

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 25th day of JULY, 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:

1:30P.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

INELDA T. GARCIA Deputy
COUNTY CLERK

ABSENT:



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 July 20, 1995, at 2:57 P. M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented the late claims as to Microage, Warrant No. 122614, in the amount of \$9,058.00, and Bank of New York, Warrant No. 122615, in the amount of \$192,690.00, for approval.

Commissioner Rosenbaum moved that the County Claims be approved as presented by the County Auditor, inclusive of the late Claims as to Warrant No. 122614, in the amount of \$9,058.00, and Warrant No. 122615, in the amount of \$192,690.00.

The motion was seconded by Commissioner Cascos and carried unanimously.



(2) APPROVAL OF BUDGET AMENDMENT AND/OR SALARY SCHEDULE

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Fiscal Year 1995 Budget Amendment No. 95-25, and the Salary Schedule for the County Judge's Office, Fund No 10-401 were approved as recommended by the County Auditor.

The Budget Amendment and Salary Schedule are as follow:

**(3) IN THE MATTER OF MINUTES OF JULY 11, 1995
(NO ACTION)**

The Deputy County Clerk stated that there were no Minutes for approval at this time.

**(4) IN THE MATTER TO HOLD A FISHING
TOURNAMENT ON BOCA CHICA BEACH
(PUBLIC BEACH) ON AUGUST 20-27, 1995,
FROM 6:00 A.M. TO 4:00 P.M. FOR AMFELS
COMPANY "EMPLOYEES ONLY" (TABLED)**

**(16) IN THE MATTER TO HOLD A FISHING
TOURNAMENT ON BOCA CHICA BEACH
(PUBLIC BEACH) ON AUGUST 27, 1995, FROM
6:00 A.M. TO 4:00 P.M., FOR FUND RAISING A
POLITICAL CAMPAIGN, (TABLED)**

There was a lengthy discussion concerning the liabilities incurred by the County by endorsing the fishing activities at a public beach and the suggestion was made to table the matters.

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

**(5) AUTHORIZATION TO TRANSFER FUNDS FROM
10-403 TO EXTRA HELP FOR SLOT NO. 5 FOR
JULY, AUGUST, AND SEPTEMBER, AND SLOT
NO. 11 FOR AUGUST, AND SEPTEMBER, NOT
TO EXCEED \$5,787.84**

Judge Hinojosa noted that the amount should be corrected to read " \$5,787.84".

Commissioner Rosenbaum moved that funds be transferred from Fund No. 10-403 to "Extra Help" for Slot No. 5 for July, August, and September, 1995, and Slot No. 11 for August, and September, 1995, not to exceed the amount \$5,787.84.

The motion was seconded by Commissioner Peña.

Commissioner Cascos remarked that the County Auditor had recommended the use of Lapsed Salaries for the Court Appointed Attorneys.

Mr. Mark Yates, County Auditor, stated that the Budget for the Court Appointed Attorneys had been exceeded by approximately \$52,000.00, and added that Lapsed Salaries could be used to fund said item. He suggested that the County Clerk should eliminate the positions if not needed.

Commissioner Cascos suggested that the matter be tabled until the County Clerk was present.

At this time, Mr. Manny Saenz, Chief Deputy, highlighted the collections efforts in the County Clerk's Office for the past several months with the assistance of "extra help" and noted the anticipated collections through the end of the Fiscal Year.

There was some discussion concerning full time slots that were going to be eliminated and the collection efforts needed the next Fiscal Year in the County Clerk's Office, in order to increase the Revenues in the General Fund.

Upon motion duly made by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the transfer of funds from Fund No. 10-403 to "Extra Help" for Slot No. 5 for July, August, and September, 1995, and Slot No. 11 for August and September, 1995, not to exceed the amount of \$5,787.84., was approved.



(6) IN THE MATTER OF CAMERON COUNTY TO PARTICIPATE IN THE NEW MEDICAID PROGRAM REFORM-INTERGOVERNMENTAL INITIATIVE (II) OPTION (TABLED)

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



(7) APPROVAL OF THE APPOINTMENT OF PRESIDING AND ALTERNATE JUDGES FOR THE TERM AUGUST 1, 1995, TO JULY 31, 1996

Ms. Amelia Isabel Cano, Elections Administrator, presented the Presiding and Alternate Judges recommendations to the Court.

