

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of MARCH, 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

COMMISSIONER, PRECINCT NO. 4

PRISCILLA J. KEE Deputy  
COUNTY CLERK

ABSENT:

HECTOR PEÑA

----- 0 -----

The meeting was called to order by Judge Gilberto Hinojosa. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Commissioner Cascos to lead the Court and 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 March 10, 1995, at 9:55 A. M.:

**(1) APPROVAL OF THE COUNTY CLAIMS**

At this time, Ms. Rosemary C. Perez, First-Assistant County Auditor, reported that the amount available in Lapsed Salaries was \$57,612.00.

Commissioner Cascos questioned why the Check Register dated March 3, 1995, concerning the payments to foster parents, was not presented for approval at the previous Meeting, and the County Auditor's Office responded that the payments to the foster parents were pre-approved at Budget time and were generally released prior to Court's approval.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as recommended by the County Auditor's Office.

----- 0 -----

**(2) APPROVAL OF THE BUDGET AMENDMENT AND/OR SALARY SCHEDULES**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Fiscal Year 1995 Budget Amendment No. 95-14, and the following Salary Schedules were approved as recommended by County Auditor's Office:

- County Jail, Fund No. 10-512;
- County Attorney, Fund No. 10-475;
- County Auditor, Fund No. 10-495;
- Health--T.B. Minority, Fund No. 26-647;
- Health--T.B. Outreach, Fund No. 26-648;
- Health--T.B. Jail, Fund No. 26-649;
- Judicial Courthouse Security, Fund No. 14-435;

The Budget Amendment and Salary Schedules are as follow:

**(3) APPROVAL OF MINUTES OF FEBRUARY 17 AND 28, 1995, AND MARCH 7, 1995**

At this time, Commissioner Matz clarified that the Court had authorized him to execute the Airport License Agreements, as reflected in the Minutes of March 7, 1995, subject to legal review, and that should there be unusual matters to consider, then the Agreements would be presented to the Court.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the following Minutes were approved:

Special Meeting - February 17, 1995 - 10:00 A.M.,

Regular Meeting - February 28, 1995 - 1:30 P.M., and

Regular Meeting - March 7, 1995, - 1:30 P.M..

----- 0 -----

**(4) AUTHORIZATION FOR THE ESTABLISHMENT OF INSPECTION AND COMPLIANCE PROGRAM FOR CAMERON PARK SO AS TO EXPEDITE WASTEWATER CONNECTIONS**

Commissioner Cascos moved that the establishment of the Inspection and Compliance Program for Cameron Park, so as to expedite wastewater connections, be approved.

The motion was seconded by Commissioner Matz.

At this time, Ms. Rosa Bodden, Valley Interfaith, stated that the improvements in the water and sewage connections at Cameron Park would be visible within four (4) weeks, and added that affordable housing was a problem for the underprivileged, and requested the Court's assistance in the matter.

Judge Hinojosa remarked that the issue of "affordable housing" was being addressed and plans were being prepared by the Community Development Corporation of Brownsville and the County Planning Department.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Establishment and Compliance Program for Cameron Park, in order to expedite Wastewater connections, was approved.

The Document is as follows:

**(6) AUTHORIZATION TO APPLY FOR A CONTINUING GRANT FOR THE CAMERON COUNTY FINANCIAL DISRUPTION TASK FORCE, THROUGH THE TEXAS NARCOTIC CONTROL PROGRAM-CRIMINAL JUSTICE DIVISION**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the continuing Grant Application for the Cameron County Financial Disruption Task Force, through the Texas Narcotic Control Program - Criminal Justice Division, was approved.

----- 0 -----

**(7) AUTHORIZATION FOR THE LAND ACQUISITION IN LOT NO. 2, BLOCK NO. 173, ORIGINAL TOWNSITE OF BROWNSVILLE**

Commissioner Rosenbaum moved that the land acquisition regarding Lot No. 2, Block No. 173, Original Townsite of Brownsville, Texas, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

----- 0 -----

**(5) AUTHORIZATION TO ALLOW THE COUNTY HEALTH DEPARTMENT TO FUND TWO (2) ANIMAL CONTROL WORKERS WITH LAPSED SALARIES, ON A TEMPORARY BASIS, UNTIL THE END OF THE FISCAL YEAR**

Mr. Rolando Martinez, Health Administrator, explained the need for two (2) additional Animal Control workers, and added that the matter was discussed with the County Auditor and that there was \$11,000.00 in Lapsed Salaries available. He stated that one (1) permanent employee would be paired-off with one (1) temporary employee, in order to provide two (2) teams to patrol Cameron County to assist with the control and removal of unwanted animals.

At this time, Commissioner Matz noted that there were five (5) Items on the Agenda that represented requests for new funding and recommended that a mid-year Budget review be scheduled, in order to study the requests and the Surplus Fund available.

