

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

BE IT REMEMBERED on the 17th day of October, 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

LUPITA RAMIREZ                 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 October 13, 1995, at 10:08 A. M. and the Supplemental Agenda on October 13, 1995, at 3:27 P.M.:

**(15) APPROVAL OF CHANGE ORDER NO. ONE (1)  
ON THE CONTRACT WITH SWEEZY  
CONSTRUCTION INC. FOR THE ROADWAY  
IMPROVEMENT PROJECT AT THE GATEWAY  
INTERNATIONAL BRIDGE**

Mr. Joe Galvan, Bridge System Director, explained that the Change Order pertained the improvements on the asphalt topping on the Bridge.

At this time, Mr. Luis Faraklas, Project Engineer stated that the changes had been reviewed and recommend approval.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, Change Order No. One (1) to the Contract with Sweezy Construction, Inc., for the Roadway Improvement Project at the Gateway International Bridge, was approved.

**(17) ADOPTION OF A RESOLUTION  
DEMONSTRATING CAMERON COUNTY'S  
WILLINGNESS TO ACT AS INTERIM FISCAL  
AGENT FOR THE JOB TRAINING PROJECT  
WITH VALLEY INTERFAITH**

At this time, Father Alfonso Gueara, Valley Interfaith Leader, explained that Valley Initiative for Development and Advancement (VIDA) was a job training demonstration Project that could create approximately four hundred (400) jobs. He stated that the job training would be in Partnership with the Community College and requested that the County serve as the Interim Fiscal Agent, in order to secure the funding required.

Judge Hinojosa remarked that the implementation of the innovative Project would be of great benefit to the County.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Resolution demonstrating Cameron County's willingness to act as Interim Fiscal Agent for the Job Training Project with Valley Interfaith, was adopted.

**The Resolution is as follows:**

**(1) APPROVAL OF COUNTY CLAIMS**

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

The motion was seconded by Commissioner Rosenbaum and carried unanimously.



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

Ms. Lynda Irvine, First Assistant County Auditor, stated that there were no Budget Amendments, but that the Annual Salary Schedules were prepared as directed by the Court with a three percent (3%) increase on Line Item No. 02 and five percent (5%) increase for Line Item No. 03. She noted that two (2) County Departments had prepared different Salary Schedules and there were not being presented and added that the suggestion was made that the two (2) Departments present their respective Salary Schedules to the Court, at the next Meeting.

Commissioner Cascos moved that the Annual Salary Schedule(s) be approved as presented by the County Auditor's Office.

The motion was seconded by Commissioner Matz.

At this time, Judge Hinojosa clarified that the motion was for all the Salary Schedules, except for the two (2) Departments in question.

Commissioner Cascos responded that the motion was for the Salary Schedules as presented, and that the two (2) Department could present a Budget Amendment at the next Meeting.

Ms. Irvine stated that the County Clerk had not turned in a Payroll Worksheet and explained the urgency to have the payroll ready by Friday, (October 20, 1995).

At this time, Ms. Inelda T. Garcia, Chief Administrator, stated that the County Clerk requested to have the Salary Schedules for his office tabled until 2:30 P. M.

Commissioner Rosenbaum moved to table the portion of the Salary Schedules relating to the County Clerk.

Commissioner Cascos stated that his motion was for approval of all the Salary Schedules, and was seconded by Commissioner Matz.

Judge Hinojosa stated that a motion to table a motion, would override a motion on the floor.

There was some discussion as whether the motion by Commissioner Cascos required a vote or could be tabled and County Counsel stated that the motion and a second on the floor, required discussion and vote. He noted that the Court made its own rules as to the procedure and suggested that the Court make a decision.

At this time, Commissioner Rosenbaum moved that the existing motion (by Commissioner Cascos) be tabled.

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

**AYE:** Commissioners Rosenbaum and Peña and Judge Hinojosa

**NAY:** Commissioners Cascos and Matz.

At this time, Judge Hinojosa requested a motion to approve all the Salary Schedules except the County Clerk's portion.

Commissioner Cascos moved that all the Salary Schedules be approved as presented by the County Auditor's Office.

The motion was seconded by Commissioner Matz and the vote was as follows:

**AYE:** Commissioners Cascos and Matz

**NAY:** Commissioners Rosenbaum and Peña and Judge Hinojosa.

At this time, Ms. Aurora de la Garza, District Clerk, stated that she had followed the procedures as directed by the County Auditors' Office, but requested that her Department's Salary Schedules be discussed.

Commissioner Rosenbaum moved that the Annual Salary Schedules be approved, except the Salary Schedules for the County Clerk and the District Clerk.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Salary Schedules are as follow:**

**(3) APPROVAL OF MINUTES**

Commissioner Matz moved that the Minutes for the Regular Meeting held on September 12, 1995, at 1:30 P.M. be approved.

The motion was seconded by Commissioner Peña and carried unanimously.



**(4) ADOPTION OF A RESOLUTION PROCLAIMING  
OCTOBER 29, 1995, AS "NARCISO MARTINEZ  
DAY"**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Resolution proclaiming October 29, 1995, as "Narciso Martinez Day" was adopted.

