

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 16<sup>th</sup> day of May 2005, there was conducted a SPECIAL 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

PEDRO "PETE" BENAVIDES  
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:

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The meeting was called to order by Judge Hinojosa at 9:30 A.M. He 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 May 13, 2005, at 9:17 A.M.:

Judge Hinojosa informed that Senator Lucio was involved in an accident and that an employee of Senator Juan Hinojosa's Office had been injured.

Mr. Manuel Villarreal, Human Resources Director, informed that the grandchild of Mr. Manny Saenz, County Clerk Chief Deputy, passed away.

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(1) **PUBLIC COMMENTS**

None was presented.

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**ACTION ITEMS**

(19) **CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO APPLY FOR FEDERAL GRANT THROUGH DEPARTMENT OF LABOR – PREPARING YOUTH OFFENDERS TO ENTER HIGH GROWTH AND HIGH DEMAND INDUSTRIES**

Mr. Tommy Ramirez, Juvenile Probation Department, informed that a federal grant of \$1 million per year was available to place 200 youth offenders in a job placing/training program. He stated that the Juvenile Probation Department has 446 sixteen year olds and the Adult Probation Department has 776 offenders between the ages of 17 and 21 that qualify. Mr. Ramirez explained that the grant would be fiscally run by Cameron County and administered by his Office because it entails and involves a number of agencies: Juvenile Probation Department, Adult Probation Department, Gulf Coast Trade School, Child Protective Services, Youthville Program, Cameron County Works, End of the Road Ministries, and UTB.

Commissioner Garza asked why there was no school component.

Mr. Ramirez responded that the San Benito School Districts would work in partnership with the Juvenile Probation Department to provide a site and that the Brownsville and Harlingen School Districts would participate in the future.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Cameron County Juvenile Probation Department was authorized to apply for Federal Grant through Department of Labor-Preparing Youth Offenders to enter high growth and high demand industries.

**The Application is as follows:**

**(4) CONSIDERATION AND APPROVAL TO UTILIZE THE CAMERON COUNTY ADMINISTRATION BUILDING, ON MAY 21, 2005 FROM 8:00 A.M. TO 5:00 P.M. FOR A SPECIAL WEAPONS AND TACTICS (SWAT) TRAINING EXERCISE (OL-SHERIFF)**

Sheriff Omar Lucio noted the need to have an evacuation plan in the event that something happens in the Administration Building.

Commissioner Garza moved that the use of the Cameron County Administration Building on May 21, 2005 from 8:00 A.M. to 5:00 P.M. be authorized for a Special Weapons and Tactics (SWAT) training exercise.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Judge Hinojosa noted the need to have a plan in place and address access issues.

Mr. Mark Yates, County Auditor, stated that the panic buttons recently installed were not operating due to the change of radio system and that a company has been contracted to address the matter. He suggested that bailiffs be included in the exercise training since they are first responders to the courthouse.

Judge Hinojosa stated that the Court must decide on whether to place a stringent access or security at the Administration Building where court is held.

Mr. Yates suggested that the renovation plans for the 3<sup>rd</sup> and 4<sup>th</sup> floors include a security plan.

Mr. Remi Garza, County Administrative Assistant, stated that provision of security to the Administration Building would require a shift in policy, a comprehensive plan for the entire facility, because District Courts and their bailiffs have a strong presence in the Judicial Building.

Judge Hinojosa noted the need to address the matter.

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

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Budget Amendments, Line Item Transfers and/or Salary Schedules were approved.

**The Documents are as follow:**

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**(3) IN THE MATTER REGARDING APPROVAL OF MINUTES FOR:**

- A. **MARCH 8, 2005-REGULAR MEETING**
- B. **MARCH 15, 2005-REGULAR MEETING (TABLED)**

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

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**(6) CONSIDERATION AND POSSIBLE ACTION REGARDING THE CAMERON COUNTY LEGISLATIVE AGENDA, TO INCLUDE PASSAGE OF RESOLUTIONS IN SUPPORT OF OR IN OPPOSITION TO CERTAIN LEGISLATION AFFECTING THE COUNTY'S INTEREST (VDL-COUNTY JUDGE)**