Commissioner Cascos requested that the County Auditor's Office provide a mid-year Financial Report of the General Fund and the Enterprise Fund and to schedule a Workshop as soon as possible.

Commissioner Cascos moved that the County Health Department be authorized two (2) Animal Control Workers, on a temporary basis until the end Fiscal Year, said funds to be allocated from the Contingency Fund.

The motion was seconded by Commissioner Matz and carried unanimously.

----- 0 -----

**(8) APPROVAL OF SENIC LANE, WITHIN STUART PLACE COUNTRY ESTATES SUBDIVISION, UNIT NO. 1, AS A COUNTY DEDICATED ROAD**

Mr. Michael Martin, County Engineer, explained that Senic Lane had been inspected and recommended approval, and noted that the matter had not been presented to Commissioner Peña, Precinct No. 4.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, Senic Lane, within Stuart Place County Estates Subdivision, Unit No. 1, was accepted as a County dedicated road, subject to the County Engineer discussing the matter with Commissioner Peña, Precinct No. 4.

----- 0 -----

**(9) AUTHORIZATION OF A CONTRACT WITH BROWNING FERRIS INDUSTRIES (BFI) WASTE SYSTEMS FOR THE CITY OF SAN BENITO GARBAGE PICK UP AT THE DARRELL B. HESTER JUVENILE JUSTICE CENTER**

Mrs. Joan Macrum, Assistant Chief Juvenile Probation Officer, explained the need to Contract with the City of San Benito for Garbage Collection and added that the cost would be \$175.00 per month for the next six (6) months and that the Contract would carry over until the next Fiscal Year.

Commissioner Rosenbaum moved that the Contract with Browning Ferris Industries (BFI) Waste Systems for the City of San Benito Garbage Collection, at the Darrell B. Hester Juvenile Justice Center, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Agreement is as follows:

**(10) AUTHORIZATION FOR ADDITIONAL PERSONNEL AT THE DARRELL B. HESTER JUVENILE JUSTICE CENTER**

Mr. Robert Garcia, Detention Supervisor, requested additional personnel for the fourth section of the facility that will be opened and noted that the amount would be \$56,455.44.

Commissioner Cascos stated that it was his understanding that the costs to house out-of-town juveniles was \$56.00 per child and that it had been the same amount for the last five (5) years and suggested that the matter of actual costs be evaluated.

Commissioner Cascos moved that the additional personnel at the Darrell B. Hester Juvenile Justice Center be approved, said funding to be allocated from the Lapsed Salary in the amount of \$14,000.00, and the balance from the Contingency Fund.

The motion was seconded by Commissioner Matz and carried unanimously.

----- 0 -----

**(11) AUTHORIZATION OF A CONTRACT WITH THE NURSE PLACEMENT SERVICE OF HARLINGEN, TEXAS, TO PROVIDE MEDICAL SERVICES FOR THE DETAINED JUVENILES IN THE DARRELL B. HESTER JUVENILE JUSTICE CENTER**

Ms. Joan Macrum, Assistant Chief Juvenile Probation Officer, explained that the County Detention Center Nurses would not be available to provide Medical Services to the new Juvenile Facility, due to the time constraints, and recommended to Contract with the Nurse Placement Service of Harlingen, at a costs of \$35.00 per hour for a Registered Nurse and \$25.00 per hour for a License Vocational Nurse. She noted that the amount of \$2,520.00 was allocated in the Fiscal Year 1995 Budget.

At this time, Ms. Rose C. Perez, First Assistant County Auditor, noted that the Supplemental Salary currently paid to the Visiting Nurses would be eliminated, since the nurses would no longer be providing services to the San Benito Center.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Contract with the Nurse Placement Service of Harlingen, Texas, in order to provide Medical Services for detained juveniles in the Darrell B. Hester Juvenile Justice Center, was approved.

----- 0 -----

**(12) AUTHORIZATION TO MAKE AN EXCEPTION TO THE TRAVEL POLICY REGARDING HOTEL REIMBURSEMENT FOR COMMISSIONER MATZ FOR THE TRIP TO MEXICO CITY ON FEBRUARY 19-21, 1995**

Commissioner Cascos moved that an exception to the Travel Policy regarding the Hotel reimbursement for Commissioner Matz for the trip to Mexico City, Mexico, on February 19-21, 1995, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

----- 0 -----

**(13) IN THE MATTER TO ADVERTISE FOR BIDS FOR THE LEASE PURCHASE OF ROAD & BRIDGE EQUIPMENT [TABLED]**

At this time, Commissioner Cascos requested that the Purchasing Agent provide a description of the Equipment and the cost of the Leases Purchases currently obligated by the Precincts.

