

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

BE IT REMEMBERED on the 16th day of JUNE, 1995, there was conducted a SPECIAL 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

DEE DEE CAVAZOS           Deputy  
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Gilberto Hinojosa. He then asked Rev. Juan Jose Rivera, Templo Bethania, 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 June 13, 1995, at 9:22 A. M.:

**(5) PRESENTATION AND DISCUSSION OF THE  
SITE PLAN AND CONSTRUCTION DRAWINGS  
FOR THE PROPOSED E. K. ATWOOD COUNTY  
PARK**

At this time, Mr. Robert Ruiz, Project Architect, reviewed the following Plans and Construction Drawings for the E. K. Atwood County Park, to be located approximately one (1) mile North of Andy Bowie Park:

Mr. Ruiz noted that the Park would be unique because it would have a self-sustained utility system and would increase the energy conservation awareness in the County.

Commissioner Cascos questioned whether a similar self-sustained Park was planned for Boca Chica Beach and the Parks Director responded that there were no plans at this time. He added that the funds for the Park were provided through the Texas Parks and Wildlife Department (TPWD) and the land was donated to the County.

**Judge Hinojosa left the Courtroom at this time**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Presentation of the Site Plan and Construction Drawings for the proposed E. K. Atwood County Park were acknowledged.



**(7) AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF E. K. ATWOOD COUNTY PARK, PENDING FINAL APPROVAL OF THE CONSTRUCTION PLANS AND SPECIFICATIONS BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) AND THE TEXAS ARCHITECTURAL BARRIERS COMMISSION**

Commissioner Matz moved that the advertisement for Bids for the construction of the E. K. Atwood County Park be authorized, pending final approval of the construction plans and specifications by the Texas Parks and Wildlife Department (TPWD) and the Texas Architectural Barriers Commission.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.



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

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



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

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Fiscal Year 1995 Budget Amendment No. 95-21 and the following Salary Schedules were approved:

- **Gateway International Bridge, Fund No. 80-610,**
- **Drug Forfeiture, Fund No. 90-475; and**
- **Trial Courts, Fund No. 10-435.**

**The Budget Amendment and Salary Schedules are as follow:**

**(3) APPROVAL OF MINUTES OF MAY 16, 1995**

Commissioner Peña moved that the Minutes of the Regular Meeting held on May 16, 1995, at 1:30 P. M., be approved.

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

AYE: Commissioners Rosenbaum, Cascos, and Peña

NAY: None

ABSTAIN: Commissioner Matz.

**Judge Hinojosa returned to the Courtroom**

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**(4) PRESENTATION OF A RESOLUTION FROM THE TEXAS TAX ASSESSOR - COLLECTORS' ASSOCIATION TO CAMERON COUNTY, AS THE HOST FOR THE 41ST ANNUAL CONFERENCE**

Commissioner Cascos moved that the Resolution from the Tax Assessor - Collectors' Association to Cameron County, as the Host for the "41st Annual Conference", be acknowledged.

The motion was seconded by Commissioner Matz and carried unanimously.

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**(6) ADOPTION OF A RESOLUTION IN SUPPORT OF INTERSTATE 69 TO THE RIO GRANDE VALLEY**

Commissioner Peña moved that the Resolution for the support of Interstate 69 to the Rio Grande Valley be adopted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Resolution is as follows:**

**(8) PRESENTATION BY MR. TERRY LOCKAMY,  
TEXAS AGRICULTURAL EXTENSION SERVICE  
AGENT, ON THE COTTON CROP SITUATION IN  
CAMERON COUNTY**

Mr. Terry Lockamy, Texas Agricultural Extension Service Agent, explained that the production of cotton had deteriorated to an "alarming rate", due to the weather related problems and the insect problems, and requested the Court's assistance in the matter.

Commissioner Rosenbaum moved that the presentation by Mr. Terry Lockamy, Texas Agricultural Extension Service Agent, regarding the cotton crop situation in Cameron County, be acknowledged.