**The Resolution is as follows:**

**(5) ADOPTION OF A RESOLUTION IN SUPPORT OF  
PASSAGE OF PROPOSITION NO. FIVE (5) IN  
THE NOVEMBER 7, 1995 CONSTITUTIONAL  
ELECTION**

Commissioner Matz moved that the Resolution in support of passage of Proposition No. Five (5) in the November 7, 1995, Constitutional Election be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Resolution is as follows:**

**(6) APPROVAL OF A COOPERATIVE AGREEMENT  
FOR TITLE IV PROGRAM BETWEEN THE  
OFFICE OF THE ATTORNEY GENERAL OF THE  
STATE OF TEXAS AND CAMERON COUNTY,  
TEXAS**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Cooperative Agreement for Title IV Program between the Office of the Attorney General of the State of Texas and Cameron County, Texas, was approved.

**The Agreement is as follows:**

(7) **PUBLIC HEARING TO DISCUSS POSSIBLE CONSOLIDATION AND/OR REALIGNMENT OF JUSTICE OF THE PEACE/CONSTABLES PRECINCTS OF CAMERON COUNTY**

Commissioner Peña moved that the Hearing to discuss possible consolidation and/or realignment of Justices of the Peace/Constables Precincts of Cameron County be opened for public comment.

The motion was seconded by Commissioner Matz and carried unanimously.

At this time, the following individuals expressed their concerns regarding the lack of law enforcement in the rural areas and the possible reduction of resources with the consolidation:

Ms. Juanita Brodeck, Rio Hondo resident;

Ms. Carlotta Zamudio, Los Fresnos resident;

Ms. Frances Domanski, El Ranchito resident;

Mr. Woodie Peables, La Feria;

Ms. Ofelia Muniz, Harlingen resident;

Constable Juan B. Sanchez, Precinct No. 3 (presented the following petition);

Mr. Hass Lonzano, Rio Hondo resident; and

Constable Mike Barbarena, Precinct No. 1.

Judge Hinojosa noted that the only reason the Court was considering the issue of consolidation was to increase the law enforcement patrolling in the rural areas. He noted that any changes would be submitted to the Justice Department and would not be effective until January 1, 1997.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Public Hearing was closed.

**The Petition is as follows:**



**(8) ADOPTION OF A RESOLUTION ADOPTING AN ORDER TO CHANGE THE BOUNDARIES OF THE JUSTICE OF THE PEACE/CONSTABLES PRECINCTS OF CAMERON COUNTY**

Commissioner Peña moved that Option No. Two (2) and the Resolution adopting an Order to change the Boundaries of the Justices of the Peace/Constables Precincts of Cameron County from eight (8) Precincts to seven (7) Precincts be adopted.

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

**AYE:** Commissioners Matz and Peña and Judge Hinojosa

**NAY:** Commissioners Rosenbaum and Cascos.

**The Resolution is as follows:**

**NOTE: COMMISSIONER ROSENBAUM LEFT THE COURTROOM**

- (11) **AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF HARLINGEN TO MOVE PLANT MATERIALS FROM THE CAMERON COUNTY AIRPORT AND THE LAGUNA VISTA AREA FOR USE IN THE RAMSEY NATURE PARK - HARLINGEN**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Interlocal Agreement with the City of Harlingen to move plant materials from the Cameron County Airport and the Laguna Vista area for use in the Ramsey Nature Park - Harlingen, was approved.

**The Agreement is as follows:**

**(12) APPROVAL TO HIRE TWO (2) ROAD CREWMEN FOR PRECINCT NO. 3**

Commissioner Matz moved that two (2) Road Crewmen be retained for Precinct No. 3.

The motion was seconded by Commissioner Peña and carried unanimously.

---

---

**(13) ACKNOWLEDGMENT OF LETTER FROM MR. OSCAR GARCIA ADDRESSED TO THE COUNTY JUDGE AND COMMISSIONERS OF PRECINCT NO. 1 AND NO. 2**

**NOTE: COMMISSIONER ROSENBAUM RETURNED TO THE COURTROOM**

Mr. Oscar Garcia, Cameron County resident, referred to the following Letter addressed to the Court and the Commissioners of Precinct No. 1 and No. 2, dated September 27, 1995, concerning the poor condition of Line 10 Road and requested that funds be re-allocated to Precinct No. 3, in order to provide funds to improve the Road.

Mr. Garcia noted that his father had repeatedly spoken to the Commissioner Precinct No. 3 but nothing had been done, and added that Commissioner Matz had indicated that there was no money, no equipment, and manpower to repair the Road. He noted that the Budget proposal was unfair with the inequitable distribution of funds.

Commissioner Matz stated that he was familiar with the situation, and that there were two (2) issues of concern, that being the condition of the road, which had been a dirt road for a long time, and the alignment of the road. He stated he met with the County Engineers to address the issue of alignment and to present it to the Court for public hearing, in order to obtain the alignment as it existed before it was modified several years ago and never documented. He stated that as far as the improvement of the road was concerned, and the information provided to the Garcias was that there appeared to be an inequitable distribution of funds in the Road and Bridge Budget. Commissioner Matz stated that, as a result, he was "forced not to be able to improve, rather to meet my predecessors commitments and to maintain what I have, plus take care of the Bridges, which is consuming a lot of money."