At this time, Mr. Remi Garza, County Administrative Assistant, reported that the proposed riders would affect funding for construction of the Health Services District facilities in Hidalgo and Cameron Counties. He added that one rider indicates that the Department of State Human Services will not expend funds or award a contract for construction of facilities in South Texas prior to awarding a contract for construction of the Texas Center for Infectious Diseases. Mr. Garza explained that the rider permits further funding allocated for South Texas to be reprogrammed towards the San Antonio facility. He stated that they communicated to the Representatives that any language that further ties up funds for construction of facilities in Cameron and Hidalgo Counties would not be acceptable and that Cameron County would strongly consider dissolving the Health Services District if State does not participate. Mr. Garza explained that another proposed rider indicates that funds may not be expended until a budget was submitted to the Legislative Budget Board by the Health Services District to show that the clinic can operate solely on local funds, removing all obligations to the state or federal government, although state would own and pay bonds on the facilities.

Judge Hinojosa suggested that the riders must have been generated by the State Department of Health & Human Services, and commented that they did not anticipate Cameron County's position to pull out of the Health Services District upon approval of the proposed riders.

Mr. Garza reported that Senator Lucio, and Representatives Gonzalez and Solis have been working to restore funding reallocated for the Texas Center for Infectious Disease (TCID), and that it was his understanding that there was support from members in the Appropriations Committee; however, the present status was unknown.

Commissioner Garza asked if HB 3485 entails one or more positions and if there was a limit.

Judge Hinojosa responded that the District Judges had the power to appoint as many positions as they choose to and that the Court has the discretion to fund the number of positions, resulting in a fiscal limitation.

Commissioner Tamayo moved that the legislative update by Mr. Remi Garza, County Administrative Assistant, be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Report is as follows:**

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(7) **CONSIDERATION AND AUTHORIZATION TO  
SUBMIT A GRANT APPLICATION FOR JAIL  
DIVERSION SERVICES TO THE UNITED STATE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
(TC-TTMHMR)**

Mr. Remi Garza, County Administrative Assistant, explained that Tropical Texas for Mental Health and Mental Retardation (TTMHMR) was applying for Jail Diversion Services and was requesting that the County act as the lead agent, noting that there was no obligation or requirement of the county except to submit the application.

Commissioner Garza asked if the services would include Hidalgo County or if they were only for Cameron County.

Judge Hinojosa explained that the program would be coordinated with the Probation Department, and that TTMHMR would be brought into the justice system to provide a variety of services on an ongoing basis. He stated that the TTMHMR Director wants to get a grant to enter into an ongoing relation with the Criminal Justice System to have these offenders receive treatment in coordination with the probation department to divert them from the jail system.

Judge Hinojosa stated that this was a full grant and that the county must be the applying entity in order for TTMHMR to qualify, noting that this has been done in the past.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the submission of a grant application for Jail Diversion Services to the United States Department of Health and Human Services was authorized.

**The Application is as follows:**

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**(8) CONSIDERATION AND POSSIBLE ACTION REGARDING THE CONSTRUCTION AND MAINTENANCE OF A MEMORIAL AT THE LOS INDIOS BRIDGE HONORING BORDER PATROL MEMBERS WHO HAVE LOST THEIR LIVES IN SERVICE. (COMM. COURT)**

Commissioner Wood moved that construction and maintenance of a memorial at the Los Indios Bridge Honoring Border Patrol Members who have lost their lives in service at no cost to the county be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(9) IN THE MATTER REGARDING CONSIDERATION AND ADOPTION OF A RESOLUTION DESIGNATING THE RIO GRANDE REGIONAL WATER AUTHORITY AS THE RESPONSIBLE LOCAL ENTITY FOR THE EXISTING OBLIGATIONS OF CAMERON COUNTY TO THE EL MORILLO DRAINAGE CONVEYANCE CANAL. (COMM. COURT) (TABLED)**

Judge Hinojosa stated that a big discussion took place between the county and Irrigation Districts representatives during a meeting that was far from being productive. He stated that the irrigators said they would pay for the allocations of the El Morillo Drainage Project, thus Cameron County would save about \$15,000.00 a year. Judge Hinojosa stated that Cameron County was unable to engage in any form of discussion with any degree of productivity with the irrigators, whose position was that they own all water rights and want no one else involved.

Mr. Remi Garza, County Administrative Assistant, suggested that the matter be tabled for purposes of adding language to the Resolution.

