

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 18th day of APRIL, 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:



The meeting was called to order by Judge Gilberto Hinojosa. He then asked Rev. George W. Graydon, Church of the Redeemer, for an invocation and Commissioner Cascos to lead the Court and 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 April 13, 1995, at 1:47 P. M.:

(1) APPROVAL OF THE COUNTY CLAIMS

At this time, Mr. Mark Yates County Auditor, presented the following Budget Officer's Recommendations regarding the Agenda Items and the Revenues collected:

At this time, Judge Hinojosa requested a Report from the County Clerk as to the revenues and activity in the County Courts.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as recommended by the County Auditor.

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

The County Auditor reported that there were no Budget Amendments and/or Salary Schedules for approval at this time.

**(3) APPROVAL OF THE MINUTES OF MARCH 28,
1995 AND APRIL 4, 1995 [TABLED]**

March 28, 1995

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held March 28, 1995, at 1:30 p.m. were approved, subject to the corrections as noted by Commissioner Cascos.

April 4, 1995 [TABLED]

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Minutes of April 4, 1995, were TABLED.

**(4) ADOPTION OF A RESOLUTION HONORING THE
LIFE TIME ACHIEVEMENTS OF "SELENA
QUINTANILLA PEREZ"**

Commissioner Rosenbaum moved that the Resolution honoring the life time achievements of "SELENA QUINTANILLA PEREZ" be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Resolution is as follows:

**(5) ADOPTION OF A RESOLUTION DECLARING
APRIL 19, 1995, AS "EARTH DAY" IN CAMERON
COUNTY**

Commissioner Rosenbaum moved that the Resolution declaring April 19, 1995, as "EARTH DAY" in Cameron County, be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Resolution is as follows:

NOTE: COMMISSIONER CASCOS LEFT THE COURT ROOM AT THIS TIME.

(6) PRESENTATION BY THE TEXAS DEPARTMENT OF AGRICULTURE ON FIRE ANTS QUARANTINE

At this time, Mr. Hector Flores, Regional Director of Texas Department of Agriculture, presented a brief Report regarding the infestations of African Fire Ants in Cameron County, and added the ants were a threat to the crops and the electrical equipment. He stated that they were attempting to educate the public about the dangers of the fire ants and the quarantines required in order to control them.

(7) IN THE MATTER OF THE APPOINTMENT OF THE ELECTIONS ADMINISTRATOR BY THE ELECTION COMMISSION [TABLED]

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

NOTE: COMMISSIONER CASCOS RETURNED TO THE COURT ROOM AT THIS TIME.

(8) IN THE MATTER OF THE CREATION/APPOINTMENT AND FUNDING OF THE ELECTIONS ADMINISTRATOR TRAINEE POSITION ON A TEMPORARY BASIS [TABLED]

At this time, Judge Hinojosa stated that the Elections Administrator would be leaving on June 30, 1995, and that the Election Commission suggested that the newly appointed Elections Administrator begin "on-the job training" with the corresponding salary of the Elections Administrator. He stated the the County Auditor recommended that the position not be funded at this time, and suggested that the matter be reviewed to determine the source of funding.

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

At this time, Commissioner Matz stated that he would not be present at the Meeting the following week and that should a vote had been taken on Items Nos. 7 and 8, he would have abstained. He stated that he had the opportunity to review the resumes and added that it appeared to him that "there were other applicants better qualified then the one selected." He added that he would not support the recommendation for the salary of the new Elections Administrator to be at the same level as the current Elections Administrator.

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**(9) AUTHORIZATION ON THE APPOINTMENT AND
SALARY OF THE PERSONNEL/SAFETY RISK
DIRECTOR POSITION**

Commissioner Cascos moved that the annual salary of the Personnel/Safety Risk Director be established at \$37,000.00.

The motion was seconded by commissioner Rosenbaum and carried the following vote:

AYE Commissioners Rosenbaum, Cascos, and Peña

NAY: None

ABSTAIN: Commissioner Matz.

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**(10) AUTHORIZATION OF THE VOTING MACHINE
LEASE AGREEMENT FOR THE MAY 5, 1995,
ELECTIONS FOR THE CITY OF PRIMERA**

Commissioner Cascos moved that the Voting Machine Lease Agreement for the May 5, 1995, Elections for the City of Primera, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Lease Agreement is as follows:

(11) AUTHORIZATION TO AWARD A CONTRACT FOR THE SECTION 125 ADMINISTRATION, AS RECOMMENDED BY THE INSURANCE COMMITTEE

Judge Hinojosa suggested that this Item be tabled, in order to further review the Section 125 Administration Plan recommendations.

Commissioner Peña moved that this item be Tabled.