Commissioner Matz noted that residents offered to pay half of the cost of the caliche, in order to improve that road in question; and that he would have the men and equipment to do the work, if they participated in the cost of the materials.

Judge Hinojosa explained the matter of the road improvement was the responsibilities of each Precinct and was dependent upon the resources available and that the Commissioner would have to work closely with the residents to resolve the issue. He added that there was nothing that could be done to address any budgetary needs, other than during the Budget process.

Mr. Garcia stated that the monies allocated to each Precinct were inequitable since Precinct No. 3 had over 50% of the roads compared to the other Precincts.

Commissioner Cascos stated that he had just received the Letter, and that in reading the Letter, "it was almost verbatim, the same verbiage as the Memorandum that Commissioner Matz presented to the Court." He stated that he did not know where the road was and that apparently it had been a dirt road for a long time; and that he disagreed with Mr. Garcia regarding the "inequitable" distribution of funds in the Road and Bridge Budget.

Commissioner Cascos shared a Report that he prepared during the Budget process that illustrated the amount of money expended in Precinct No. 3 over the last ten (10) years. He noted Commissioner Matz's Budget allocation and added that the matter should be addressed to him because it was his decision as to which Roads were improved.

Commissioner Matz noted the County Auditor's comments concerning the need for "the Commissioners Court should engage in a dialogue with their fellow members of the Court to develop a rational means, acceptable to all members of the Court on the distribution of Road and Bridge Funds."

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the discussion concerning the letter dated September 27, 1995, from Mr. Oscar Garcia addressed to the County Judge and Commissioners of Precinct No. 1 and No. 2 was acknowledged.

**The Letter and the Report are as follows:**

**(14) APPROVAL OF INTERNATIONAL BANK OF  
COMMERCE BANKING RESOLUTION  
CONTROL NO. 2**

Commissioner Peña moved that the International Bank of Commerce Banking Resolution Control No. Two  
(2) be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

**The Resolution is as follows:**

**(16) PRESENTATION OF THE FOURTH QUARTER  
REPORT ON INTERNATIONAL BRIDGE  
SYSTEM-GATEWAY INTERNATIONAL BRIDGE  
AND FREE TRADE BRIDGE**

Commissioner Matz moved that the presentation of the Fourth Quarter Report on the International Bridge System, Gateway International Bridge, and Free Trade Bridge be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Report is as follows:**

**(18) AUTHORIZATION FOR THE CAMERON COUNTY ENGINEERING DEPARTMENT TO INITIATE IDENTIFICATION OF ALL EXISTING CEMETERIES WITHIN CAMERON COUNTY**

At this time, Ms. Julia Griffin, Cameron County Historical Chairperson, stated that after the reported desecrations and "invasions" of the cemeteries, the suggestion was made to conduct a survey, and document all the cemeteries, in order for them to appear on County maps, and requested the Court's support, through the County Engineer's Office to assist with the Project.

Mr. Michael Martin, County Engineer, stated that the Engineering Department, would obtain a List of the Cemeteries from the Historical Commission, and would have a crew member use the Global Position Survey (GPS) Equipment to identify the cemetery and placed on a map. He stated that it would not be a boundary survey, but that it would identify the cemetery on a map with a global position point.

Commissioner Rosenbaum moved that the Cameron County Engineering Department initiate the identification of all existing Cemeteries within Cameron County.

The motion was seconded by Commissioner Peña and carried unanimously.

At this time, Ms. Griffin questioned whether the County could place signage to warn that desecration and/or damage to cemeteries was a felony crime. She indicated that eighteen (18) of the cemeteries were inside the City of Brownsville so the City would pay for those signs.

Judge Hinojosa stated that 88 signs would be a big cost to the County.

Commissioner Matz suggested that a list of Cemeteries, by Precincts be presented in order to determine if each Precinct could put up the signs.

At this time, Ms. Griffin reviewed the problems concerning the San Pedro Cemetery, and requested to have one person from the District Attorney's Office assigned to assist with the Restraining Orders and the County Judge suggested that the person to contract would be Mr. Doug Wright, Cameron County Counsel.



**(19) APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, (PSI) INC. FOR GEOTECHNICAL SURVEYS OF THE LOS TOMATES INTERNATIONAL BRIDGE GENERAL SERVICES ADMINISTRATION (GSA) SITE**

**NOTE: COMMISSIONER ROSENBAUM LEFT THE COURTROOM**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Professional Service Contract with Professional Service Industries (PSI),Inc., for Geotechnical Surveys of the Los Tomates International Bridget General Service Administration (GSA) site, was approved.

