

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 31st day of JANUARY, 1995, there was conducted a REGULAR PUBLIC Session 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:
1:30 P. M.

PRESENT:
GILBERTO HINOJOSA
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

PRISCILLA J. KEE Deputy
COUNTY CLERK

ABSENT:

----- 0 -----

The meeting was called to order by Judge Gilberto Hinojosa. He then asked Mr. Bob Clark, Brownsville resident, to present an invocation and the entire Court to lead the audience in reciting the Pledge of Allegiance to the Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on January 27, 1995, at 2:27 P. M.:

(4) APPROVAL OF A RESOLUTION HONORING MR. BRUCE AIKEN

At this time, Judge Hinojosa recognized Mr. Bruce Aiken, Executive Director of the Historic Brownsville Museum, for the valuable contributions and service to the community, noting that he was a founding Director of the Historic Brownsville Museum Association.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution honoring Mr. Bruce Aiken, Executive Director of the Historic Brownsville Museum, was adopted, in recognition of the valuable contributions to the community and for being a founding Director of the Historic Brownsville Museum Association.

The Resolution is as follows:

(1) APPROVAL OF THE COUNTY CLAIMS

At this time, Commissioner Cascos requested that Warrant No. 112445 and Warrant No. 112265 be excluded pending verifications of the validity of the Contracts by County Counsel.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the County Claims were approved as presented, excluding Warrant No. 112445 and Warrant No. 112265, pending review by County Counsel.

-----o-----

**(2) IN THE MATTER OF THE BUDGET AMENDMENT
AND/OR SALARY SCHEDULES [PASSED]**

There were no Budget Amendments and or Salary Schedules for approval at this time.

-----o-----

**(3) APPROVAL OF MINUTES OF JANUARY 10, 1995,
AND JANUARY 24, 1995**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held on January 10, 1995, at 1:30 P.M. and the Regular Meeting held on January 24, 1995, at 1:30 P.M. were approved.

-----o-----

**(5) IN THE MATTER OF A RESOLUTION IN SUPPORT
OF A THIRD COUNTY COURT AT LAW IN
CAMERON COUNTY [TABLED]**

At this time, Judge Hinojosa explained that the Resolution supported the creation of a third (3rd) County Court at Law in Cameron County, and noted that there was a back log of about 6,900 cases in the County Courts, 3,500 of which had not been arraigned, and the District Courts were at their limits. He stated that the Districts Courts were not revenue producing Courts and the County Courts generated revenues whereby they paid for themselves. He stated that the two (2) County Courts have jurisdiction of up to a \$100,000.00 in Civil Cases and handled the Misdemeanor Criminal cases, and added that the County Court at Law No. 1 Judge was frequently assigned felony cases and some jury trials, in order to assist the District Courts.

Judge Hinojosa explained that the proposed Legislation would allow the creation of a third County Court at Law that would include Juvenile and or Family Law jurisdiction, and stated that he did not support that provision in the Bill, and would request that the Legislation be amended to allow all the County Courts to have equal jurisdiction.

At this time, Mr. A. G. Betancourt, former County Court at Law Judge, expressed his opposition to the proposed Legislation and expressed his support for the creation of a District Court, in order to eliminate the costs associated with visiting judges currently utilized.

At this time, Judge Everardo Garcia, County Court at Law No. 1, and Judge Migdalia Lopez, County Court at Law No. 2, expressed their support for the creation of an additional County Court at Law, with the provision that the Legislation be amended to provide equal jurisdiction in the three (3) Courts, and added that the inclusion of the Juvenile and Family Jurisdiction would assist the District Courts.

At this time, Judge Hinojosa clarified that the two (2) County Court Judges supported the Amendment to the Legislation, to exclude the provision that would give one Court preference for Family and Juvenile Jurisdiction. He noted that the Resolution simply stated the need for a third County Court at Law, and that the three (3) Courts should have expanded jurisdiction to include Family and Juvenile Jurisdiction.

There was some discussion regarding the pending Legislation for the creation of a County Court at Law, the costs associated to operate a County Court and the revenues derived from Fines and Court Costs; and the suggestion was made to have the Item Tabled in order to obtain more information.

