

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

HARRIS COUNTY BAIL BOND BOARD

MEETING MINUTES

1001 Preston Street, 9th Floor

June 12, 2019

1:30 p.m.

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

A P P E A R A N C E S

Michael Butera, designee for District Attorney Kim Ogg

Bill Pastor, designee for Glenn Strickland

Dylan Osborne, County Treasurer

Kathryn Kase, designee for Lina Hidalgo

Honorable Esmeralda Pena Garcia,

designee for Honorable J. Elaine Marshall

Honorable Angela D. Rodriguez

Judith Snively, designee for Marilyn Burgess

Captain Angela Ordonez, Harris County Sheriff's Office

Deputy Gregory Cox, Harris County Sheriff's Office

Leslie Rubio, Recorder, Harris County Sheriff's Office

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

P R O C E E D I N G S

1
2 MR. BUTERA: All right. So it's 1:30 on
3 Wednesday, the 12th. So I'll call the meeting of the
4 Bail Bond Board to order. If -- I think we're relying
5 on a recording. So if y'all would --

6 We'll go around and identify ourselves
7 for the recording. And then if you make a motion or a
8 second, if you'll identify yourselves for the purposes
9 of the recording as well. So we'll start from the end.

10 CAPTAIN ORDONEZ: Captain Ordonez with the
11 Harris County Sheriff's Office.

12 MS. KASE: I'm Kathryn Kase. I'm legal
13 counsel to the Honorable Lina Hidalgo.

14 MR. OSBORNE: Dylan Osborne, County
15 Treasurer.

16 HONORABLE GARCIA: Judge Esmeralda Garcia
17 for the City of Houston, Judge Elaine Marshall.

18 MR. BUTERA: Mike Butera for the District
19 Attorney's Office sitting for Kim Ogg.

20 HONORABLE RODRIGUEZ: Judge Angela D.
21 Rodriguez, Justice of the Peace, Precinct 6, Place 2.

22 MR. PASTOR: I'm Bill Pastor sitting for
23 Glenn Strickland for the bondsmen.

24 MS. SNIVELY: Judith Snively representing
25 Marilyn Burgess, District Clerk.

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 MR. BUTERA: All right. Very well. So we
2 certainly have a quorum. Let's proceed to the agenda.

3 Item A is the reading prior minutes. So
4 if we have a motion to approve those minutes or ...

5 HONORABLE GARCIA: I make a motion to
6 approve the minutes.

7 MR. BUTERA: All right.

8 MS. SNIVELY: Second.

9 MR. BUTERA: All right. And so anybody
10 else said -- all those who approve say aye.

11 THE BOARD: Aye.

12 MR. BUTERA: All right. Anyone who say no,
13 say nay.

14 MR. PASTOR: Judge, they need to say who
15 they were.

16 MR. BUTERA: Oh, I'm sorry, Judge.

17 HONORABLE GARCIA: Oh, that's right. I
18 make the motion, Judge Garcia.

19 MS. SNIVELY: I second the motion,
20 Judith Snively.

21 MR. BUTERA: All right. Very good. Sorry.
22 Forgot about that. So that carries.

23 Item B. Old business. Number 1 is a
24 request made by Michael Felix Kubosh doing business as
25 Kubosh Bail Bonding, License No. 74386, to release

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 property at 1619 Lubbock Street, Houston, Texas 77007.

2 JP letters were mailed on 3/28 of 2019.

3 Mr. Kubosh is here. If you -- we may or
4 may not have testimony. Go ahead and raise your right
5 hand.

6 (Witness sworn.)

7 MR. BUTERA: Very good.

8 All right. So any questions or -- from
9 the Sheriff's Office?

10 CAPTAIN ORDONEZ: The Sheriff's Office
11 received no notification from the JP of any liability
12 owed and we defer to the DAs designee for any
13 outstanding liabilities owed to the criminal courts.

14 MR. BUTERA: Okay. So this has been an
15 ongoing item. So to update the Board, there were
16 several cases initially that were still pending on this
17 license. We're down to three remaining cases. In
18 talking to Mr. Kubosh, I think we have come up with a
19 solution that might be acceptable to the Board, just to
20 detail that.

21 So this license is lapsed, correct,
22 Mr. Kubosh. It's not an activity --

23 MR. KUBOSH: Yeah. Yes, I did not renew
24 it, correct.

25 MR. BUTERA: Correct. So there's no new

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 bail being posted on this license.

2 MR. KUBOSH: That's correct.

3 MR. BUTERA: These three pages that we have
4 remaining are all unique cases where Mr. Kubosh is the
5 defendant surety, is entitled to a defense and an
6 eventual dismissal of the case with an exception that
7 there might be return costs if the defendants return to
8 custody which he will be liable for. Real property was
9 pledged as collateral for this license initially. The
10 idea is try to get that real property released so that
11 you can proceed with the sale.

