING (TABLED)**

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

(5) CONSIDERATION AND AUTHORIZATION TO PROVIDE THE 10% MATCHING FUNDS FOR THE INDIGENT HEALTHCARE PROGRAM EXPENDITURES MADE IN EXCESS OF THE COUNTY'S 8% GENERAL REVENUE TAX LEVY LOCAL FUNDS SPENT, AND DESIGNATION OF FUNDING SOURCE. (MY-AUDITOR)

Mr. Mark Yates, County Auditor, requested direction from the Court on whether it wants to take advantage of the 90/10 State Funds. He explained that allocations have increased annually from \$300,000.00 to \$600,000.00 and that nearly \$3.5 million were spent last year. Mr. Yates stated that the Texas Department of Health of Services has allocated over \$1 million, representing 90% of funding above 8% general levy requirement. He stated that there were some issues in State Legislation if they tack onto Child and Adult Protective Services that may go after local funds for indigent programs which would cause an additional burden to the county.

Judge Hinojosa asked if this was where Child and Adult Protective Services were looking for funding.

Mr. Yates responded in the affirmative, and explained that this was one of the suggestions. He stated that the county would still have a cost of 10% as long as State provides the 90% match, and noted the need to monitor the legislature.

Judge Hinojosa stated that the county would be hard pressed arguing that it must continue with the Health Services District if the 10% match was not met.

Mr. Yates stated that the 10% was dropped to 8% about five years ago.

Judge Hinojosa stated that the program was budgeted at 8% but was costing the county another 2% from elsewhere. He questioned the total amount for the 10% match.

Mr. Yates responded that \$100,000.00 was needed for the match. He suggested that the Health Services District be asked to apply this year's Tobacco Funds towards the 10% because in theory the county was operating the program on their behalf without a contract.

Mr. Remi Garza, County Administrative Assistant, stated that during the last meeting of the Health Service District discussed the need to advertise for the position of Executive Director and that Colonel Card and Dr. Diaz

had recommendation for the board; however, they tabled the matter in order for the individuals to be present. He stated that the Board appears to be preoccupied with the fact that the counties have not provided the full amount of Tobacco Funds, and that this appears to be the topic of every meeting. Mr. Garza stated that he expressed to the Board that upon the Health Service District hiring a director and beginning to move forward the counties would make full transfer of funds. He stated that the Board was wanting for the counties to go retro active and provide Tobacco Funds from when the Health Service District was first formed.

Judge Hinojosa asked who was saying this and why they did not hire an Executive Director and move forward.

Mr. Garza reiterated that this was the sentiment that he expressed to the Board. He stated that the county had fully funded their budget, yet they were stuck on the issue concerning the Tobacco Funds.

Judge Hinojosa requested to be informed of the next meeting. He stated that it was not a good idea to pull the money back.

Mr. Yates stated that the \$1 million was an initial allotment and that other allotments would most likely be provided as has occurred in past years.

Mr. Xavier Villarreal, Budget Officer, stated that \$1 million would last about three months based on expenditures.

Mr. Yates stated that projects could be slow or speedy in order to have funding run out at the end of the twelve month period.

Judge Hinojosa asked where the \$100,000.00 could be obtained to fund the 10% match.

Mr. Villarreal stated that the only source was Fund Balance.

Judge Hinojosa asked if the declared increase in revenues, above \$200,000.00 mentioned by Mr. Pete Sepulveda, Department of Transportation Director, could be used.

Mr. Villarreal stated that he would be reluctant to use said funds because it was the beginning of the year and because increasing revenue trend might not continue and funds might be needed to make up deficits.

Judge Hinojosa asked Mr. Sepulveda if decreases in revenues were anticipated.

Mr. Pete Sepulveda, Department of Transportation Director, responded that the U.S. Visit Program was the big issue that might have had a negative impact, yet it did not happen. He stated that a normal year was expected revenue wise, and that the county would be okay if so.

Judge Hinojosa suggested that the \$100,000.00 of said funds be assigned to the 10% match and that the issue of be revisited upon there being a need to go to Fund Balance.

Mr. Yates stated that using Fund Balance was safer than tagging only high revenue.

Judge Hinojosa suggested that the Bridge System Fund Balance be used to fund the \$100,000.00.

Mr. Yates stated that reserves for the Bridge System were within the Gateway Bridge Budget and that other surplus revenues were typically distributed in total.

Judge Hinojosa asked why \$100,000.00 could not be allocated from the unallocated Bridge System Reserves rather than General Fund Reserves.

Mr. Yates responded that Gateway Bridge Reserves to be moved into the General Fund could be used for said purpose.