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

----- 0 -----

**(6) AUTHORIZATION OF A RESOLUTION IN
SUPPORT OF A JOB CORP CENTER IN THE
LOWER RIO GRANDE VALLEY, IN THE CITY OF
HARLINGEN, CAMERON COUNTY, TEXAS**

Commissioner Matz moved that the Resolution supporting a Job Corp Center in the Lower Rio Grande Valley, in the City of Harlingen, Texas, be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.

The Resolution is as follows:

(7) ANNOUNCEMENT OF THE APPOINTMENTS TO THE EMPOWERMENT ZONE BOARD

Commissioner Cascos moved that the following individuals be appointed to serve on the Empowerment Zone Board as recommended by the County Judge:

- Father Joe O'Brien, Port Isabel, Texas;
- Dr. Carmen De La Cruz Rocco, Brownsville, Texas; and
- Mr. Ed Tamayo, Harlingen, Texas.

The motion was seconded by Commissioner Peña and carried unanimously.

----- 0 -----

(8) AUTHORIZATION OF THE APPOINTMENTS TO THE CAMERON COUNTY HISTORICAL COMMISSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the following individuals were appointed to serve on the Cameron County Historical Commission:

- Mr. Gene Balch, Brownsville, Texas;
- Ms. Yolanda Garcia, Harlingen, Texas;
- Dr. and Mrs. Lester Minto, San Benito, Texas;
- Ms. Maxine Myers, Port Isabel, Texas; and
- Mr. & Mrs. Sam F. Magee.

----- 0 -----

(9) ACKNOWLEDGEMENT OF REQUIRED MANDATORY COMMISSIONERS' CONTINUING EDUCATION COMPLETED BY COMMISSIONER JAMES R. MATZ

(10) ACKNOWLEDGEMENT OF A REQUIRED MANDATORY COMMISSIONERS' CONTINUING EDUCATION COMPLETED BY COMMISSIONER CARLOS H. CASCOS, CPA

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Certificates of Completion, of the Continuing Education Provisions of Article 81.0025 of the Texas Local Government Code, for Commissioners Cascos and Matz were acknowledged.

The Certificates are as follow:

(11) IN THE MATTER TO AMEND THE CURRENT SERVICE AGREEMENT BETWEEN ST. FRANCIS DISTRIBUTING COMPANY AND CAMERON COUNTY [TABLED]

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, this Item was TABLED.

----- 0 -----

(12) AUTHORIZATION OF A CONTRACT WITH THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION FOR A USED OIL COLLECTION GRANT

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Contract with the Texas Natural Resource Conservation Commission for a Used Oil Collection Grant was approved, subject to final review by County Counsel.

The Contract is as follows:

(13)

AUTHORIZATION OF A PROFESSIONAL SERVICES CONTRACT WITH TERI MCCABE RETANA, M.S., RD, L.D., FOR THE DIETICIAN SERVICES TO THE CAMERON COUNTY JAIL FACILITIES

Commissioner Peña moved that the Professional Services Contract with Teri McCabe Retana, M.S., RD, L.D., for the Dietician Services to the Cameron County Jail Facilities, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Contract is as follows:

(14)

**AUTHORIZATION OF A LICENSE AGREEMENT
WITH THE SPIRIT OF GRACE CHURCH TO SET
UP A FOOD BOOTH DURING CHARRO DAYS**

Mr. Joe Galvan, Bridge System Director, stated that there were several non-profit Organizations requesting License Agreements in order to set up Food Booths during Charro Days, noting that last year the Court authorized the Bridge Director to negotiate said Contracts.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the License Agreement with the Spirit of Grace Church, for a Food Booth during Charro Days was approved, subject to final review by County Counsel.

The Agreement is as follows:

(15)

**DISCUSSION OF THE STATUS OF ROAD
CONSOLIDATION PETITION AND ELECTION**

At this time, Ms. JuaNita Brodecky, Rio Hondo resident, presented the following "Memorandum" and the signed petitions of registered voters who favored the consolidation of the Road and Bridge System, although, it lacked the required number of signatures in order to call for an election.

At this time, Commissioner Matz expressed his gratitude to Ms. JuaNita Brodecky, Mr. John Brodecky, and to Mr. Jack Brown, Engineer, for the time and effort spent on this Project.