The motion was seconded Commissioner Matz.

At this time, Mr. Mark Yates, County Auditor, explained that the County had been managing a "Premium Only" Plan and that the Insurance Committee felt that it would benefit the employees to utilize Medical, Dental and Child Care reimbursements if the employees had dependant coverage. He stated that the Insurance Committee had solicited bids, nine (9) Insurance Companies participated, and five (5) Companies were selected to make presentations and the Committee selected one (1) Company that had the best value and would best serve the County.

At this time, Commissioner Cascos, requested that the Insurance Committee members be recognized and questioned who would be paying for the service.

Mr. Yates recommended that the Employee Benefit Fund pay for the initial set up of the Plan, the amount of \$2,000.00, and added that the insurance calendar year would start May 1, 1995. He reviewed the bidding process, including the advertising, and noted the time and work invested by the Insurance Committee, in order to make the recommendation.

At this time, Commissioner Peña withdrew his original motion to Table this Item.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Contract for Section 125 Administration, as recommended by Insurance Committee, was approved.



(12) ADOPTION OF A RESOLUTION IN SUPPORT OF THE NON-PROFIT GROUP'S APPLICATION TO THE LOCAL INITIATIVE SUPPORT CORPORATION (LISC) TO PROVIDE GRANTS, LOW COST LOANS, TRAINING AND TECHNICAL ASSISTANCE FOR LOW-COSTS, AFFORDABLE HOUSING IN THE RURAL AREAS OF CAMERON COUNTY

Commissioner Cascos moved that the Resolution in support of the of the Non-Profit Housing Group's application to the Local Initiative Support Corporation (LISC), be adopted to provide Grants, low cost loans, training and technical assistance for low-cost affordable housing in the rural areas of Cameron County.

The motion was seconded by Commissioner Peña and carried unanimously.

The Resolution is as follows:

(13) AUTHORIZATION TO REDUCE SLOT NO. 05 FOR THE COUNTY CLERK BY TWO (2) PAYPERIODS BEGINNING APRIL 18, 1995, NOT TO EXCEED THE AMOUNT OF \$2376.00

Commissioner Rosenbaum moved that Slot No.5, for the County Clerk's Office be reduced by two payperiods, beginning April 18, 1995, not to exceed the amount of \$2,376.00, and to be transferred to "Extra Help".

The motion was seconded by Commissioner Peña and carried unanimously.

(14) ACKNOWLEDGEMENT OF THE SECOND QUARTER REPORT ON THE COUNTY INTERNATIONAL BRIDGE SYSTEM - GATEWAY INTERNATIONAL BRIDGE AND THE FREE TRADE BRIDGE

At this time, Mr. Joe Galvan, Bridge System Director, presented the Second Quarterly Report concerning the Crossings and Revenues at the Gateway International Bridge and the Free Trade Bridge at Los Indios as follows:

Judge Hinojosa suggested that the Bridge Systems Director and the County Auditor project the loss of revenues and make "guestimates" based on the "Mexican Peso" and the potential adverse impact on the Budget.

Commissioner Matz remarked that the requested projections would be an integral part of the overall review to be considered during the Mid-Year Budget Review later in the month.

Commissioner Rosenbaum moved that the Second Quarterly Report on the County International Bridge System, that being the Gateway International and the Free Trade Bridges be acknowledged.

The motion was seconded by Commissioner Matz and carried unanimously.



(15) AUTHORIZATION TO ACCEPT GILBERT CIRCLE, WITHIN DEL VALLE NO. 3 SUBDIVISION, AS A COUNTY DEDICATED ROAD

(16) AUTHORIZATION TO ACCEPT PALM VALLEY CIRCLE, LEMON DRIVE, AND LIME DRIVE WITHIN PALM VALLEY SOUTH SUBDIVISION, AS COUNTY DEDICATED ROADS

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, Gilbert Circle, within Del Valle No. 3 Subdivision; and Palm Valley Circle, Lemon Drive, and Lime Drive, within Palm Valley South Subdivision, were accepted as a County Dedicated Roads.