The motion was seconded by Commissioner Cascos and carried unanimously.



**(9) IN THE MATTER OF POLICIES AND  
PROCEDURES FOR THE APPOINTMENT TO  
THE TROPICAL TEXAS CENTER FOR MENTAL  
HEALTH AND MENTAL RETARDATION BOARD  
OF TRUSTEES IN COMPLIANCE WITH SENATE  
BILL 112, SECTION 3.02 (D) AND (E) [TABLED]**

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



**(10) APPROVAL OF THE NEW "PROPERTY  
MANAGEMENT COORDINATOR" POSITION  
TO BE FUNDED BY THE DISTRICT  
ATTORNEY'S BUDGET THROUGH THE  
CURRENT FISCAL YEAR**

Mr. Luis Saenz, District Attorney, explained that the Chief Civil Counsel had identified the properties acquired by the County through the tax foreclosures and that the objective of a Property Management Coordinator would be to place the properties back in the tax rolls.

Mr. Mark Yates, County Auditor, explained that the intention was for the Program proceeds to pay for the Programs costs.

Commissioner Rosenbaum moved that the new "Property Management Coordinator" position be approved, said position to be funded by the District Attorney's "Hot-Check" Budget through the current Fiscal Year.

The motion was seconded by Commissioner Peña and carried unanimously.

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**(11) APPROVAL TO HIRE AN ADMINISTRATIVE ASSISTANT, MOTORGRADER OPERATOR AND CLERICAL SUPPORT FOR PRECINCT NO. 4**

Commissioner Peña moved that an Administrative Assistant, Motorgrader Operator and Clerical Support be hired for Precinct No. 4.

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

AYE: Commissioners Rosenbaum, Matz and Peña

NAY: None

ABSTAIN: Commissioner Cascos.

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**(12) AUTHORIZATION TO HOLD TWO (2) PUBLIC HEARINGS, PURSUANT TO A POSSIBLE TEXAS CAPITAL FUND INFRASTRUCTURE GRANT APPLICATION, ON BEHALF OF SOUTHWIND AVIATION**

Mr. Frank Bejarano, Program Development and Management Director, explained that Southwind Aviation was proposing to expand their operation at the County Airport and had requested Grant assistance from the Texas Capital Fund for the infrastructural improvements.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, two (2) Public Hearings were authorized, pursuant to a possible Texas Capital Fund Infrastructure Grant Application, on behalf of Southwind Aviation.

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**(13) AUTHORIZATION TO CREATE TWO (2) FULL-TIME "ANIMAL CONTROL OFFICER" POSITIONS**

At this time, Mr. Ray Rodriguez, Chief Sanitarian, requested that two (2) part-time positions be converted to full-time positions and highlighted the Animal Control Report for 1995.

Dr. T. Robinson, Health Department, stated that "prevention" was the key to prevent the spread of rabies in the County.

Ms. Sarah Manriquez, Supervisor of the Brownsville Animal Control, expressed the communities concerns with the stray animals in the rural areas and the need for the County to assist with the animal control.

At this time, Mark Yates, County Auditor, recommended that the position be funded through the end of the Fiscal Year through Lapsed Salaries and suggested that Fees and Fines be issued to the pet owners to off-set the costs.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the two (2) full-time "Animal Control Officer" positions were approved.



**(14) APPROVAL OF THE INTERLOCAL AGREEMENT FOR THE PURPOSE OF THE CONTINUATION OF THE CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Interlocal Agreement, for the purpose of the continuation of the Cameron County Drug Enforcement Task Force, was approved.



**(15) AUTHORIZATION TO ACCEPT A NEW STREET LOCATED WITHIN PRECINCT NO. 3, ABOUT 200 FEET EAST OF PAREDES LINE ROAD AND THE FRONTS ON THE SOUTH SIDE OF FM/510**

Commissioner Matz moved that the acceptance of a new street located within Precinct No. 3, about 200 feet East of Paredes Line Road and the fronts on the South side of FM/510 be approved, as recommended by the County Engineer.