Judge Hinojosa stated that the Resolution was no longer needed because the El Morillo Drainage will work with the irrigators. He stated that he does not understand why the matter came to Cameron County originally, and that somehow there was a feeling that too many entities were involved in dealing with water issues. Judge Hinojosa suggested that the Rio Grande Valley Regional Water Authority Board (RGVRWA) assume responsibility to implement the El Morillo Project although the county continues to fund the project; however, involvement of the RGVRWA was not needed because the irrigators would fund the project, allowing for the El Morillo Board to continue to exist and leaving the county out.

Mr. Garza stated that there was an interest on the part of El Morillo Board to have the RGVRWA take over the project even though funding was provided by the irrigators.

Commissioner Garza questioned the county's obligation to the El Morillo Project.

Mr. Garza responded that there was no obligation other than the funding.

Judge Hinojosa stated that there was no question that the RGVRWA should be running the El Morillo Project and that a Resolution to that effect could be adopted. He suggested that the Resolution be brought back before the Court upon there being an interest to do so; however, he explained that he got the impression that they were not wanting to come to the RGVRWA because the El Morillo Board was composed mainly of irrigators.

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

## **CONSENT ITEMS**

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

DISCUSSION CONCERNING THE FOLLOWING CONSENT AND TRAVEL ITEMS;

ITEM NO. 21: Commissioner Garza asked if any back-up information was available.  
Mr. Pete Sepulveda, Department of Transportation Director, responded in the affirmative, and suggested that this item be tabled.

ITEM NO. 10: Mr. Mark Yates, County Auditor, presented the following late claims:

Mr. Yates presented Warrant No. 001378377 for payment to Enterprise Rent A Car which delayed, and requested direction from the District Attorney. Judge Hinojosa suggested that the matter be delayed until next week in order for the DA to be present to voice on the matter. Mr. Yates stated that the check would be void and brought back upon approval from the DA and the Court. Judge Hinojosa requested that the DA inform the Court on his position on the matter.

Commissioner Tamayo moved that the "Travel and Consent Items" be approved, inclusive of the late claims, and that Item No. 21 be **TABLED**.

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

AYE: Commissioners Benavides, Wood, Garza and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00138109, payable to Laguna Madre Water District, in the amount of \$13.57, and Warrant No. 00138257, payable to Southwest Key Program, in the amount of \$56,042.00

**(10) APPROVAL OF CLAIMS.**

**The Affidavits follow:**

**(11) ADOPTION OF A RESOLUTION HONORING COMMANDER WILLIAM ROBERT KINGSBURY ON THE OCCASION OF HIS RETIREMENT FROM THE BROWNSVILLE POLICE DEPARTMENT. (JW- COMM. PCT. 2)**

**The Resolution follows:**

**(12) ADOPTION OF A PROCLAMATION DECLARING MAY 16-21, 2005 AS 'HURRICANE WEEK' IN CAMERON COUNTY. (TH-EMERGENCY MANAGEMENT)**

**The Proclamation follows:**

**(13) AUTHORIZATION TO REQUEST AN EXTENSION OF THE BOCA CHICA TOWER LEASE FOR THE CAMERON COUNTY DRUG ENFORCEMENT FORCE GRANT. (AV-DA)**

**The Lease follows:**

**(14) AUTHORIZATION TO REQUEST AN EXTENSION OF THE PROJECT PERIOD FOR THE CAMERON COUNTY DRUG ENFORCEMENT FORCE GRANT. (AV-DA)**

**(15) AUTHORIZATION TO REQUEST AN EXTENSION OF THE ANGELO INTERLOGISTICS FOR THE CAMERON COUNTY DRUG ENFORCEMENT FORCE GRANT. (AV-DA)**

**(16) ACTION FOR THE APPOINTMENT OF OSCAR SOLIS JR., OSCAR JAVIER GARCIA AND GREGORIO GONZALEZ JR. RESERVE DEPUTY CONSTABLES FOR PRECINCT NO. 2 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTIES IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**