Judge Hinojosa suggested that Gateway Bridge Reserves be used to fund the \$100,000.00 match.

Commissioner Garza questioned the average days of operation on the Gateway Bridge Fund Balance.

Mr. Yates stated that there were at least \$2 million for operations in Gateway Bridge Fund Balance and that its annual operation totals approximately \$1.5. He stated that approximately \$250,000.00 was available for maintenance of all three international bridges, and that the \$16 million revenues were insured in the event of a disruption of services that prevents collection of revenue.

Judge Hinojosa suggested that the 10% matching funds be funded from the Gateway Reserves. He asked if operations of the International Bridge System would be affected.

Mr. Sepulveda responded negatively.

Mr. Yates stated that reserves were being used for jail improvements until bond funds were certified.

Judge Hinojosa clarified that this use was just a borrowing concept.

Commissioner Tamayo moved that the 10% matching funds be approved for the Indigent Healthcare Program expenditures made in excess of the county's 8% general revenue tax levy local funds spent, and that the Gateway Reserves be designated as funding source.

The motion was seconded by Commissioner Wood and carried unanimously.

Commissioner Garza suggested that Mr. Yates visit with the director of the Indigent Healthcare Program of Tom Green County because they have had a major decrease in cost and increase in services provided.

Judge Hinojosa stated that the present per-capita expenditure in the Cameron County Indigent Healthcare Program was half of that of Hidalgo County.

Mr. Yates stated that he was not confident that anything else could be designed that would provide more cost effective services.

Judge Hinojosa stated that Cameron County was doing a good job in running the Indigent Healthcare Program, yet it could always be improved. He suggested that the hospitals contribute to the matching funds since most State funds go to them.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, that the 10% matching funds was approved for the Indigent Healthcare Program expenditures made in excess of the county's 8% general revenue tax levy local funds spent, and Gateway Reserves were designated as funding source.

(8) CONSIDERATION AND POSSIBLE ACTION TO DETERMINE THE FEE OF RENTAL RATES FOR THE CABANAS AT THE ISLA BLANCA PARK (JM-PARK SYSTEM)

Mr. Javier Mendez, Parks System Director, informed that the Park Advisory Board recommended the following fees: \$22.00 per day during off-peak season; \$30.00 per day during peak season from January thru June 30, 2005; and, \$75.00 per day from July 1, 2005, thru September. He explained that the Parks System recommended \$25.00 per night during off-peak season and \$55.00 per night during peak season.

Commissioner Garza asked that Mr. Mendez define peak and off-peak season.

Mr. Mendez indicated that peak season was from Memorial Day to Labor Day.

Judge Hinojosa recommended that the fees be set at \$60.00 per night during peak season and at \$25.00 per night during off-peak season. He clarified that the \$60.00 fee would apply during Spring Break and Holy Week.

Commissioner Garza asked when the cabanas would be available for rent, and requested a monthly report upon being available.

Mr. Mendez responded that they would be available in two weeks. He requested direction as whether to requiring a deposit.

Judge Hinojosa recommended that a \$25.00 deposit be required at all times.

Commissioner Garza moved that the rental rates for the Cabanas at the Isla Blanca Park be set at \$25.00 per night during off-peak season; \$60.00 during peak seasons; and, that a \$25.00 deposit be required at all times.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Report is as follows:

(10) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF PRIMERA FOR THE PRIMERA ROAD EXPANSION PROJECT (PS-DEPT. OF TRANSPORTATION)

Commissioner Garza moved that the Interlocal Agreement between Cameron County and the City of Primera for the Primera Road Expansion Project be approved.

Judge Hinojosa explained that the Primera Road Expansion Project was a 2.5 mile expansion project first undertaken by the City of Primera, whom obtained a commitment for an 80/20 grant that increased to 96/4 grant, plus the cost to acquire right-of-way and engineering services. He stated that the project became too overwhelming for the small community, and that discussion began about eighteen months ago after Mr. Silver Garcia, County Judge's Office, and the City of Primera Mayor visited him. Judge Hinojosa stated that Texas Department of Transportation (TXDOT) informed Primera that they would loose funding if the project did not continue; therefore, the county met with TXDOT. Judge Hinojosa stated that TXDOT indicated that the \$3.5 funding allocation would be pulled upon Cameron County not taking over the project in conjunction with the City of Primera. He stated that Mr. Pete Sepulveda, Department of Transportation Director, began working with his department to see what could be done. Judge Hinojosa stated that the county was in a situation where it could get involved and that TXDOT was laying out certain financial and work responsibilities. He explained that the road was in essence a county road for which TXDOT would contribute nearly \$3.5, the City of Primera would commit \$315,000.00 in Community Development Funds, and Cameron County would fund the land acquisition cost from Project Road Map.