**The Contract is as follows:**



**(20) APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH ESPY, HUSTON, AND ASSOCIATES FOR A LEVEL II GEOMORPHICAL SITE ASSESSMENT FOR THE LOS TOMATES INTERNATIONAL BRIDGE**

Commissioner Cascos moved that the Professional Services Contract with Espy, Huston, and Associates for a Level II Geomorphical Site Assessment for the Los Tomates International Bridge be approved.

The motion was seconded by Commissioner Peña.

At this time, Commissioner Matz questioned the source of funding on Items no. 19, adding that it was a commitment in the amount of \$17,500.00.

Mr. Michael Martin, County Engineer, responded that the source of funding was the Toll Bridge Fund, and added that the Project Engineer had requested the amount of \$17,500.00, and PSI estimated the cost in the amount of \$21,550.00, and that he requested a Budget in the amount of \$23,000.00. He stated that the original cost was twice as much, and that the borings had been reduced from 88 to 33, thus reducing the cost, and added that they would continue to monitor the work, in order that the Budgeted amount was not exceeded.

At this time, Mr. Mark Yates, County Auditor, suggested that one person be designated to answer any question regarding the contracts and the suggestion was made to direct any questions to the County Engineer.

At this time, commissioner Matz noted that the Espy Contract was in the amount not to exceed \$33,463.00 and the County Engineer stated that he was requesting the amount of \$37,000.00 in case of contingencies: Commissioner Matz suggested that the amount remain as in the Contract and report to the Court if there was a need for a change.

Commissioner Matz called attention to the following Los Tomates Expenditures Report, in the amount of \$4 million, prepared by the County Auditor.

Upon motion dully made by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Professional Services Contract with Espy, Huston, and Associates for a Level II Geomorphical Site Assessment for the Los Tomates International Bridge was approved.

**The Contract and the Report are as follows:**

**(21) APPROVAL OF MAP REPRODUCTION AND  
BLUE PRINTING FEES**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Map Reproduction and Blue Printing Fees were approved.

**NOTE: COMMISSIONER ROSENBAUM RETURNED TO THE COURTROOM**

**The Fees Schedule is as follows:**

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

At this time, Mr. Mark Yates, County Auditor, stated that the Auditor's Office drafted the Salary Schedules specifically at the Court's direction, with Line Item No. 02 slots received a three percent (3%) and Line Item No. 03 slots received a five percent (5%) increase. He noted that the Court directed that the slots be increased, and added that Departments wanted to reduce some of the slots, to less than three or five percent (3 or 5%), and increase other slots by eight to ten percent (8 - 10%).

Mr. Joe G. Rivera, Cameron County Clerk, requested that he be allowed to work with his Budget, and added that he was not asking for any more money and that his Proposal would not require a Budget Amendment. He stated that when he assumed the Office of County Clerk in 1975, he promised to run his Department as a business and that he had been able to do that for the last 20 years. He stated that because of his business practice, and professional staff he had been able to place personnel in the slot that they deserved to be in and that was the only way to reward staff that were productive. He stated that his changes were within the five percent (5%) allowed in the Line Item No. 03 slots, and the three percent (3%) allowed in the Line Item No. 02 slots and the two percent (2%) voted on in the Line Item No. 01 slot. He noted that the Fines and Court Cost Collections for the past year exceeded \$1 million, that being an increase of \$144,000.00.

Judge Hinojosa stated that it was his understating that the County Clerk was not eliminating any positions, in order to give any increases; and was not taking any increase from any individual slot that might be filled latter. He added that the County Clerk was taking the Budget and setting the Salary Schedules for 1995 - 1996 and awarding some slots more than five percent (5%) and some less than five percent (5%) and Mr. River responded affirmatively.

Judge Hinojosa remarked that the individuals that were not receiving a five percent (5%) increase were aware that the Court awarded an "across the board" five percent (5%) increase, and that the County Clerk would assume that responsibility.

Mr. Rivera responded that he was the Elected Official and that he was responsible for personnel and would handle any personnel concerns that may occur.

Commissioner Cascos stated that the three and five percent (3 - 5%) increases were for cost of living adjustments and not merit increases and that the Court approved the increase to the slot, and it was not the intend of the Court to use that money to increase other slots by seven to twelve percent (7-12%) increased raise. He stated that other Department Heads and Elected Officials wanted the "same latitude," and he could not support it and that he was trying to be as consistent with every Department.

Commissioner Matz clarified that the intent of the Court was a “Cost of Living Increase and not a merit increase” and that if the County Clerk felt that some staff in his Department deserved a merit increase, he could propose one to the Court.

Judge Hinojosa stated that it was his understanding that the increase was not a cost of living increase and that it was up to the Department and that the increases were to be based upon evaluations.

Commissioner Peña stated that he also thought that the increases were going to be based upon evaluations and that the Department Head had the latitude between zero and five (0-5) based on evaluations.

At this time, Ms. Aurora de la Garza, District Clerk, stated that every employee in the District Clerk's Office received a five percent (5%) increase and that she was readjusting Job Responsibilities due to the Records Management bill that was approved last year for the District Clerks.

Judge Hinojosa questioned whether any slots were being eliminated to fund the increases and the District Clerk responded that the job responsibilities were reassigned, based on the evaluations as requested by the County Auditor in preparing the Salary Schedules.