- (17) **AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT AMENDED RESOLUTION FOR GRANT APPLICATION TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR. (TR-JUVENILE)**  
**The Resolution follows:**
- (18) **AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT FOR CONTINUATION FUNDING OF SITE II FOR FEDERAL GRANT WEED AND SEED. (TR-JUVENILE)**  
**The Resolution follows:**
- (19) **IN THE MATTER REGARDING AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO APPLY FOR FEDERAL GRANT THROUGH DEPARTMENT OF LABOR – PREPARING YOUTH OFFENDERS TO ENTER HIGH GROWTH AND HIGH DEMAND INDUSTRIES. (TR-JUVENILE) (ACTION WAS TAKEN SEPARATELY)**
- (20) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS / RFP'S / RFQ FOR: (MF-PURCHASING)**  
**A. BUILDING SUPPLIES: PLUMBING – ANNUAL BID #2008-2A**
- (21) **AUTHORIZATION TO ENTER INTO AN ADVANCE FUNDING AGREEMENT BETWEEN THE STATE OF TEXAS AND CAMERON COUNTY FOR THE PROPOSED CONSTRUCTION OF THE OUTFALL CHANNELS REQUIRED FOR THE US 77/83 EXPRESSWAY FROM FM 511 TO SH 100 IN THE BROWNSVILLE AREA. (PS-DEPT. OF TRANSPORTATION)**  
**The Agreement follows:**
- (22) **AUTHORIZATION TO ALLOW ROBINSON, DUFFY AND BARNARD APPRAISERS TO DO APPRAISAL REPORTS FOR THE PRIMERA ROAD PROJECT. (PS-DEPT. OF TRANSPORTATION).**

## TRAVEL ITEMS

- (23) **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. 404<sup>th</sup> District Coordinator to attend the “Texas Center for the Judiciary, Inc.,” in Austin, Texas, June 20-24, 2005;
- B. Commissioner Precinct 2 to attend “South Texas County Judges & Commissioners’ Association (71<sup>st</sup> Annual Conference)” in Austin, Texas, June 27-30, 2005;
- C. Sheriff’s Department Employees (2) to pickup Army Surplus in San Antonio, Texas, May 10-11, 2005;
- D. County Drug Enforcement Task Force Employees (5) to attend “Covert Surveillance Operations,” in Mission, Texas, May 4-5, 2005;
- C. Department of Health and Human Services Administrator and Emergency Management Technician to attend the “National Response Plan Workshop,” in Houston, Texas, May 23-24, 2005;
- D. Department of Health and Human Services Employees (5) to attend an “EBT) Electronic Benefits Transfer Meeting,” in El Paso, Texas, On 6/6-9/05,.

- E. Computer Center Director to attend the "Texas Association of Governmental IT Managers Conference," in Corpus Christi, Texas, May 18-20, 2005;
  - F. Unified Narcotics Intelligence Task Force Employee to attend "I2 Analyst Notebook Level 2 Course" in Springfield, Virginia; and
  - G. Juvenile Probation Employees (14) to attend "Staff Safety Training," in McAllen, Texas, April 29, 2005.
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- (10) APPROVAL OF CLAIMS.**  
**The Affidavits follow:**

- (11) **ADOPTION OF A RESOLUTION HONORING COMMANDER WILLIAM ROBERT KINGSBURY ON THE OCCASION OF HIS RETIREMENT FROM THE BROWNSVILLE POLICE DEPARTMENT. (JW- COMM. PCT. 2)**  
**The Resolution follows:**

- (12) **ADOPTION OF A PROCLAMATION DECLARING MAY 16-21, 2005 AS 'HURRICANE WEEK' IN CAMERON COUNTY. (TH-EMERGENCY MANAGEMENT)**  
**The Proclamation follows:**

- (13) AUTHORIZATION TO REQUEST AN EXTENSION OF THE BOCA CHICA TOWER LEASE FOR THE CAMERON COUNTY DRUG ENFORCEMENT FORCE GRANT. (AV-DA)**  
**The Lease follows:**

- (17) AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT AMENDED RESOLUTION FOR GRANT APPLICATION TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR. (TR-JUVENILE)**  
**The Resolution follows:**

- (18) AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT FOR CONTINUATION FUNDING OF SITE II FOR FEDERAL GRANT WEED AND SEED. (TR-JUVENILE)**  
**The Resolution follows:**