(17) AUTHORIZATION AND RANDOM SELECTION OF FIVE CONCESSIONAIRES/PARKS SYSTEM LEASES FOR THE AUDIT OF THE FISCAL REPORTS FOR THE PRECEDING YEAR

Mr. Ken Conway, Parks System Director, stated that the Park System routinely retained an outside firm to assist in the audits of the Concessionaires/Parks System Leases and would randomly selected five (5) Concessionaires for the Audits.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, five (5)

**(23) AUTHORIZATION FOR THE BROWNSVILLE
POLICE OFFICERS' ASSOCIATION TO HOLD ITS
TENTH ANNUAL RED FISH SURF TOURNAMENT
AT THE BOCA CHICA BEACH ON JULY 23, 1995**

Commissioner Rosenbaum moved that the Brownsville Police Officers' Association Tenth Annual Red Fish Tournament scheduled on July 23, 1995, at Boca Chica Beach, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

"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 Cascos, seconded by Commissioner Matz and carried unanimously, the "Consent" Agenda Items were approved, subject to the Amendment on Item No. 28 "d" to include a meeting on April 24, 1995.:

**(24) AUTHORIZATION TO DELETE THE FOLLOWING
ITEMS FROM THE EQUIPMENT LIST: A VEHICLE IN
THE HEALTH DEPARTMENT AND THE AMOUNT
ALLOCATED FOR THE PERSONNEL DEPARTMENT**

**(25) AUTHORIZATION TO OPEN BIDS FOR THE
DEMOLITION AND REMOVAL OF THE CIVIC CENTER
AT ISLA BLANCA PARK**

The Bids Follow:

(26) PRELIMINARY AND FINAL APPROVAL

- a) **Precinct No. 2**
Boreaux Subdivision - being 4.76 acres of land out of Block No. 16,
El Jardin Heights Addition.

(27) PRELIMINARY APPROVAL

- a) **Precinct No. 1**
Monte Verde South Subdivision - being a replat of 65.499 acres
comprised of all of Lot No. 1 (48.361), and 17.138 acres out of Lot No. 2,
El Jardin Resubdivision Share No. 29, Espiritu Santo Grant.

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

- a) County Treasurer to attend the "23rd Annual County Treasurers' Continuing Education Seminar" for (20) hours of Continuing Education Credits in College Station, Texas, on April 17-20, 1995;
- b) IV-E Program Coordinator to attend the "2nd Annual IV-E Training Institute" in Corpus Christi, Texas, on April 30-May 5, 1995;
- c) Computer Center Employee to attend an "Invitational Computer Conference" in Austin, Texas, on April 18, 1995;
- d) County Judge's Assistant Administrator to attend the "I-69 Alliance Meeting" in Corpus Christi, Texas, on April 13, 1995, and a Meeting in Corpus Christi, Texas, on April 24, 1995; and
- e) Parks Director to address the "Legislation for supporting fully funding for the Local Parks Grants Program" in Austin, Texas, on April 26, 1995.



**ITEM NO. 25 AUTHORIZATION TO OPEN BIDS FOR THE DEMOLITION AND
REMOVAL OF THE CIVIC CENTER AT ISLA BLANCA PARK**

The Bids follow:

(29) EXECUTIVE SESSION

Upon motion by Commissioner Matz seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 3:50 P. M. to discuss the following matters:

- a) Discussion with County Counsel concerning the proposed Option to Lease real property in Isla Blanca Park, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Discussion with County Counsel concerning the case styled Mr. Rolando Flores vs. Cameron County, et al, B-90223, in the United States District Court for the Southern District of Texas, Brownsville Division, to discuss Interlocutory Appeal, settlement demand and status of the case, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072(1)(A) and (B);
- c) Discussion with County Counsel concerning the settlement offer in the case styled Rojano vs. Cameron County, Civil Action No. B-94-048, United States District Court, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code Section 551.071(1)(B); and
- d) Discussion with County Counsel and action pursuant to the evaluation of the Health Department Administrator, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code Section 551.074.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 5:15 P. M.

(30) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Discussion with County Counsel concerning the proposed Option to Lease real property in Isla Blanca Park.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that the Parks System Director should accept the offer and execute the Contract for the proposed Option to Lease real property in Isla Blanca Park, along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Parks System Director was directed to accept the offer and to execute the Contract for the proposed Option to Lease real property in Isla Blanca Park, along the terms and conditions as outlined in Executive Session.

- b) In the matter concerning the case styled Mr. Rolando Flores vs. Cameron County, et al, B-90223, in the United States District Court for the Southern District of Texas, Brownsville Division, to discuss Interlocutory Appeal, settlement demand and status of the case.[TABLED]
- c) In the matter concerning the settlement offer in the case styled Rojano vs. Cameron County, Civil Action No. B-94-048, United States District Court. [TABLED]

At this time Mr. Doug Wright, County Counsel, noted that there were no discussions regarding Items No. 30 "b" and "c".

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, Items No. 30 "b" and "c" were TABLED.



- d) In the matter to discuss with County Counsel and action pursuant to the evaluation of the Health Department Administrator.[TABLED]

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that this Item should be Tabled.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, this Item was Tabled.

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**.

APPROVED this **16th** day of **MAY 1995**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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