Mr. Pete Sepulveda, Department of Transportation Director, explained that the county would acquire the land, and that the City of Primera would secure services of a consultant to prepare the schematic design and the right-of-way map, noting that certain guidelines had to be followed since it was a TXDOT Project. He explained that an environmental assessment, the FONZI, and the right-of-way acquisition for the 103 parcel were needed. Mr. Sepulveda stated that about 60 parcels would be donated, and that the land acquisition would be about \$120,000.00 for environmental design. He stated that the City's Engineer would submit the schematic design to TXDOT for approval this week, and emphasized that the county was working with a tight deadline that would most likely not be met. Mr. Sepulveda requested that any member of the Court traveling to Washington, DC, assist in the getting the Federal Highway Administration to issue the FONZI to reduce the 16/18 month waiting period needed for TXDOT to issue it.

Commissioner Wood asked if TXDOT was willing to extend the project upon the county coming on board, and Mr. Sepulveda responded in the affirmative.

Judge Hinojosa stated that the project should be complete by May 2005 and that TXDOT was in agreement.

Commissioner Tamayo asked if the initial work would be okay.

Mr. Sepulveda explained that the schematic design must be submitted to TXDOT and that TXDOT would not require the local sponsor to develop the right-of-way map to their standards was an off-system road project. He added that after the meeting it was agreed that Judge Hinojosa would submit a letter to TXDOT stating the agreement between the county and the City of Primera. Mr. Sepulveda stated that changes and comments might be done to the schematic design by TXDOT as part of the process.

Commissioner Wood asked how long the matter had been ongoing.

Judge Hinojosa clarified that the county's involvement was limited, although discussions were ongoing for the past 18 months. He added that the partnership was needed to be able to access the \$315,000.00 in Community Development Funds from the City of Primera.

Mr. Mark Yates, County Auditor, stated that there was not sufficient funds allocated for this project within Project Road Map, thus noted the need for the county to amend the projects to include Primera Road.

Mr. Sepulveda clarified that Primera Road was included within Project Road Map.

Judge Hinojosa stated that only the expenditures for right-of-way acquisition and the engineering and environmental studies would be designated from Project Road Map funds.

Mr. Sepulveda stated that a list of potential projects for the next twelve or eighteen months and their cost would be presented to the Court for direction.

Mr. Yates noted that additional resources would be needed to fund these projects.

Commissioner Garza moved that the Interlocal Agreement between Cameron County and the City of Primera for the Primera Road Expansion Project be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Agreement is as follows:

(21) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE AN AGREEMENT WITH RABA KISTNER, INC. FOR THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PRIMERA ROAD PROJECT. (PS-DEPT. OF TRANSPORTATION)**

Commissioner Garza asked if Raba Kistner, Inc., was already contracted with the City of Primera.

Mr. Pete Sepulveda, Department of Transportation Director, responded negatively.

Commissioner Garza noted the need to follow proper procurements in doing business with a company to satisfy the Texas Department of Transportation (TXDOT) in order to get reimbursement.

Mr. Sepulveda explained that reimbursement would not be provided due to changes by the Texas Highway Commission because the road was an off-system road.

Judge Hinojosa stated that the cost being funded by TXDOT was much more than the engineering and right-of-way acquisition costs.

Mr. Sepulveda stated that the EDC application was approved during the December meeting and that the same was decreased from \$800,000.00 to \$245,000.00.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Director of the Department of Transportation was authorized to negotiate an agreement with Raba Kistner, Inc., for the preparation of an Environmental Assessment for the Primera Road Project.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY

Commissioner Tamayo moved that the "Travel and Consent Items" be approved and that Item No. 33 be **TABLED.**

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

AYE: Commissioners Wood, Tamayo and Judge Hinojosa

NAY: None.

ABSTAIN: Commissioner Garza as to Warrant No. 00131501, payable to The Medicine Shoppe, in the amount of \$2,582.28.

ITEM NO. 26: Mr. Pete Sepulveda, Department of Transportation Director, informed that everything was in place and that one insurance company was not rated.
Mr. Doug Wright, Commissioners' Court Legal Counsel, advised that the insurance company had no rating, although endorsed by state, and that he did not foresee any problems.