Commissioner Matz requested that the Road and Bridge Equipment List be provided, with the dates of said acquisitions.

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

----- 0 -----

**(14) AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE AN ENGINEERING SERVICES CONTRACT WITH GUZMAN AND MUÑOZ ENGINEERING FOR THE RABB PAVING PROJECT**

Commissioner Rosenbaum moved that the County Judge be authorized to execute an Engineering Services Contract with Guzman and Muñoz Engineering for the Rabb Paving Project.

The motion was seconded by Commissioner Matz and carried unanimously.

The Contract is as follows:

**(15) AUTHORIZATION TO ALLOW THE UNIVERSITY OF TEXAS AT BROWNSVILLE TO USE VOTING MACHINES FOR THE STUDENT GOVERNMENT ELECTIONS ON MARCH 29, 1995**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the University of Texas at Brownsville was authorized to use the voting machines for the Student Government Elections scheduled on March 29, 1995.

----- 0 -----

**(16) AUTHORIZATION TO ADVERTISE FOR THE POSITION OF COUNTY ELECTION ADMINISTRATOR**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the advertisement for the position of County Elections Administrator was authorized.

----- 0 -----

**(17) AUTHORIZATION OF A SECURITY PLAN FOR VOTING MACHINES**

Judge Hinojosa explained that the current storage area for the Voting Machines was not adequate and secured in order to prevent tampering and recommended that a Security System be implemented. Judge Hinojosa reviewed the proposed Plan that would involve the construction of a brick wall, at a costs of \$1,877.00, and the installation of a Security System, at the cost of \$1,000.00, in order to limit the access to the voting machines.

Mr. Pete Blanco, Maintenance Director, explained that he had requested a Budget Amendment for said expenditures.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, that the Security Plan for the Voting Machines was approved.

The Security Plan is as follows:



**(18) AUTHORIZATION TO CONTRACT SERVICES FOR THE INSPECTION, TESTING, REPAIR, AND PREVENTIVE MAINTENANCE ON VOTING MACHINES**

Ms. Tencha de la Pena, Elections Administrator, reported that an Inspection Company evaluated the machines and reported that ninety (90) of the voting machines had been tampered, twelve (12) had broken counters, and that at least fifty (50) machines were in need of the repair.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Contract Services for the Inspection, Testing, Repair, and Preventive Maintenance on the voting machines was approved, said funds to be allocated from the Contingency.

----- 0 -----

**(19) IN THE MATTER TO PURCHASE COMPUTERS AND SOFTWARE FOR THE COUNTY JUDGE'S OFFICE [TABLED]**

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

----- 0 -----

**(20) AUTHORIZATION TO RENEW A CONTRACT WITH THE REVENUE MARKETS, TOLL EQUIPMENT AT THE GATEWAY INTERNATIONAL AND THE FREE TRADE BRIDGE [TABLED]**

Mr. Joe Galvan, Bridge Systems Director, explained that this was the third year of the Contract and would cost \$75,300.00 for the year.

Commissioner Cascos questioned whether a Report could be prepared concerning the maintenance provided, in order to determine whether to pay on an hourly basis or by the job, and suggested that a history of the maintenance be provided.

Mr. Galvan responded that they provided weekly routine services and the time was spilt between the two (2) Bridges, and that frequently they provided other than "routine" maintenance. He added that the services provided were not difficult, but that the repairs were complicated.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Item was TABLED.

----- 0 -----

(21) **AUTHORIZATION TO ADVERTISE FOR BIDS FOR BUDGETED CAPITAL IMPROVEMENT PROJECTS FOR THE PARKS SYSTEM**

Commissioner Matz moved that the advertisement for bids for the Budgeted Capital Improvement Projects for the Parks System be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

----- 0 -----

**"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 Matz, seconded by Commissioner Cascos and carried unanimously, the "Consent" Agenda Items were approved as follow:

(22) **PRELIMINARY AND FINAL APPROVAL:**

- a) **Precinct No. 4:**  
El Nogal Subdivision - being a subdivision of 8.008 acres, and being 3.19 acres out of the southwest corner of Block 121, and 4.80 acres out of the northwest corner of Block 120, Hooks and Hodges Subdivision No. 2;
- b) **Precinct No. 4:**  
R. L. Zamora Subdivision - being a subdivision of 15.00 acres, and being all of Lots No. 7, 8, and 9, in Block No. 311 of El Jardin Resubdivision; and
- c) **Precinct No. 1:**  
Maria Garza Subdivision - being a resubdivision of a 10.934 acre tract of land, being all of Lot No. 4, Alcalá No. 1 Subdivision.