Commissioner Matz noted that the Presiding Judge for Voting Precinct No. 31 should be Ms. Virginia Cherrington, Harlingen, Texas.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the appointment of Presiding and Alternate Judges for the term August 1, 1995, to July 31, 1996, was approved, subject to the correction as noted by Commissioner Matz.

The List is as follows:

**(8) APPROVAL OF DESIGNATING THE ELECTIONS
ADMINISTRATION OFFICE TO SERVE AS AN
INFORMATION CENTER**

Commissioner Rosenbaum moved that the Elections Administration Office be designated as the Information Center.

The motion was seconded by Commissioner Matz and carried unanimously.



**(9) APPROVAL OF THE PRESENTATION OF THIRD
QUARTER REPORT OF THE COUNTY
INTERNATIONAL BRIDGE SYSTEM-GATEWAY
INTERNATIONAL BRIDGE AND FREE TRADE
BRIDGE**

Mr. Jose F. Galvan, International Bridge System Director, highlighted the Third Quarterly Revenues and Crossing for the International Bridge System, noting a decrease in Revenues of 2.74 percent, on the year to date comparison, and added that the decrease was attributable to the continued peso devaluation.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the presentation of the Third Quarter Report on County International Bridge System, that being the International Bridge and Free Trade Bridge, was acknowledged.

The Report is as follows:

(10) IN THE MATTER OF THE REAL ESTATE MANAGEMENT CONTRACT WITH PRICE REALTY (ALICIA VALDEZ) FOR LAND PROPERTY AT THE FREE TRADE BRIDGE AT LOS INDIOS (TABLED)

Commissioner Matz recommended that the matter be tabled for one (1) week.

Mr. Doug Wright, County Counsel, remarked that the County was in the process of retaining a "Property Coordinator" for the management of all County Property and suggested that said properties could be included.

There was some discussion regarding the terms of the Agreement and the concerns expressed by the County Auditor and the suggestion was made to table the matter.

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



(11) APPROVAL OF THE PROPERTY LEASE AGREEMENT WITH INCASA INC.

Mr. Jose F. Galvan, Bridge System Director, explained that the Agreement proposed to lease space of the Free Trade Bridge area for the storage of Limestone Aggregate, to be utilized by the Building Contractors in the area. He added that the monthly rate of \$375.00 was based on the Appraisals conducted of the area and added that the Agreement was reviewed by Legal Counsel.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Property Lease Agreement with InCasa Inc., was approved, subject to Legal Review.

The Lease Agreement is as follows:

(12) **IN THE MATTER OF THE PROPOSED RULES
FOR COUNTY ADMINISTRATION MOBILE
VENDORS' PERMIT (TABLED)**

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

(13) **AUTHORIZATION TO HIRE AN ASSISTANT
VETERANS SERVICE OFFICER**

Mr. Salvador Salinas, Veterans Service Officer, explained that out of twenty three (23) applicants, three (3)
were interviewed and added that the Committee recommended that Mr. Tony Gonzalez, Harlingen, Texas, be retained
as a Service Officer.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously,
Mr. Tony Gonzalez, Harlingen, Texas, was retained as the Assistant Veterans Service Officer.

(14) **APPROVAL ON THE STATUS OF THE CAMERON
COUNTY CONSTABLES REGARDING THE
COMPLIANCE WITH STATUTORY AND
CONSTITUTIONAL REQUIREMENTS**

Mr. Mariano Ayala, Personnel/Safety Risk, reported that the Constables were in compliance with the Statutes
as related to the Deputies and Reserve Deputies and added that his Department had all the Records.

At this time, Mr. Doug Wright, County Counsel, stated that the Court needed to make a "finding" that the
Deputies and Reserve Deputies were necessary for the operation of that particular Constable's Office, based on a
"Written Request".

Mr. Ayala stated that he had the Constable's "Written Requests" in the files.