Commissioner Matz moved that the discussion of the Road Consolidation petition and election be acknowledged.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Memorandum follows:

(16) IN THE MATTER OF THREE (3) RESERVE DEPUTIES FOR CONSTABLE ROBERT LOPEZ [TABLED]

At this time, Judge Hinojosa suggested that a Workshop be scheduled with the Constables in order to develop a Plan that would identify the need for Reserve and full time Deputies, and the training and certification required.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, this Item was TABLED.

-----0-----

(17) IN THE MATTER TO APPOINT MR. JOHN WILLARS, TO THE TROPICAL TEXAS CENTER FOR MENTAL HEALTH AND MENTAL RETARDATION PUBLIC RESPONSIBILITY COMMITTEE [TABLED]

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

-----0-----

(18) IN THE MATTER TO APPROVE A CONTRACT WITH THE UNIVERSITY OF TEXAS MEDICAL BRANCH [TABLED]

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, this Item was TABLED.

-----0-----

(19) APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE SANTA ROSA INDEPENDENT SCHOOL DISTRICT

Commissioner Peña moved that the Interlocal Agreement between Cameron County and the Santa Rosa Independent School District be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Agreement is as follows:

"CONSENT" AGENDA ITEM

THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the

"Consent" Agenda Items were approved as follow:

- (20) APPROVAL OF ANNUAL DUES FOR THE COUNTY JUDGES AND COMMISSIONERS ASSOCIATION OF TEXAS, IN THE AMOUNT OF \$350.00
- (21) PRELIMINARY AND FINAL APPROVAL:
 - a) **Precinct No. 4:**
Maria F. Taguilas Subdivision - being a 1.203 acres out of Block No. 75, Minnesota, Texas Land and Irrigation Company Subdivision;
 - b) **Precinct No. 3:**
Roger's Subdivision - being a subdivision of 7.07 acres land out of Tract No. 3, of the Garcia Family Partition; and
 - c) **Precinct No. 2;**
Nola Bea Subdivision - being 1.06 acres out of a certain 3.45 Acre Tract out of Block No. 1, Las Lagunas Subdivision in Survey No. 38, Subdivision "D" of the Paredes partition of Share No. 19, Espiritu Santo Grant.

- (22) AUTHORIZATION TO OPEN THE REQUEST FOR PROPOSAL NO. 650102 FOR PERSONAL COMPUTERS FOR VARIOUS DEPARTMENTS

The Request for Proposals are as follow:

- (23) AUTHORIZATION TO OPEN THE REQUEST FOR PROPOSAL NO. 950101 FOR A CLOSED CIRCUIT TELEVISION FOR THE NEW DETENTION CENTER

The Request for Proposals are as follow:

- (24) AUTHORIZATION TO OPEN THE REQUEST FOR PROPOSAL NO. 950103 FOR A TELEPHONE SYSTEM FOR THE DARRELL HESTER JUSTICE CENTER

The Request for Proposal are as follow:

- (25) AUTHORIZATION TO OPEN ANNUAL BIDS FOR COMPUTER PRINTERS

The Bids are as follow:

(26) AUTHORIZATION TO OPEN BIDS FOR THE SALE AND REMOVAL OF THE OBSOLETE VHF RADIO TOWER

The Bids are as follow:

(27) TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THEIR BUDGET:

- a) Justice of the Peace, Precinct No. 6-1, to attend the Court Clerk School in Corpus Christi, Texas, on February 1-3, 1995;
- b) Sheriff and Major to attend the Texas Commission on Jail Standards in Austin, Texas, on January 26-27, 1995;
- c) Commissioner Rosenbaum, Precinct No. 1, to attend the Legislative Meeting in Austin, Texas, on February 6-7, 1995;
- d) Judge Everardo Garcia, County Court at Law No. 1, to attend the State Bar of Texas Preparing, Trying and Setting Auto Collision Cases in Houston, Texas, on February 8-10, 1995;
- e) Purchasing Agent to attend the Advanced Public Purchasing Seminar in Austin, Texas, on February 13-14, 1995;
- f) County Judge and Commissioner Cascos, Precinct No. 2, to attend Meetings with Congressman Solomon Ortiz in Washington, D.C., on February 11-15, 1995; and
- g) County Judge to attend the Alliance for I-69 and Conference of Urban Counties in Austin, Texas, on January 31- February 1, 1995.