(23) **TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THEIR BUDGETS:**

- a) Two (2) Officers from the Cameron County Financial Disruption Task Force to attend to an on going investigation in Virginia during the second week of March, 1995;
- b) One (1) Officer from the Cameron County Financial Disruption Task Force to attend the "Novel Examination" in Corpus Christi, Texas, on March 17, 1995;
- c) Third Officer to attend the "Financial Investigative Techniques Training" in Dallas, Texas, on March 22-23, 1995;
- d) County Clerk to attend the "Texas Open Records Act Seminar" in Austin, Texas, on April 3, 1995;
- e) County Clerk to attend the "Human Resources Institute and County Government Day" in Austin, Texas, on April 4-7, 1995;
- f) County Treasurer to attend the "First Level II County Investment Officers (CID) Training" in Austin, Texas, on March 30-31, 1995;
- g) Commissioner Precinct No. 3 to attend the "Texas Natural Resource Conservation Commission Meetings" in Austin, Texas, on March 23-24, April 27-28, May 25-26, June 22-23, July 27-28, August 24-25, September 28-29, October 26-27, November 16-17, and December 14-15, 1995; and
- h) Commissioners to attend the "Alliance for I-69 Texas Presentation to the Texas Transportation Commission" in Austin, Texas, on March 30, 1995;

----- 0 -----

(24) **EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 2:35 P. M. to discuss the following matters:

- a) Interview applicants for the position of Personnel Safety/Risk Director, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(a)(1);
- b) Discussion with County Counsel concerning the additional expenses on Parcel Nos. 6-018, 6-021, 6-023, 6-030, and 6-031 of FM/509, Section VI, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Discussion with County Counsel regarding the renegotiation of current lease rent for El Paso Building, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;

- d) Discussion with County Counsel concerning the Waiver of Penalty and Interest on the following described property: Padre Isabel Estates, containing approximately 4,000 Lots or 718 acres, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072(2);
- e) Discussion with County Counsel concerning the possible legal action involving lease of space in County Courthouse Administrative Building, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- f) Discussion with County Counsel concerning the inventory process of the Tax Foreclosed Property held in the name of Cameron County, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- g) Discussion with County Counsel concerning the sale of the Amber Motel, held by the Brownsville Independent School District, Trustee, (Cause No. 86-1318-A), pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- h) Discussion with County Counsel concerning the offer to purchase Tax Foreclosed Property located within the City of Port Isabel and described as follows: Port Isabel unsubdivided Port I, Tract D, containing approximately 4.41 acres, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- i) Discussion with County Counsel concerning the possible litigation involving the Cameron County Detention Center, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A).

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 4:50 P. M.

----- 0 -----

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

- a) Interview applicants for position of the Personnel Safety/Risk Director.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that Mr. Mariano Ayala be designated as the Personnel Safety/Risk Director.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, Mr. Mariano Ayala, Brownsville, was hired as the Personnel Safety/Risk Director.

- b) Discussion with County Counsel concerning the additional expenses on Parcel Nos. 6-018, 6-021, 6-023, 6-030, and 6-031 of FM/509, Section VI;

- c) Discussion with County Counsel regarding the renegotiation of current lease rent for El Paso Building;
- d) Discussion with County Counsel concerning the Waiver of Penalty and Interest on the following described property: Padre Isabel Estates, containing approximately 4,000 Lots or 718 acres;
- e) Discussion with County Counsel concerning the possible legal action involving lease of space in County Courthouse Administrative Building;
- f) Discussion with County Counsel concerning the inventory process of the Tax Foreclosed Property held in the name of Cameron County;
- g) Discussion with County Counsel concerning the sale of the Amber Motel held by the Brownsville Independent School District, Trustee, (Cause No. 86-1318-A);
- h) Discussion with County Counsel concerning the offer to purchase Tax Foreclosed Property located within the City of Port Isabel and described as follows: Port Isabel unsubdivided Port I Tract D, containing approximately 4.41 acres; and
- i) Discussion with County Counsel concerning the possible litigation involving the Cameron County Detention Center.

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 Matz, seconded by Commissioner Cascos and carried unanimously, County Counsel was directed to proceed, along the terms and conditions as outlined in Executive Session, regarding the following Matters:

- b) Additional expenses on Parcel Nos. 6-018, 6-021, 6-023, 6-030, and 6-031 of FM/509;
- c) Renegotiation of current lease rent for El Paso Building;
- d) Waiver of penalty and interest on Padre Island Estates;
- e) Lease of space in County Courthouse Administrative Building;
- f) Inventory process of Tax Foreclosed property held on the name Cameron County;
- g) Sale of the Amber Motel held by Brownsville Independent School District Trustee;
- h) Purchase of Tax Foreclosed property located within the City of Port Isabel; and
- i) Possible litigation involving Cameron County Detention Center.

----- 0 -----

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

----- 0 -----

**APPROVED** this **28th** 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**