Commissioner Matz moved that the status of the Cameron County Constables, regarding the compliance with
Statutory and Constitutional Requirements be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

The Report is as follows:

**(15) APPROVAL OF THE BONDS FOR CAMERON
COUNTY CONSTABLES' DEPUTY RESERVES**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Bonds for the following Cameron County Constables' Reserve Deputies were approved:

**(17) APPROVAL TO DESIGN AND CONTRACT FOR
THE REPLACEMENT OF BRIDGES ON
CALIFORNIA ROAD AND DOCKBERRY ROAD**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the County Engineer was directed to Design and Contract for the replacement of Bridges on California Road and Dockberry Road.



**(18) APPROVAL OF THE INTERLOCAL
AGREEMENT FOR MUTUAL AID BETWEEN
HIDALGO, STARR, WILLACY AND CAMERON
COUNTIES**

Commissioner Matz moved that the Interlocal Agreement for Mutual Aid between Hidalgo, Starr, Willacy and Cameron Counties be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Interlocal Agreement is as follows:

"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:

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

(19) FINAL APPROVAL:

- a) **Precinct No. 4** - El Valle de Plata Subdivision-being a 6.81 acres resubdivision out of Block 143, Adams Garden Subdivision "C".

(20) PRELIMINARY APPROVAL:

- a) **Precinct No. 4** -Pura Canela Subdivision - being a 2.0116 acres resubdivision; and

- b) **Precinct No. 4** - Encino Estates Subdivision - being 4.98 acres resubdivision of Lot 34, Stuart Place Subdivision.

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

- a) Interim Health Director to attend meeting on "Senate Bill X-Medicaid" in Falfurrias, Texas, July 21, 1995;
- b) "Acting" Women Infant and Children (WIC) Director to attend "Management Concepts Courses" in Arlington, Texas, July 26-27, 1995;
- c) "Acting" Women Infant and Children (WIC) Director to attend the "Local Agency Directors Training and Briefing" in Lago Vista, Texas, August 7-10, 1995;
- d) "Acting" Women Infant and Children (WIC) Director to attend Meeting on "Changes in Texas Medicaid" in Austin, Texas, August 11, 1995;
- e) One (1) Health Department employee to attend "Texas Prenatal Association Planning Committee meeting" in Weslaco, Texas, August 8, 1995;
- f) One (1) Health Department employee to attend the "Shots Across Texas, Immunization Community Mobilization Training" in Corpus Christi, Texas, August 25-26, 1995;
- g) Elections Administrator and Assistant to attend the "National Election Center Conference" in Chicago, Illinois, on August 16-19, 1995;
- h) Constable Precinct No. 8 to attend the "South Texas Justice of the Peace and Constables Association Conference" in South Padre Island, Texas, September 28-30, 1995;
- i) County Auditor to attend the "Indigent Health Care Program Matters" in Austin, Texas, July 20, 1995;
- j) Two (2) members of the Auditor's staff to attend "Office Management and Budget (OMB) Circular A-87" in Fort Worth, Texas, July 26-27, 1995;
- k) High Intensity Drug Trafficking Area (HIDTA) Coordinator to attend "96 Grant Funding Meeting" in San Antonio, Texas, August 1, 1995; and

- l) Program Development and Management (P D and M) Director to attend the "National Association of Development Companies (NADCO) Conference" in Albuquerque, New Mexico, on August 3-5, 1995.

(22) **EXECUTIVE SESSION:**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 2:30 P.M. to discuss the following matters:

- a) To discuss settlement offer in Belia Levrier vs. Cameron County, et al, 94-05-2150-B, 138 District Court, Cameron County, pursuant to VTCA Government Code section 551.071(1)(B).

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 2:38 P.M.

(23) **ACTION RELATIVE TO EXECUTIVE SESSION:**

- a) To discuss settlement offer in Belia Levrier vs. Cameron County, et al, 94-05-2150-B, 138 District Court, Cameron County.

Commissioner Cascos reported that Judge Hinojosa did not participate in the discussion concerning said matter, and added that after some discussion, it was the consensus of the Court as determined by polling, to accept County Counsel advice to settle said reference case.

Commissioner Matz moved that County Counsel's advice be accepted regarding the settlement offer in Belia Levrier vs. Cameron County, et al, 94-05-2150-B, 138 District Court, Cameron County.

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

AYE: Commissioners Rosenbaum, Cascos Matz, and Peña

NAY: None

ABSTAIN: Judge Hinojosa.

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

APPROVED this **8th** day of **August**, 1995.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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