-----0-----

**Item No. 22 AUTHORIZATION TO OPEN THE REQUEST FOR PROPOSAL NO.
650102 FOR PERSONAL COMPUTERS FOR VARIOUS DEPARTMENTS**

The Request for Proposal are as follow:

**Item No. 23 AUTHORIZATION TO OPEN THE REQUEST FOR PROPOSAL NO.
950101 FOR A CLOSED CIRCUIT TELEVISION FOR THE NEW
DETENTION CENTER**

The Request for Proposal are as follow:

**Item No. 24 AUTHORIZATION TO OPEN THE REQUEST FOR PROPOSAL NO.
950103 FOR A TELEPHONE SYSTEM FOR THE DARRELL HESTER
JUSTICE CENTER**

The Request for Proposal are as follow:

**Item No. 25 AUTHORIZATION TO OPEN ANNUAL BIDS FOR COMPUTER
PRINTERS**

The Bids are as follow:

**Item No. 26 AUTHORIZATION TO OPEN BIDS FOR THE SALE AND REMOVAL OF
THE OBSOLETE VHF RADIO TOWER**

The Bids are as follow:

(28) EXECUTIVE SESSION

Upon motion by Commissioner Cascos seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 3:20 P. M. to discuss the following matters:

- a) Discussion with County Counsel concerning the case styled Weekley vs Cameron County, 103rd Judicial District of Cameron County, Cause No. 95-01-303-D, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.0721(1)(A);
- b) Discussion with County Counsel concerning the Right-of-Way acquisition for FM/509 for Parcel Nos. 6-017, 6-003, 6-030, 6-031, and 7-018, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Discussion with County Counsel concerning the condemnation cases concerning Parcel Nos. 7-019, 6-025, 6-026, 6-027, 6-028, 6-029, 6-030 and 6-031, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- d) Discussion with County Counsel concerning the settlement offer in the case styled Quintana vs. Valdez, Civil Action No. m-95-220, in the United States District Court, McAllen Division, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(B);
- e) Discussion with County Counsel concerning the proposal from Allen, Williford, and Seale concerning the acquisition for the Right-of-Way on FM/1419, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- f) Discussion with County Counsel concerning the Amber Hotel Property, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1&2).

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 3:50 P. M.

-----o-----

(29) ACTION RELATIVE TO EXECUTIVE SESSION

- b) Discussion with County Counsel concerning the Right-of-Way acquisition for FM/509 for Parcels No. 6-017, 6-003, 6-030, 6-031, and 7-018;
- c) Discussion with County Counsel concerning the condemnation cases concerning Parcels No. 7-019, 6-025, 6-026, 6-027, 6-028, 6-029, 6-030 and 6-031; and
- e) Discussion with County Counsel concerning the proposal from Allen, Williford, and Seale concerning the acquisition for the Right-of-Way on FM/1419.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed along the terms and conditions as outlined in Executive Session regarding said

matters.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, County Council was directed to proceed along the terms and conditions as outlined in Executive Session regarding the Right-of-Way acquisition for FM/509 for Parcels No. 6-017, 6-003, 6-030, 6-031, 7-018, the condemnation cases concerning Parcels No. 7-019, 6-025, 6-026, 6-027, 6-028, 6-029, 6-030, 6-031, and the Proposal from Allen, Williford, and Seale concerning the acquisition for the Right-of-Way on FM/1419.

- d) Discussion with County Council concerning the settlement offer in the case styled Quintana vs. Valdez, Civil Action No. m-95-220, in the United States District Court, McAllen Division.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that County Council should proceed along the terms and conditions as outlined in Executive Session regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, County Council was directed to proceed with the settlement offer in the case styled Quintana vs. Valdez, Civil Action No. m-95-220, in the United States District Court, McAllen Division, along the terms and conditions as outlined in Executive Session.

- a) Discussion with County Council concerning the case styled Weekley vs Cameron County, 103rd Judicial District of Cameron County, Cause No. 95-01-303-D

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that County Council should proceed along the terms and conditions as outlined in Executive Session, regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, County Council was directed to proceed with the case styled Weekley vs Cameron County, 103rd Judicial District of Cameron County, along the terms and conditions as outlined in Executive Session.

f) Discussion with County Counsel concerning the Amber Hotel Property.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed along the terms and conditions as outlined in Executive Session, regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session regarding the Amber Hotel Property.

-----o-----

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the meeting was **ADJOURNED**.

-----o-----

APPROVED this **07th** day of **MARCH, 1995**.

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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