12 Our proposal was to cover what could be
13 returned costs in each case, that Mr. Kubosh would
14 deposit a 2,000-dollar deposit for each cause number, so
15 \$6,000 total. That would stand in as collateral to
16 satisfy those return costs if there were in. And then
17 in lieu of depositing that \$6,000, the Board might be
18 willing to go ahead and release that real property so
19 that he can proceed with this sale. Those are --

20 MR. KUBOSH: That is correct.

21 MR. BUTERA: -- brainstorm possible
22 solutions.

23 MR. KUBOSH: I second that motion.

24 MR. BUTERA: So if there's any discussion
25 or ...

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 MR. OSBORNE: What would the return costs
2 be?

3 MR. BUTERA: It's hard to say. So we see
4 cases with return costs zero if it's a continuous county
5 to Harris County. A few hundred dollars if it's across
6 the State. I handled a case just this month that had
7 return costs of \$7,000. It was very unique, though, a
8 return from Alaska.

9 Mostly, they are in the lower end and
10 that's why we thought 2,000 would be a reasonable
11 number. Even if the collateral wasn't sufficient to
12 satisfy it, Mr. Kubosh is still legally --

13 MR. KUBOSH: Liable.

14 MR. BUTERA: -- bound to pay it. The 2,000
15 number was just a thought of this will probably be
16 sufficient to cover it -- to cover any costs in that
17 case, if there were any.

18 HONORABLE RODRIGUEZ: I believe we were in
19 the middle of asking for her questions and kept going
20 down.

21 MR. BUTERA: Anyone? So anyone? No?

22 Okay. So ...

23 MR. PASTOR: I don't have any.

24 HONORABLE RODRIGUEZ: I have no questions
25 and I move to approve.

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 HONORABLE GARCIA: I second that we go with
2 the 6,000-dollar -- this is Judge Garcia.

3 I move -- I second the motion we go with
4 the \$6,000 in lieu of the property and release the
5 property.

6 MR. PASTOR: And Angela --

7 HONORABLE RODRIGUEZ: And I amend my motion
8 to reflect the \$6,000 and I -- in addition, I move to
9 approve the release of the property with that
10 stipulation.

11 MR. PASTOR: And that's Angela Rodriguez
12 speaking for the record.

13 HONORABLE RODRIGUEZ: Yes, sir.

14 MR. BUTERA: Any discussion? All those in
15 favor, please say aye.

16 THE BOARD: Aye.

17 MR. BUTERA: Any opposed?

18 All right. So then that carries.

19 Congratulations. We'll work handling
20 that and getting that done.

21 All right. Item C is new business.

22 No. 1 --

23 HONORABLE RODRIGUEZ: To clarify, what if a
24 couple of years go by and he still had that deposit? At
25 what point does he get it back?

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 MR. BUTERA: The criminal cases will take
2 their course. Either the defendant will get rearrested
3 and then the case will be tried or disposed of in some
4 way or it will be dismissed.

5 HONORABLE RODRIGUEZ: Okay.

6 MR. BUTERA: Once the cases are disposed
7 of -- Mr. Kubosh you're welcome, of course -- to
8 petition and that money would be returned to you, either
9 the full 6,000 or whatever was left of it.

10 MR. KUBOSH: Thank you.

11 HONORABLE RODRIGUEZ: Perhaps we could
12 revisit it at a later time if it gets to be too long of
13 a time that this money is being held.

14 MR. KUBOSH: Okay.

15 MR. BUTERA: Item C. Number 1, notice made
16 by UFCIC, Felix -- or excuse me -- Michael Felix Kubosh
17 doing business as Kubosh Bail Bonds, License No. 74578,
18 to change old address 1701 Lubbock Street, Houston,
19 Texas 77007 to a new location, 1822 Mill Creek Drive,
20 Houston, Texas 77008.

21 And then we have left on the desks this
22 afternoon, I guess, an amendment to that or --

23 MR. KUBOSH: Yes.

24 MR. BUTERA: Different change to actually
25 move that to 10900 Northwest Freeway, Suite 110,

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 Houston, Texas 77092. And that's a letter from
2 Universal Fire & Casualty Insurance Company.

3 MR. KUBOSH: Felix Michael Kubosh, yes.

4 MR. BUTERA: Discussion?

5 CAPTAIN ORDONEZ: Yes. The Sheriff's
6 Office determined that the address was -- the original
7 requests was from a commercial to a residential. It was
8 a potential deed restriction problems. He retracted the
9 actual first request and submitted this second request
10 that you have of the two letters.

11 In this request, he has responded to our
12 concern that there could be commingling because he is
13 sharing office space with Pastor Bail Bonds and the
14 letter that he submitted clearly states there'll be no
15 commingling of files, no common use of phones and no
16 common use of computers or county records. It will be a
17 clear separation of business. And that's accompanied by
18 the Universal Fire & Casualty Insurance Company letter
19 stating very much the same.