Mr. Yates stated that a slot amount was being replaced with a lower amount, and added that the action would reduced the Lapse Salaries and require that the Budget be realigned.

There was some discussion concerning the Lapsed Salaries and being able to meet the need of the Departments, and being able to stay with the approved Budget.

Mr. Mariano Ayala, Personnel/Safety Risk Director, questioned whether other Department Heads would be allowed to make changes and Commissioner Matz responded that the Department Head would have to present the request to the Court.

Commissioner Rosenbaum moved that the Salary Schedules for the County Clerk and the District Clerk be accepted.

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

**AYE:** Commissioners Rosenbaum, Matz, Peña, and Judge Hinojosa

**NAY:** None

**ABSTAIN:** Commissioner Cascos.

There was some discussion concerning whether the Salary Schedules for the County Clerk and the District Clerk were properly presented before the Court and the County Judge responded that the Salary Schedules were submitted and the motion was approved.

**The Salary Schedules are as follows:**

**(22) APPROVAL OF AN AMENDMENT TO THE CONTRACT TO DESIGN THE INNOVATIVE AND ALTERNATIVE WASTEWATER TREATMENT AND COLLECTION SYSTEM WITH CARTER AND BURGESS, INC., FOR VALLE ESCONDIDO/VALLE HERMOSA**

Commissioner Rosenbaum moved that the Amendment to the Contract to design the Innovative and Alternative Wastewater Treatment and Collection System with Carter and Burgess, Inc., for Valle Escondido/Valle Hermosa, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Amendment is as follows:**

**(23) ADOPTION OF A RESOLUTION RESCINDING  
THE COUNTY'S REVOLVING LOAN FUND AND  
AUTHORIZING THE COUNTY JUDGE TO  
RETURN PROGRAM INCOME TO THE TEXAS  
DEPARTMENT OF COMMERCE**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Resolution rescinding the County's Revolving Loan Fund and authorizing the County Judge to return Program income to the Texas Department of Commerce, was adopted.

**The Resolution is as follows:**

- (24) **IN THE MATTER OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE IMPLEMENTATION OF AN EPA FUNDED RECYCLING PROJECT IN THE CAMERON PARK SUBDIVISION (TABLED)**

**NOTE: COMMISSIONER CASCOS LEFT THE COURTROOM**

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



- (25) **APPROVAL OF CAMERON COUNTY PURCHASING GUIDE FOR VENDORS**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Cameron County Purchasing Guide for Vendors was approved.

**The Document is as follows:**

**(26) APPROVAL OF PROFESSIONAL CONSULTING SERVICES CONTRACT WITH MR. DAVID GRIFFITH FOR THE PREPARATION OF THE COUNTY'S COST ALLOCATION PLAN**

Commissioner Matz moved that the Professional Consulting Services Contract with Mr. David Griffith for the preparation of the County's Cost Allocation Plan be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Contract is as follows:**



(27) **IN THE MATTER RELATIVE TO PARKS SYSTEM DIRECTOR'S REQUEST TO EXEMPT PARK SYSTEM FROM ADDITIONAL HOLIDAY AND TO REFER PROPOSAL FOR ANNUAL LEAVE BUY-BACK PROGRAM TO PERSONNEL COMMITTEE (TABLED)**

**NOTE: COMMISSIONER CASCOS RETURNED TO THE COURTROOM**

Commissioner Matz questioned whether the Item was reviewed by County Counsel, and the suggestion was made that the Item be tabled for legal review.

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



At this time, Mr. Doug Wright, Cameron County Counsel, stated that the County Auditor's Office needed clarification as to the motion regarding the Salary Schedules.

Judge Hinojosa stated that the motion was to adopt the Salary Schedules presented to the Court by the County Clerk and the District Clerk.

Mr. Wright stated that according to the County Auditor's Office that the preparation of the payroll check would be delayed and would possibly not be ready on Friday (October 19, 1995).



(28) **IN THE MATTER OF ALTERNATIVE OFFICE SPACE FOR THE CAMERON/WILLACY COUNTIES COMMUNITY SUPERVISION AND CORRECTION DEPARTMENT IN BROWNSVILLE AND IN HARLINGEN (TABLED)**

Judge Hinojosa noted that the employees in the Brownsville Probation Office needed to move from the current Office because of the asbestos problems and suggested that the employees be moved to the old Juvenile Detention Center.

There was some discussion concerning the space allocations in the Dancy Building as well as the plans for the Administrative Building and that the Project Architect would be working with the space allocations.

Commissioner Peña questioned whether the issue was on the Adult Probation Office and the County Judge responded affirmative.

At this time, Mr. Richard Santellano, Adult Probation Department Director noted that the Harlingen Office Lease would be renewed and that the space was not adequate and Judge Hinojosa directed staff to research the facilities available.

