

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of AUGUST, 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

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:

LUCINO ROSENBAUM, JR.



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 August 4, 1995, at 8:28 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Cascos moved that the County Claims be approved as presented by the County Auditor.

The motion was seconded by Commissioner Peña, and carried as follows:

AYE: Commissioners Cascos, Matz, and Peña

NAY: None

ABSTAIN: Judge Hinojosa as to the claims of:

MAGALLANES, SOKAT, & HINOJOSA, P.C.:
Warrant No. 123031 - \$717.20.

The Affidavit is as follows:

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

Commissioner Matz moved that the Fiscal Year 1995 Budget Amendment No. 95-26 be approved as presented by the County Auditor.

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendments and/or Salary Schedules are as follow:

**(3) APPROVAL OF MINUTES OF JULY 18, 1995,
AND JULY 25, 1995**

Commissioner Matz moved that the Minutes of the Regular Meetings held on July 18, 1995, and July 25, 1995, at 1:30 P.M. be approved.

The motion was seconded by Commissioner Peña and carried unanimously.



**(4) ACTION ON THE PROVISIONS OF ARTICLE
6675A-9A, VERNON ANNOTATED TEXAS
STATUTES (V.A.T.S.) TEXAS REGISTRATION
LAW, TO PROVIDE A COUNTY ROAD AND
BRIDGE FEE IN AN AMOUNT THAT DOES NOT
EXCEED \$10.00 FOR EACH VEHICLE
REGISTERED IN CAMERON COUNTY**

Judge Hinojosa stated that it was his understanding that this matter was approved the previous year but he was not aware of said action and that it was a response to a letter received from the Texas Department of Transportation.

Commissioner Matz suggested that the word "imposing" be changed to "adopting".

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Order on the Texas Registration Law to provide a County Road and Bridge Fee in the amount that does not exceed \$10.00 for each vehicle registered in Cameron County was approved, subject to the change noted.

The Order is as follows:

(5) AUTHORIZATION TO AWARD REQUEST FOR PROPOSALS (RFP) NUMBER 950501 FOR RECORDS MANAGEMENT IMAGING SYSTEM FOR THE COUNTY CLERK'S DEPARTMENT

At this time, Mr Joe G. Rivera, Cameron County Clerk, stated that the Review Committee reviewed and ranked the Proposals received and that Government Records Services, Inc., Dallas, Texas, was being recommended.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Request for Proposal No. 950501 for Records Management Imaging System for the County Clerk's Department was awarded to Government Records Services, Inc., Dallas, Texas.

The Contract is as follows:

(6) APPROVAL OF THE CONTRACT FOR TITLE ABSTRACTING AND OPINION LETTER FOR NOT MORE THAN TWENTY-FIVE(25) PARCELS OF REAL ESTATE

Mr. Doug Wright, County Counsel, stated that the action was the final process on the sale of the tax deferred properties, and recommended that a Contract be executed with Ms. Angela Nix, Attorney at Law, to provide the Title Opinion Letters, at a cost in the amount of \$75.00 per letter.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, Ms. Angela Nix, Attorney at Law, was Contracted to provide Title Abstracts and Opinion Letters for no more than twenty-five (25) parcels of Real Estate at the cost of \$75.00 per letter.



(7) IN THE MATTER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE UNIVERSITY OF TEXAS - BROWNSVILLE AND TEXAS SOUTHMOST COLLEGE TO PARTICIPATE IN THE COLLEGE WORKSTUDY PROGRAM (TABLED)

Ms. Grace Salinas, Administrative Assistant, explained that the cost of the Work Study Program would be thirty percent (30%) to the participating Department and to be funded within their Budget, and added that the District Clerk's Office had participated in said Program.

There was some discussion regarding the Agreement and the suggestion was made to table the matter.

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



(8) AUTHORIZATION TO HOLD A PUBLIC HEARING TO AMEND AN ORDER FOR FLOOD CONTROL AND BUILDING REGULATIONS

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Hearing to Amend an Order for Flood Control and Building Regulations was opened for public comment.

Mr. Michael Martin, County Engineer, stated that the Amendment would require that an eight (18) inch pipe be installed on all new driveways being built.

There was some discussion concerning the proper notification to the Public of the requirement at the Permit Office and the County Engineer responded that the requirement would be published and the residents would be notified at the time the Road in their area was being repaired.

At this time, Mr. Jorge Vega, San Benito, Texas, expressed his concerns regarding the residences that have pipes under eighteen (18) inches overlaid with concrete and the cost of repairing the driveway when the pipes were replaced.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Public Hearing was closed at 2:00 p.m.