- ITEM NO. 33: Mr. Pete Sepulveda, Department of Transportation Director, requested that this item be tabled.
- ITEM NO. 13: Commissioner Tamayo asked if all Tax Offices would close on March 9, 2005. Mr. Remi Garza, Administrative Assistant, responded in the affirmative.
- ITEM NO. 14: Commissioner Garza asked if everything was in place regarding the agreement. Mr. Remi Garza, Administrative Assistant, responded in the affirmative and added that 70 phones would be provided instead of the original 25. He explained that a 30-day trial period would be available and that a minimum of 100 phones was necessary to keep the prices offered. Mr. Mark Yates, County Auditor, indicated that spare phones would be kept in the event that one malfunctions. Commissioner Wood asked if minutes would be pooled. Mr. Garza responded in the affirmative.
- ITEM NO. 34-h: Commissioner Garza asked why the Emergency Management Assistant Coordinator was attending the Shrimp Association. Judge Hinojosa responded that Mr. Jared Hockema has worked closely with shrimpers, and was involved with coordinating with legislation for the same.

(12) APPROVAL OF CLAIMS.
The affidavit follows:

(13) CONSIDERATION AND ACTION IN CLOSING THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE ON WEDNESDAY MARCH 9, 2005 FROM 8:00 A.M. TO 5:00 P.M. FOR "RED FLAG TRAINING" FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CAMERON COUNTY AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE. (TY-TAX ASSESSOR-COLLECTOR)

(14) CONSIDERATION AND POSSIBLE APPROVAL OF SERVICES AGREEMENT WITH CELLULARONE FOR CELL PHONES FOR COUNTY DEPARTMENTS. (DJV-LEGAL)
The Agreement follows:

(15) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN GUY BLATNIK, CHAIRMAN FOR THE ISLAND KITE FESTIVAL & COMPETITION. (JM-PARK SYSTEM)
The Agreement follows:

(16) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN BILL DOAN, CHAIRMAN FO THE SPI KITE FEST. (JM-PARK SYSTEM)
The Agreement follows:

(17) CONSIDERATION AND APPROVAL TO ACCEPT PROPOSAL FROM NORTHROP GRUMMAN IT, PERCEPTICS AND AUSTIN TRAFFIC SIGNAL AS A SOLE SOURCE PROVIDER FOR A CHECKPOINT LICENSE PLATE READER SYSTEM. (MY-AUDITOR)

(18) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF INFORMATION RESOURCES TO ACQUIRE HARDWARE NECESSARY TO OPERATE THE COUNTY'S INTERGRATED FINANCIAL SYSTEM. (MY-AUDITOR)
The Agreement follows:

(19) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SUNGUARD BI-TECH TO UPGRADE THE COUNTY'S INTERGRATED FINANCIAL ACCOUNTING SYSTEM. (MY-AUDITOR)
The Agreement follows:

(20) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY PROGRAM DEVELOPMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON FEBRUARY 2, 2005

FOR THE PURPOSE OF SUBMITTING ONE OR MORE GRANT APPLICATION (S) TO THE 2004 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM. (FB-PD & M)

- (21) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS / RFP'S / RFQ FOR: (MF-PURCHASING)**

 - A. ASBESTOS REMOVAL AND DISPOSAL COUNTY BUILDING – SAN BENITO (FORMER LEVI'S BLDG.) BID #041202**
- (22) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS: (MF-PURCHASING)**

 - A. ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID #2560**
 - B. ROAD MATERIALS: SURFACING – ANNUAL BID #2580**
- (23) CONSIDERATION AND ACKNOWLEDGMENT OF CERTIFICATE OF COMPLETION AWARDED TO MR. JOE G. RIVERA, CAMERON COUNTY CLERK, FOR COMPLETING 20 HOURS OF CONTINUING EDUCATION FOR 2004 AS REQUIRED BY SECTION 51.605 OF THE TEXAS GOVERNMENT CODE. (JGR-COUNTY CLERK)**

The Certificate follows:
- (24) PRESENTATION AND ACKNOWLEDGMENT OF THE 2004 CERTIFICATE OF COMPLIANCE, WITH AN EXPIRATION DATE OF DECEMBER 31, 2005, ISSUED TO THE CAMERON COUNTY INVESTMENT OFFICER FOR SUCCESSFULLY COMPLETING THE INVESTMENT EDUCATION THAT SATISFIES SECTION 2256.008 OF THE TEXAS PUBLIC FUNDS INVESTMENT ACT. (EG-TREASURER)**

The Certificate follows:
- (25) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VILLA DE RAMOS SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (26) CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY AND CUBCO CONSTRUCTION FOR THE CAMERON PARK COLONIA PROJECT ROAD AND DRAINAGE IMPROVEMENT PROJECT. (PS-DEPT. OF TRANSPORTATION)**

The Contract follows:
- (27) CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**