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



**(29) ACTION ON EXTENDING THE TERMS OF SERVICE FOR EXISTING PARKS ADVISORY BOARD MEMBERS AND ALTERNATES**

**(30) ACTION ON THE RE-APPOINTMENT OF A FIVE (5) MEMBER PARKS ADVISORY BOARD FOR A TERM COMMENCING OCTOBER 10, 1995, THROUGH DECEMBER 31, 1997**

Mr. Kenneth Conway, Parks System Director, stated that the Court directed him to review the matter of the Parks Board. He stated that County Counsel reviewed the status of Mr. Bob Dunkin, Chairman of the Parks Advisory Board, whether he could continue to serve as Chairman since he was appointed to the State Coastal Co-ordination Council, it was determined that Mr. Dunkin could continue to serve on the Parks Board.

Mr. Conway suggested that the re-appointment of the Parks Board be for a two (2) year term, effective today and through December 31, 1997, and should a member miss three (3) consecutive Regular or Special Meetings a defacto resignation would occur without Court action. He noted each member of the Court would appoint a person to serve on the Board; and that there would be no alternates, and the suggestion was made to have the Parks Board determine their Chairperson.

At this time, the Court suggested the following appointments:

- |                        |   |
|------------------------|---|
| Judge Hinojosa         | Mr. Robert Dunkin, Harlingen;           |
| Commissioner Rosenbaum | (No appointment at this time);          |
| Commissioner Cascos    | Mr. Edwardo Campirano, Harlingen;       |
| Commissioner Matz      | Mr. John Arnold, Los Fresnos;           |
| Commissioner Peña      | Mr. Carlos Guerra or Mr. Rafael Rangel. |

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the five (5) member Parks Advisory Board were appointed to serve for the term commencing October 19, 1995 through December 31, 1997, as follows:

Judge Hinojosa	Mr. Robert Dunkin, Harlingen;
Commissioner Rosenbaum	(No appointment at this time);
Commissioner Cascos	Mr. Edwardo Campirano, Harlingen;
Commissioner Matz	Mr. John Arnold, Los Fresnos;
Commissioner Peña	Mr. Carlos Guerra or Mr. Rafael Rangel.

---

---

**(31) AUTHORIZATION FOR THE APPROVAL AND ISSUANCE OF A DUNE PROTECTION PERMIT FOR THE PADRE SHORES L.T.D. MASTER PLAN**

**(32) ACTION ON APPLICATION FOR BEACHFRONT CONSTRUCTION CERTIFICATE FOR PADRE SHORES, LTD, DEVELOPMENT ON SOUTH PADRE ISLAND**

Commissioner Matz moved that the Dune Protection Permit for the Padre Shore L.T.D. Master Plan be issued.

The motion was seconded by Commissioner Peña.

At this time, Mr. Doug Wright, Cameron County Counsel, reported that the Attorney General's Office had expressed concerns with the Development and added that according to the local persons involved with the Permit process the concerns had been addressed.

Commissioner Matz reported that the Dune Protection Committee and the Parks Board were recommending approval and that the developers intend to comply with all the requirements.

At this time, Mr. Javier Mendez, Building Official, reported that the Engineering Department had addressed the concerns expressed by the Attorney General's Office and the General Land Office and staff and the Committees are satisfied with the compliance and highlighted the Permit requirements; such as the mitigation of the sand for the reconstruction of the sand dunes. He added that the requirements would be reviewed as the Permits were issued and added that the developers have exceeded the basic minimum requirements. He indicated that the Permit was valid for three (3) years and could be renewed for an additional three (3) years.

Upon motion duly made by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Dune Protection Permit and the Application for the Beachfront Construction Certificate for Padre Shores, LTD, development on South Padre Island were approved.

**The Permit and The Application are as follow:**

**(33) APPROVAL OF A PROGRAM AGREEMENT  
BETWEEN THE UNIVERSITY OF TEXAS AT  
BROWNSVILLE SCHOOL OF HEALTH SCIENCE  
AND THE CAMERON COUNTY HEALTH  
DEPARTMENT**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Program Agreement between the University of Texas at Brownsville School of Health Science and the Cameron County Health Department, was approved.

**The Agreement is as follows:**

**(34) AUTHORIZATION TO LEND ONE (1) VOTING MACHINE FOR BONHAM ELEMENTARY SCHOOL TO CONDUCT THE STUDENT COUNCIL ELECTION ON JANUARY 18, 1995**

Commissioner Matz moved that the use of one (1) Voting Machine by Bonham Elementary School, in order to conduct the Student Council Election on January 18, 1995 was approved.

The motion was seconded by Commissioner Peña and carried unanimously.



**(35) APPROVAL TO RENEW HP 948 MAINTENANCE HARDWARE AND SOFTWARE SUPPORT WITH HEWLETT PACKARD COMPANY, AT A TOTAL COST OF \$30,048**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Hewlett Packard 948 Maintenance Hardware and Software Support Agreement with Hewlett Packard Company, at a total cost of \$30,048.00, was approved.