20 And the Sheriff's Office determination is
21 that as long as we make sure that we have quick access
22 to the files and there's no commingling, he's addressed
23 those concerns in the letter.

24 MR. BUTERA: All right. Sheriff's Office?
25 Anyone around the table?

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 I did have a couple of questions, if I
2 may.

3 Mr. Pastor is here uniquely. So this
4 office will be shared by the two of you; is that
5 correct?

6 MR. KUBOSH: Yes.

7 MR. BUTERA: Okay.

8 MR. KUBOSH: Felix Michael Kubosh, yes.

9 MR. BUTERA: In what way -- and I did
10 definitely read the letter as the Sheriff's Office said.

11 When someone walks into the office, is there
12 just a single entry? Are there multiple entries to the
13 office?

14 MR. KUBOSH: It's Felix Michael Kubosh.

15 There is a single entry into the office.

16 MR. BUTERA: And Mr. Pastor or Mr. Kubosh,
17 whoever wants to answer.

18 The other license is yours, is that an
19 insurance company license.

20 MR. PASTOR: It is.

21 MR. BUTERA: And does that company -- that
22 company is not the same as Universal Fire & Casualty,
23 correct?

24 MR. PASTOR: That is correct.

25 MR. BUTERA: Okay. Does that other

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 company -- what is that company, Mr. Pastor?

2 MR. PASTOR: It is Lexington National.

3 MR. BUTERA: Do they -- are they aware that
4 y'all will be sharing this office space?

5 MR. PASTOR: I have not advised them
6 because this just came to light yesterday to me. But I
7 do need to call them and make sure that they will be
8 aware that we're doing that, yes.

9 MR. BUTERA: I'm just curious. With two
10 different licensees -- since you guys are in an unique
11 position of writing as an agent for an insurance
12 company -- the license is the insurance company's. And
13 commercial interests being what it is, you would be
14 competitors, basically, sharing an office space. I'm
15 sure y'all have a great friendship, otherwise, you
16 wouldn't have agreed to this.

17 But I just mean from the company's
18 perspective, if they know that y'all will be sharing
19 this office space, was my question.

20 So they do not yet know.

21 MR. PASTOR: My office -- mine doesn't.
22 Obviously, Universal & Fire does.

23 MR. KUBOSH: Sure.

24 MR. PASTOR: They sent the --

25 MR. KUBOSH: Yes.

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 MR. PASTOR: -- the letter. But I will
2 call them as soon as this meeting is over and advise
3 them. And if they decline, then I'll -- we'll have to
4 take different steps.

5 MR. BUTERA: And you haven't actually moved
6 yet, Mr. Kubosh.

7 MR. KUBOSH: I have -- I have put some old
8 files over there that are quite ancient. I didn't
9 realize they were over 10 -- 11 years old but I haven't
10 moved everything, no.

11 MR. BUTERA: So when a member of the public
12 comes into the office, how will they know who they're
13 dealing with, which -- I'm just trying to tam down on
14 confusion.

15 Let's say it's one of your bonds,
16 Mr. Kubosh? How would they know that the employee
17 they're interacting with is your employee versus
18 Mr. Pastors or ...

19 MR. KUBOSH: Mr. Kubosh. If I --
20 If and when I meet someone at the office
21 there, I will -- I will have already spoken to them on
22 the phone and they will -- they will come in and ask for
23 me.

24 MR. BUTERA: So you're not going to have an
25 employee there --

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 MR. KUBOSH: I have no employee there.

2 MR. BUTERA: Okay. I looked back at your
3 last application. I think you had three employees
4 listed at the time.

5 MR. KUBOSH: Yes.

6 MR. BUTERA: Where --

7 So those employees will not be there at
8 all or they won't be working for you --

9 MR. KUBOSH: That is correct.

10 MR. BUTERA: -- forward.

11 Okay. So anyone who comes in should be
12 there specifically by arrangement and then you or
13 someone else working for you will meet them there.

14 MR. KUBOSH: That is correct -- well, no
15 one's working for me so I will meet them there.

16 MR. BUTERA: Okay. That's all the
17 questions I have.

18 HONORABLE RODRIGUEZ: I have no questions.

19 MR. OSBORNE: I have no questions.

20 This is just a notice, isn't it?

21 HONORABLE RODRIGUEZ: Yes.

22 MR. BUTERA: It is a notice but, of course,
23 if someone has concerns like -- I think this -- it's a
24 unique situation. We don't have -- as far as I'm
25 aware -- any other bondsmen sharing a single office

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 space. So code does have a requirement that you have an
2 office if you have an active license. This is an active
3 license so it's certainly appropriate to ask questions,
4 if anyone has any.