- (21) **AUTHORIZATION TO ENTER INTO AN ADVANCE FUNDING AGREEMENT BETWEEN THE STATE OF TEXAS AND CAMERON COUNTY FOR THE PROPOSED CONSTRUCTION OF THE OUTFALL CHANNELS REQUIRED FOR THE US 77/83 EXPRESSWAY FROM FM 511 TO SH 100 IN THE BROWNSVILLE AREA. (PS-DEPT. OF TRANSPORTATION)**  
**The Agreement follows:**

## EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 10:25 A.M. to discuss the following matters:

**(24) EXECUTIVE SESSION:**

- A. 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);
- B. 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);
- C. Confer with Commissioners' Court Legal Counsel concerning the proposed Solid Waste Management Facility Site east of Los Fresnos proposed by Consolidated Waste Industries, Inc. on matter 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 this Chapter, and concerning potential litigation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)&(2);
- D. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Del Mar Heights Buyout Properties; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- E. Deliberation regarding Real Property concerning acquisition of Parcel 10, for Us 83 Expressway Project in the La Feria, Precinct 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- F. Confer with Commissioners' Court Legal Counsel concerning a possible Lease with the Catholic Diocese for the Santa Maria Catholic Church, 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).

**(25) ACTION RELATIVE TO EXECUTIVE SESSION**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo carried unanimously, the Court reconvened into Regular Session at 10:47 A.M. to discuss the following matters:

- A. **In the matter regarding confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark. (TABLED)**
- B. **In the matter regarding confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building. (TABLED)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, these Items were **TABLED**.

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(5) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE PROPOSED DEVELOPMENT OF SOLID WASTE MANAGEMENT FACILITY IN CAMERON COUNTY (COMM. COURT)**

- C. **Confer with Commissioners' Court Legal Counsel concerning the proposed Solid Waste Management Facility site east of Los Fresnos proposed by Consolidated Waste Industries, Inc. on matter 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 this Chapter, and concerning potential litigation.**

Commissioner Garza moved that the publication of notice for adoption of an Order to prohibit development of a solid waste disposal site in Cameron County, anywhere other than the current site located at the City of Brownsville be authorized

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- D. **Confer with Commissioners' Court Legal Counsel concerning issues regarding the Del Mar Heights Buyout Properties.**

Commissioner Wood moved that the purchase of two properties be authorized.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Agreements are as follow:**

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**E. Deliberation regarding Real Property concerning acquisition of Parcel 10, for US 83 Expressway Project in the La Feria, Precinct 4 area.**

Upon motion by Commissioner Tamayo seconded by Commissioner Wood and carried unanimously, the acceptance of a Quick Claim Deed was authorized for acquisition of parcel 10.

**The Deed is as follows:**

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- F. Confer with Commissioners' Court Legal Counsel concerning a possible lease with the Catholic Diocese for the Santa Maria Catholic Church, 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 Tamayo moved that the County Judge be authorized to execute the long term lease as discussed in Executive Session.

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

AYE: Commissioners Benavides, Tamayo and Judge Hinojosa

NAY: Commissioner Wood

ABSTAIN: Commissioner Garza

**The Agreement is as follows:**

**(10) APPROVAL OF CLAIMS**

Mr. Patrick Christen, Assistant District Attorney, explained that Mr. Armando Villalobos, District Attorney, inherited some rental cars from Enterprise Rent a Car left by the previous administration that they were trying to slowly be rid of. He stated that agreements were in place with different policing entities throughout the county for use of ceased vehicles; however, these vehicles range from very used and decapitated vehicles to brand new luxurious vehicle that can be inappropriate for the use of the Office. Mr. Christen reiterated that the rental vehicles would slowly be done away with and that forfeiture vehicles would be sold to purchase appropriate and fuel efficient vehicles

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Warrant No. 001378377 was approved.

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At this time, Commissioner Garza presented a letter submitted to the State Attorney General by Mr. King Cooley, Harlingen resident, expressing concerns regarding the operation of Bells Barn, a gambling house, and accusing Sheriff Lucio of neglecting his duty and campaign promises.

Judge Hinojosa stated that reading the letter was a very inappropriate because the Court was unable to respond since the matter was not on the agenda.

Mr. Doug Wright, Commissioners Court Legal Counsel, advised that the Court was about to have dialogue that was inappropriate when an item was not on the agenda.

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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 11:00 A.M.

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**APPROVED** this 11<sup>th</sup> day of **August 2005**.

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

**ATTEST:**

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