The motion was seconded by Commissioner Cascos and carried unanimously.





**(16) APPROVAL TO RENEW THE LEASE  
AGREEMENT BETWEEN CAMERON  
COUNTY AND MAGIC VALLEY SALES  
FOR AN OFFICE FOR THE JUVENILE  
DEPARTMENT IN PORT ISABEL**

Commissioner Matz moved that the Lease Agreement between Cameron County and Magic Valley Sales, for an Office for the Juvenile Department in Port Isabel be renewed, subject to legal review.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Lease Agreement is as follows:**

(17) **APPROVAL OF A CONTRACT  
BETWEEN CAMERON COUNTY AND  
VICTORIA COUNTY FOR  
RESIDENTIAL PLACEMENT OF  
JUVENILES TO THE VICTORIA  
REGIONAL JUVENILE  
JUSTICE/DETENTION FACILITY FOR  
REHABILITATIVE SERVICES**

Commissioner Peña moved that the Contract between Cameron County and Victoria County be approved for the residential placement of Juveniles to the Victoria Regional Juvenile Justice/Detention Facility for Rehabilitative Services.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Service Contract is as follows:**

**(18) ACTION TO REQUEST TEXAS  
NATURAL RESOURCE  
CONSERVATION COMMISSION  
(TNRCC) REGION 15, THE  
UTILIZATION OF 330 TONS OF SOLID  
WASTE FOR THE - PAW - PROGRAM,  
AS A FEE WAIVER AT THE CITY OF  
BROWNSVILLE LAND FILL**

Commissioner Matz moved that the request for the Texas Natural Resource Conservation Commission (TNRCC) Region 15 to utilize 330 tons of solid waste collection for the Prisoners At Work (PAW) Program, said collection of waste to be disposed to the City of Brownsville at no cost to the County.

The motion was seconded by Commissioner Peña and carried unanimously.



**(19) IN THE MATTER TO ALLOW THE CITY  
OF SANTA ROSA SUMMER YOUTH  
PROGRAM TO USE THE SANTA ROSA  
COMMUNITY PARK SWIMMING POOL  
[TABLED]**

At this time, Mark Yates, County Auditor, recommended that no one should be allowed to use the Santa Rosa Community Pool, unless there was a certified life-guard present.

Commissioner Cascos stated that the issues of liability, life-guards and the Interlocal Agreement with the City of Santa Rosa needed to be addressed and the suggestion was made to **TABLE** the matter.

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



**(20) AUTHORIZATION TO APPOINT A  
HURRICANE PREPAREDNESS  
COORDINATOR FOR THE 1995  
HURRICANE SEASON**

At this time, Judge Hinojosa explained that a Civil Defense Director had not been appointed because funds were not received from the State as a result of improper paper work being filed, and added that he requested to "borrow" Mr. George Gavito, from the District Attorney's Office, to coordinate the Hurricane Preparedness Program for this season. Judge Hinojosa explained that Mr. Gavito would remain with the District Attorney's Staff and would devote a few hours each week to coordinate and prepare for the Hurricane season.

Judge Hinojosa stated that they had met with different municipalities, the Red Cross and the Parks Systems Director, in order to develop a Hurricane Plan and added that they met with the Red Cross in order to clarify the matter of opening the shelters in Cameron County. He stated that a Workshop would be scheduled with the Commissioners' Court to define the Commissioners responsibilities with respect to staff and equipment in case of a hurricane.

Judge Hinojosa moved that Mr. George Gavito be appointed as the Hurricane Preparedness Coordinator for the 1995 Hurricane Season.

The motion was seconded by Commissioner Rosenbaum.

Commissioner Matz stated that he did not know Mr. Gavito and would appreciate a résumé in order to review his experience.

Upon motion duly made, seconded and carried unanimously, Mr. George Gavito, District Attorney's Office, was appointed to serve as the Hurricane Preparedness Coordinator for the 1995 Hurricane Season.