5 MR. PASTOR: We have family members who
6 have multi -- this is Bill Pastor by the way. They have
7 family members such as the Burnes that had several
8 licenses at one location.

9 MR. BUTERA: Okay.

10 MR. PASTOR: And there's different
11 insurance companies there also. I don't think
12 Mr. Kubosh -- and I may be incorrect -- will be very
13 active in the bail bond business. So it's basically
14 more or less a place for him to put his files and meet
15 people there if he needs to. And he can have a room up
16 in the front that is his, you know, separate -- I have a
17 room in the back that has a separate door and everything
18 so we'd be separated.

19 MR. BUTERA: Okay. Very good.

20 HONORABLE RODRIGUEZ: I wanted to -- this
21 is Judge Angela Rodriguez.

22 I wanted to clarify. It's my
23 understanding this is a plain notice and after today,
24 there will be nothing more and nothing less moved
25 regarding the change of your location other than a

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 plain recognition of a change of location. And if
2 there's any inquiry into your business dealings, it
3 would be subject to any kind of constitutional
4 protections that any other business would have as far as
5 finding out further details about your business.

6 I heard discussion about finding out
7 about your business location. After today, it's just a
8 notice to the Board of your change of address. That's
9 my understanding with no caveats attached to the notice
10 of change of address or nothing that you've conceded in
11 exchange for changing your address. That's my -- that's
12 my understanding.

13 MR. KUBOSH: Thank you.

14 CAPTAIN ORDONEZ: The Sheriff's Office has
15 one clarification question.

16 I was just notified that in discussions
17 that you had specified that there is actually a Suite A
18 and a Suite B at that location; is that correct, at the
19 new location?

20 MR. PASTOR: I am the one that suggested
21 that to one of the members of the sheriff's department,
22 that I would up Suite A as his designated area and then
23 B., would be my -- yes.

24 And so he could put 110, Suite A and I
25 could put 110 B, I guess, if -- so there'd be some

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 separation.

2 This is Bill Pastor. And I would also
3 like to ask who should I call after I talk to the
4 insurance company, Mr. --

5 MR. BUTERA: The only issue would be if
6 they're not going to approve it. And I guess you would
7 talk to Mr. Kubosh and Mr. Kubosh would come back to us
8 and say I need to let you know that --

9 Yeah, the Board rules do require a
10 seven-day notice period. If you do move, you've got to
11 notify the Board. So y'all would just let the Board
12 know if that was the case.

13 MR. PASTOR: I'll talk to Mr. Kubosh then
14 and tell him yea or nay.

15 MR. BUTERA: Very good. All right. So any
16 other -- yes, Judge. I'm sorry.

17 HONORABLE GARCIA: Do we need to amend this
18 or if you're going to add the Suite A, Suite B?
19 Question? No?

20 MR. OSBORNE: I don't think we should do
21 that.

22 HONORABLE GARCIA: Okay. It was just a
23 question.

24 MR. BUTERA: So as it's noticed at Suite
25 110 is what we'll have it at.

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 Any other questions? Comments?

2 All right. Then it is so noted. And
3 that's all the business we have. So we'll adjourn,
4 okay.

5 MR. KUBOSH: I would like to say I want to
6 thank Michael Butera for his willingness to work with me
7 on the release of my collateral and I'm deeply
8 gratified. But thank you very much, Michael. I greatly
9 appreciate it.

10 MR. BUTERA: Sure. I appreciate that.
11 Than you so much.

12 MR. KUBOSH: Thank you.

13 MR. BUTERA: So we'll be adjourned at 1:44.
14 Thank you so much.

15 (Meeting concluded at 1:44 p.m.)

16

17

18

19

20

21

22

23

24

25

HARRIS COUNTY BAIL BOND BOARD - June 12, 2019

1 STATE OF TEXAS)
2 COUNTY OF HARRIS)

3
4 I, Trevor Causey, do hereby certify that the
5 facts as stated by me in the caption hereto are true;
6 that the above and foregoing transcript of the
7 proceedings was taken in stenograph, reduced to
8 typewriting under my direction, and is a full, true and
9 correct transcript of the proceedings.

10 I further certify that I am not, in any
11 capacity, a regular employee of the party in whose
12 behalf this transcript was taken, nor in the regular
13 employee of any attorney; and I certify that I am not
14 interested in the cause, nor of kin or counsel to any of
15 the parties.

16 GIVEN UNDER MY HAND, on this, the 12th day of
17 June, 2019.

Trevor Causey

18 _____
19 Trevor Causey
20 Notary Public in and for
21 The State of Texas
22 My Commission expires 5/24/2021
23 Court Reporter's Clearinghouse
24 Firm Registration No. 62
25 1225 North Loop West, Suite 327
Houston, Texas 77008
Phone: 713 467-7900