 - A. PRECINCT NO. 4- LA GLORIA CANAL SUBDIVISION, PHASE III, BEING A SUBDIVISION OUT OF ABSTRACT 10 TRACT "G" OF THE LA GLORIA TRACT, CAMERON COUNTY, TEXAS;**
- (28) CONSIDERATION AND AUTHORIZATION TO ACCEPT WOLF LN, KELLY CT. NORTH, AND KELLY CT. SOUTH LOCATED IN THE LOBITAS ESTATES SUBDIVISION II, PRECINCT 4, INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (29) CONSIDERATION AND APPROVAL OF TIME EXTENSION, FROM JANUARY 9, 2005 TO JANUARY 9, 2006, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LA GLORIA CANAL SUBDIVISION PHASE II, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)**
- (30) CONSIDERATION AND AUTHORIZATION TO CLOSE SOUTHBOUND TRAFFIC AT GATEWAY BRIDGE DURING CHARRO DAYS FESTIVITIES ON THE FOLLOWING DATES: FEBRUARY 24, 2005 FROM 10:00 A.M. TO 11:00 A.M. AND FROM 2:00 P.M. TO 4:00 P.M., FEBRUARY 25, 2005 FORM 6:00 P.M. TO 8:00 P.M. AN FEBRUARY 26, 2005 FROM 12:00 NOON TO 4:00 P.M. (PS-DEPT. OF TRANSPORTATION)**
- (31) CONSIDERATION AND SELECTION OF SIERRA TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR FM 106 (GENERAL BRANT ROAD) FROM FM**

1847 ON GENERAL BRANT ROAD, EAST AND SOUTH OF FM 510. (PS-DEPT. OF TRANSPORTATION)

- (32) IN THE MATTER REGARDING CONSIDERATION AND SELECTION OF SIERRA TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR FM 732 FROM BUSINESS 77 SOUTH TO SOUTH OF FM 1577. (PS-DEPT. OF TRANSPORTATION) (*TABLED*)
- (33) CONSIDERATION AND SELECTION OF SIERRA TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR THE WEST RAIL PROJECT FROM NORTH OF US 281 TO SOUTH OF US 77/83. (PS-DEPT. OF TRANSPORTATION).

TRAVEL ITEMS

- (34) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
- A. Administrative Assistant for Intergovernmental Affairs to attend meetings during the 79th Texas Legislative Session in Austin, Texas, January 30-February 4, 2005;
 - B. Assistant County Administrator and Emergency Management Assistant Coordinator to attend "Texas Association of Counties Technology Conference", in Austin, Texas, February 1-3, 2005;
 - C. District Attorney's office employee to attend "Texas Association of Counties" Technology Conference", in Austin, Texas, February 1-3, 2005;
 - D. District Attorney's office employee, to travel to Austin, Texas, on 2/1-3/05, to attend 18th Annual Juvenile Law Conference.
 - E. County Treasurer to attend "County Treasurer's Continuing Education", in Austin, Texas, April 5-8, 2005;
 - F. Constable Precinct 1 to attend mandatory training seminar on "Newly Elected Constable", in Austin, Texas, January 23-28, 2005;
 - G. Assistant Director of Department of Transportation to attend the "Alliance for I-69 Meeting", in Austin, Texas, February 16-17, 2005;
 - H. Emergency Management Assistant Coordinator to attend the "Executive Board Meeting of Texas Shrimp Association", in Corpus Christi, Texas, January 26, 2005;
 - I. Emergency Management Assistant Coordinator to attend "Biennial Strategy Implementation Review for 2004 State Homeland Security Grant", in Corpus Christi, Texas, January 27, 2005;
 - J. Sheriff and Chiefs (2) to attend the "Texas Commission on Jail Standards", in Austin, Texas, February 2-4, 2005;
 - K. Elections Administrator to participate in a meeting as a member of a focus group to assist in the development of the New Texas Election Administrative Management (Team) Application in Austin, Texas, January 27-28, 2005; and,
 - L. Juvenile Probation Officer to attend the "18th Annual Juvenile Law Conference", in Austin, Texas, February 1-3, 2005.

(13) APPROVAL OF CLAIMS.
The Affidavit follows:

- (14) CONSIDERATION AND POSSIBLE APPROVAL OF SERVICES AGREEMENT WITH CELLULARONE FOR CELL PHONES FOR COUNTY DEPARTMENTS. (DJV-LEGAL)**
The Agreement follows:

- (15) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN GUY BLATNIK, CHAIRMAN FOR THE ISLAND KITE FESTIVAL & COMPETITION. (JM-PARK SYSTEM)**
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The Contract follows:

There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 12:34 P.M.

APPROVED this 22nd day of **March 2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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