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## **"CONSENT" AGENDA ITEMS**

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

**(21) AUTHORIZATION TO OPEN BIDS/PROPOSALS FOR:**

- a) 3 GB DASD HARDWARE UPGRADE, and**
- b) REQUEST FOR PROPOSAL No. 950501 - RECORDS MANAGEMENT AND IMAGING SYSTEM.**

At this time, Mr. Mark Yates, County Auditor, stated that a procedural error was experienced concerning the bids and suggested that a Committee be appointed to assess the issue and make a recommendation to the Court.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the following individuals were appointed to review the matter of the bids and to make a recommendation to the Court:

- Mr. Doug Wright, County Counsel,
- Mr. Norio Nishiguchi, Computer Center,
- Mr. Joe G. Rivera, County Clerk,
- Mr. Mark Yates, County Auditor; and
- Mr. Michael Forbes, Purchasing Agent.

At this time, Mr. Joe G. Rivera, County Clerk, extended an invitation to the Court to attend the County and District Clerks' State Convention beginning June 18, 1995, at the Jacob Brown Auditorium.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the "Consent" Agenda Items were approved as follow:

**(22) AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:**

- a) Computer Center employee to attend the "Management Skills for Assistants Seminar" in Harlingen, Texas, on June 7, 1995;
- b) Computer Center employee to attend the "EZ-TAX Users Group Meeting" in San Antonio, Texas, on June 26 - 27, 1995;
- c) County Court at Law Judge No. 2 to attend the "5th Region Judges Business Meeting" in Corpus Christi, Texas, on June 9 - 10, 1995;
- d) Sheriff and Major to attend the "National Sheriff's Association Annual Conference" on June 11 - 14, 1995;
- e) County Auditor and Assistant Auditor to attend the "Indigent Health Care", in Corpus Christi, Texas, on June 14, 1995; and Assistant Auditor to attend the "Indigent Health Care Workshop" in Corpus Christi, Texas, on June 14 - 15, 1995; and
- f) Four (4) Juvenile Officers to attend the "Community Issues in the Treatment and Management of the Juvenile Sexual Offenders" in Corpus Christi, Texas.



**(23) EXECUTIVE SESSION**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 3:21 P. M. to discuss the following matters:

- a) To confer with County Counsel regarding possible litigation involving Grant No. HT94-B02-07987, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1&2).
- b) To confer with County Counsel concerning a review of the Tax Collector's Contract between Cameron County and the Law Firm of Heard Goggan, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1) and (2); and
- c) To discuss with County Counsel the status of the case styled Rolando Flores vs. Cameron County, B-90-223, United States District Court, Southern District of Texas, Brownsville Division, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1) (A).

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court

reconvened in Regular Session at 4:30 P.M.



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

- a) To confer with County Counsel regarding possible litigation involving Grant No. HT94-B02-07987.

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 agreed to in Executive Session, regarding said matter.

Commissioner Cascos moved that County Counsel be directed to proceed along the terms and conditions as agreed to in Executive Session regarding the possible litigation involving Grant No. HT94-B02-07987.

The motion was seconded by Commissioner Matz and carried unanimously.

- b) To confer with County Counsel concerning a review of the Tax Collector's Contract between Cameron County and the Law Firm of Heard, Goggan.

At this time, Mr. Doug Wright, County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that the Court should acknowledge the Status Report received.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Status Report received from County Counsel concerning the Tax Collector Contract between Cameron County and the Law Firm of Heard, Goggan was acknowledged.

- c) To discuss with County Counsel the status of the case styled Rolando Flores vs. Cameron County, B-90-223.

Commissioner Cascos moved that County Counsel be directed to continue to represent the Court, along the terms and conditions as agreed to in Executive Session, regarding the case styled Rolando Flores vs. Cameron County, B-90-223.

The motion was seconded by Commissioner Peña and carried unanimously.



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

**APPROVED** this 11th day of **JULY, 1995**.

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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**