**The Agreement is as follows:**

**(36) APPROVAL TO RENEW ALL CONTRACTS FOR  
RESIDENTIAL PLACEMENTS OF JUVENILES  
FOR FISCAL YEAR 1996**

Commissioner Peña moved that the Contracts for Residential Placement of Juveniles for Fiscal Year 1996 be renewed.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Contracts are as follows:**

**(37) APPROVAL FOR STORAGE WAREHOUSE  
RENEWAL OF LEASE WITH REDELCO, INC.**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the renewal of the storage Warehouse Lease with Redelco, Inc., was approved.

**The Lease is as follows:**

**(38) AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE AND APPROVE, ON BEHALF OF CAMERON COUNTY, A CORRECTED DEED CONCERNING A TAX FORECLOSED PROPERTY**

Commissioner Cascos moved that the corrected Deed concerning a Tax Foreclosed Property be approved and executed by the County Judge.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Corrected Deed is as follows:**



**(39) APPROVAL TO APPOINT A DEPUTY SHERIFF  
TO THE US CUSTOMS SERVICE TASK FORCE**

**(40) APPROVAL TO APPOINT A DEPUTY SHERIFF  
TO THE DRUG ENFORCEMENT  
ADMINISTRATION**

Upon motion by Commissioner Matz , seconded by Commissioner Peña and carried unanimously, Mr. Abraham Rodriguez, Deputy Sheriff, was appointed to the United States Customs Service Task Force and Mr. Rick Perez, Deputy Sheriff, was appointed to the Drug Enforcement Administration.

---

---

**(9) ADOPTION OF THE ADMINISTRATIVE  
POLICIES AND PROCEDURES ON THE  
COMMISSIONERS COURT AGENDA**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Administrative Policies and Procedures for the Commissioners' Court Agenda, were approved subject to the incorporation of Commissioner Matz's comments.

**The Documents are as follow:**

**(41) APPROVAL OF CAMERON COUNTY'S TRAVEL  
POLICY**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Cameron County's Travel Policy, was adopted.

**The Policy is as follows:**

**(42) ACTION REQUESTING STATUS OF DEDICATED ROAD BETWEEN BLOCK NO. 20 THROUGH NO. 24 AND BLOCK NO. 12 THROUGH NO. 19 OF WAGONER HIGHLANDS SUBDIVISION**

Commissioner Peña moved that the Roads between Block No. 20 through No. 24 and Block No. 12 through No. 19 of Wagoner Highlands Subdivision, be accepted as County Roads.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

---

---

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

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Travel and/or Travel Expenses, were approved, subject to Funds in their Budget.

- a) Five (5) Court Administrators/Coordinators to attend the "Nineteenth Annual Education Conference" in Austin, Texas, on October 24-27, 1995;
- b) Program Development and Management Director to attend the "Texas Housing Conference," in San Antonio, Texas, on October 22 - 25, 1995;
- c) Constable Precinct No. 7 to attend the "1995 Twenty Hour Civil Process Mega School," in Corpus Christi, Texas, on October 29, 1995 - November 1, 1995;
- d) Justice of the Peace Precinct No. 7 and Clerk to attend the "1995 Twenty Hour Justice of the Peace Training Course" in Corpus Christi, Texas on October 29, 1995 - November 1, 1995;
- e) Justice of the Peace Precinct No. 6 Place No. 1 and two (2) Clerks, to attend the "Texas Justice Court Training Center" in Corpus Christi, Texas, on October 29, 1995 - November 1, 1995;
- f) Four (4) Officers with the Cameron County Drug Enforcement Task Force to attend the "Texas Narcotic Officers Association Training" in San Antonio, Texas, on October 18-19, 1995;
- g) Health Department employee to attend the "Texas Perinatal Association Planning Committee Meeting," in Weslaco, Texas, on October 17, 1995;
- h) Cameron County Financial Disruption Task Force to attend "A Commanders Meeting for the Texas Narcotics Control Program and the Governor's Drug Policy Advisory Board," in Austin, Texas, on October 11, 1995;
- i) Chief Juvenile Officer to attend the "West Texas Juvenile Chief's Association," in Kerrville, Texas, on October 9-11, 1995 and the "Statewide Advisory Group on Residential Facility Standards," in Austin, Texas on October 11-13, 1995;
- j) Breast-feeding Counselor to attend the "Intensive Course in Breast-feeding" in San Antonio, Texas, on October 23-26 1995;

- k) Three (3) Health Department employees to attend the "Texas Mosquito Control Association Meeting" in Galveston, Texas, on October 16-18 1995;
- l) Three (3) Health Department employees to attend the "Meeting on Clinical/Medical Records" in Austin, Texas on November 5-7, 1995;
- m) Building Inspector to attend the "Certification Examination with the Southern Building Code Congress" in Corpus Christi on October 11, 1995;
- n) Juvenile Placement Officer to attend the "Title IV-E Basic Training" in Lubbock, Texas, on October 19, 1995;
- o) Juvenile Chief Officer to attend "Chief's Meeting and the Legislative Committee Meeting" in Huntsville, Texas, on October 22-24 1995;
- p) Tax Assessor Collector and Chief Deputies to attend the "Texas Automobile Dealers Association Vehicle Inventory Tax Seminar" in San Antonio, Texas, on October 26, 1995; and
- q) Justice of the Peace Precinct No. 3 Place No. 1, to attend the "Twenty Hour Justice of the Peace Training Course" in Corpus Christi, Texas, on October 29, 1995 -November 1, 1995.