**(9) AUTHORIZATION TO PASS AN ORDER
AMENDING THE BUILDING REGULATIONS
1994-1995 OF CAMERON COUNTY BY ADDING
TO PART SIX (6) A NEW ARTICLE TO BE
NUMBERED ARTICLE 6.2 DEALING WITH
DRIVEWAY CROSSING/APPROACH**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Order Amending the Building Regulations 1994-1995 of Cameron County, by adding to Part Six (6) a New Article to be Numbered Article 6.2 dealing with Driveway Crossing/Approached, was adopted.

The Order is as follows:

(10) AUTHORIZATION TO DESIGN AND CONTRACT FOR THE REPLACEMENT OF BRIDGES ON ABREGO ROAD AND GENERAL BRANT ROAD

At this time, Commissioner Cascos remarked that the weight limits were posted on the Bridges yet he had witnessed eighteen (18) wheelers, which exceeded the limits, crossing over the Bridges and he called on the County Engineer for recommendations in order to enforce the "NO TRUCKS" signs.

Mr. Michael Martin, County Engineer, recommended enforcement through the Sheriff's Office, Constables, and/or Department of Public Safety, and holding the Companies responsible to educate their drivers of the hazard of using the Bridges when the trucks exceeded the weight limit.

Judge Hinojosa suggested that the Companies be informed that they would be criminally charged and held liable for any damages to the Bridges.

Commissioner Cascos moved that the Design and Contract for the replacement of Bridges on Abrego Road and General Brant Road be approved.

The motion was seconded by Commissioner Matz and carried unanimously.



(11) ADOPTION OF RESOLUTION OF SUPPORT FOR THE RENAMING OF FM/732 TO NARCISO MARTINEZ HIGHWAY

Commissioner Matz moved that the Resolution supporting the renaming of FM/732 to Narciso Martinez Highway be adopted.

The motion was second by Commissioner Peña and carried unanimously.

The Resolution is as follows:

**(12) AUTHORIZATION TO ADVERTISE FOR BIDS
FOR THE VILLA PANCHO WASTEWATER
IMPROVEMENTS PROJECT**

Commissioner Cascos moved that the advertisement for bids for the Villa Pancho Wastewater Improvements Project be approved.

The motion was seconded by Commissioner Matz and carried unanimously.



**(13) APPROVAL OF THE VOTING MACHINE LEASE
AGREEMENT WITH CAMERON COUNTY
IRRIGATION DISTRICT NO. TWO (2) FOR AN
ELECTION TO BE HELD AUGUST 12, 1995**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Voting Machine Lease Agreement with Cameron County Irrigation District No. Two (2) for an Election to be held August 12, 1995, was approved.

The Agreement is as follows:

(14) APPROVAL OF THE AMENDED LEASE AGREEMENT WITH RIO GRANDE LIMESTONE, INC. TO LEASE PROPERTY AT THE FREE TRADE BRIDGE AT LOS INDIOS

At this time, Mr. Joe Galvan, Bridge Systems Director, explained that the Lease Agreement was amended from a five (5) year to a two (2) year Lease Agreement and that at the end of the Lease any improvements made would become the property of the County and the excluded items were identified.

Commissioner Matz moved that the Amended Lease Agreement with Rio Grande Limestone, Inc., to lease property at the Free Trade Bridge at Los Indios be approved, subject to the changes noted.

The motion was seconded by Commissioner Peña and carried unanimously.

The 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 Matz and carried unanimously, the "Consent" Agenda Items were approved as follow:

- (15) AUTHORIZATION TO PURCHASE ONE (1) VAN FOR THE RESTITUTION CENTER UTILIZING THE HOUSTON - GALVESTON AREA COUNCIL OF GOVERNMENT INTERLOCAL AGREEMENT**
- (16) AUTHORIZATION TO ADOPT A RESOLUTION FOR PARTICIPATION IN THE STATE PURCHASING CONTRACTS WITH THE GENERAL SERVICES COMMISSION FOR FISCAL YEAR 1995-1996**

The Resolution follows:

- (17) AUTHORIZATION TO ESTABLISH THE CUT-OFF DATE FOR ALL PURCHASE ORDER REQUESTS AS OF AUGUST 31, 1995, EXCEPT FOR EMERGENCY SITUATIONS**
- (18) AUTHORIZATION TO OPEN BIDS FOR ONE (1) BURSTER/DETACHER - DATA PROCESSING**

The Bids follow:

- (19) AUTHORIZATION TO RESCIND AND READVERTISE FOR ANNUAL BIDS FOR RECYCLED STOCK PAPER, COMPUTER PAPER AND ENVELOPES**
- (20) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:**

- a) Fiscal Analyst to attend the "Equal Employment Opportunity Plan (EEOP) Technical Workshop for Texas Government Entities" in Austin, Texas, on August 9 - 12, 1995;
- b) Constable Precinct No. 2 and Deputy to attend the "Civil Process School" in South Padre Island, Texas, on September 28-30, 1995;
- c) International Bridge System's Director to attend the "White House Conference on Travel and Tourism" in Amarillo, Texas, on September 24-27, 1995;
- d) International Bridge System's Director to attend the "White House Conference on travel and Tourism" in Washington, D.C., on October 28-31, 1995;

- e) Juvenile Probation Officer to attend the "Texas Probation Association Legislative Conference" in Austin, Texas, on August 19-23, 1995;
- f) One (1) Health Department employee to attend the "U.S./Mexico Border Conference on Women's Health" in South Padre Island, Texas, on September 26-28, 1995;
- g) Commissioner Precinct No. 3 to attend the "Border Trade Alliance Board Meeting" in Phoenix, Arizona, on September 24-26, 1995;
- h) Commissioner Precinct No. 1 and Foreman to attend the "Texas Surplus Property" in Houston and San Antonio, Texas, on August 23-25, 1995;
- i) Chief Sanitarian to attend the "Texas Association of Municipal Health Officials Workshop Conference" in Austin, Texas, on August 4, 1995;
- j) One (1) Women Infant and Children (WIC) employee to attend the "Trainer Class" in Austin, Texas, on August 21-25, 1995;
- k) County Auditor to attend the "Indigent Health Care Program Matter" in Austin, Texas, on July 27, 1995; and
- l) County Judge and Commissioner Precinct No. 1 to attend the "Los Tomates Meeting" in Mexico, D. F., on August 3-4, 1995.



- (16) **AUTHORIZATION TO ADOPT A RESOLUTION FOR PARTICIPATION IN THE STATE PURCHASING CONTRACTS WITH THE GENERAL SERVICES COMMISSION FOR FISCAL YEAR 1995-1996**

The Resolution is as follows:

**(18) AUTHORIZATION TO OPEN BIDS FOR ONE (1)
BURSTER/DETACHER - DATA PROCESSING**

The Bids are as follow:

(21) EXECUTIVE SESSION:

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

- a) To discuss the Right-of-Way Acquisition of FM/1419 for Parcel Nos. 006, 008, 016, and 061, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code Section 551.072;
- b) To confer with County Counsel on settlement offer in the case styled Rolando Flores, Cause No. B-90-223, United States District Court and Cause No. 13-92-435-CV, Thirteenth Court of Appeals, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) (b);
- c) To confer with County Counsel on settlement offer in the case styled William Burton, Cause No. B-94-34, United States District Court, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code Section 551.07 (1) (b); and
- d) To discuss case and authority to represent individual defendants on the case styled Travis Oden vs. Cameron County, et al., Case No. 95-07-03548, in the 107th Judicial District, 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 3:10 P.M.



(22) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) To discuss the Right-of-Way Acquisition of FM/1419 for Parcel Nos. 006, 008, 016, and 061.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer should proceed with his recommendation regarding the Right-of-Way Acquisition of FM/1419 for Parcel Nos. 006, 008, 016, and 068.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the County Counsel was directed to proceed with the County Engineer's recommendation regarding the Right-of-Way Acquisition of FM/1419 for Parcel Nos. 006, 008, 016, and 068.

- b) To confer with County Counsel on settlement offer in the case styled Rolando Flores, Cause No. B-90-223, United States District Court and Cause No. 13-92-435-CV, Thirteenth Court of Appeals;
- c) To confer with County Counsel on settlement offer in the case styled William Burton, Cause No. B-94-34, United States District Court; and

- d) To discuss case and authority to represent individual defendants on the case styled Travis Oden vs. Cameron County, et al., Case No. 95-07-03548, in the 107TH Judicial District.

Commissioner Matz 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 cases styled: b) Rolando Flores, Cause No. B-90-223, United States District Court and Cause No. 13-92-435-CV, Thirteenth Court of Appeals; c) William Burton, Cause No. B-94-34, United States District Court; and d) Travis Oden vs. Cameron County, et al., Case No. 95-07-03548, in the 107TH Judicial District.

At this time, it was announced that the next Regular Meeting would be held on August 14, 1995, at 1:30 p.m.

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

APPROVED this 29th 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**