---



---

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

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

- a. **Precinct No. 4** - Mirasol Subdivision - being 10.00 acres more or less out of Block No. 18, Wilson Tract Subdivision.
- b. **Precinct No. 3** - La Tierra De Last Palmas Subdivision (Lot No. 14a and No. 14b) - being Lot No. 14 (containing 4.22 acres), La Tierra De Last Palmas Subdivision.

**(45) PRELIMINARY APPROVAL:**

- a. **Precinct No. 4** - Tamm Lane II Subdivision - being 21.096 acre comprised of the East half of Block No. 70 and the East half of Block No. 71, Adams Garden Subdivision "b".

**(46) AUTHORIZATION FOR FINAL APPROVAL:**

- a. **Precinct No. 6 - Del Valle Subdivision -**  
being a subdivision of a 21.82 acre tract of  
land out of Block No. 66, San Benito Land  
and Water Company Subdivision.

(47) **AUTHORIZATION TO RESCIND AND READVERTISE  
FOR ANNUAL BIDS FOR JANITORIAL PAPER  
GOODS AND LINERS**

(48) **AUTHORIZATION TO OPEN ANNUAL BIDS FOR:  
FOOD - BREAD, COFFEE, DRINK-MIX, EGGS, MILK,  
PAN-DULCE, TORTILLAS AND VOTING SUPPLIES**

**The Bids receive and opened follow:**

(49) **AUTHORIZATION TO SOLICIT BIDS FOR PURCHASE OF:**

- a) **One (1) dump truck - 6-C.Y.;**
- b) **One (1) dump truck - 12/14 C.Y.;**
- c) **Two (2) pick-up trucks;**
- d) **One (1) tractor;**
- e) **One (1) trailer - 20 ton; and**
- f) **One (1) flat bed truck - 1 ½ ton**

**(48) AUTHORIZATION TO OPEN ANNUAL BIDS FOR: FOOD - BREAD, COFFEE, DRINK-MIX, EGGS, MILK, PAN-DULCE, TORTILLAS AND VOTING SUPPLIES**

**The Bids are as follow:**

**(50) EXECUTIVE SESSION:**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 4:05 P. M. to discuss the following matters:

- a) To renew Concessionaire Lease Agreement between Bennie Ochoa III, D/B/A, Beach Snacks Inc., and Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) For discussion and authority to bring in third party on the case styled Patricia Cortez, et. al. v.s. Cameron County, et. al., Cause Nos. B-94-264, B-94-265, B-94-271, B-94-277, B-94-278, B-94-279, B-94-291, B-95-009, in the United States District Court, Southern District of Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(a);
- c) To request Right-Of-Way acquisition on FM/1419 for Parcel Nos. 05, 043, and 052; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- d) Confer with Legal Counsel on representation for Sheriff's Officer in Cause No. B-95-107 in the United States District Court; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(a).

**SUPPLEMENTAL AGENDA**

- (1) To discuss appointment of Health 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 4:15 P. M.



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

- b) For discussion and authority to bring in third party on the case styled Patricia Cortez, et. al. v.s. Cameron County, et. al., Cause Nos. B-94-264, B-94-265, B-94-271, B-94-277, B-94-278, B-94-279, B-94-291, B-95-009, in the United States District Court, Southern District of Texas; and
- d) Confer with Legal Counsel on representation for Sheriff's Officer in Cause No. B-95-107 in the United States District Court.

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 Rosenbaum and carried unanimously, County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session regarding b) the case styled Patricia Cortez, et. al., v.s. Cameron County, et. al., Cause Nos. B-94-264, B-94-265, B-94-271, B-94-

277, B-94-278, B-94-279, B-94-291, B-95-009, in the United States District Court, Southern District of Texas; and d) representation for Sheriff's Officer in Cause No. B-95-107 in the United States District Court.

- a) To renew Concessionaire Lease Agreement between Bennie Ochoa III, D/B/A, Beach Snacks Inc., and Cameron County.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the Lease be renewed, along the terms and conditions as outlined by the Parks Director in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Concessionaire Lease Agreement between Bennie Ochoa III, D/B/A, Beach Snacks Inc., and Cameron County was renewed along the terms and conditions as outlined by the Parks Director in Executive Session.

**The Lease is as follows:**



- c) To request Right-Of-Way acquisition on FM/1419 for Parcel Nos. 05, 043, and 052.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer recommendations should be accepted, as outlined in Executive Session regarding said matters.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the County Engineer's recommendations regarding Right-Of-Way acquisition on FM/1419 for Parcel Nos. 05, 043, and 052 were approved.

## **SUPPLEMENTAL AGENDA**

- (1) To discuss appointment of Health Administrator.

Commission Matz reported that after some discussion, it was the consensus of the Court as determined by pooling, that the Personnel/Director should be directed to contact Mr. Richard Durbin, Austin, Texas, regarding the offer of employment as Health Administrator, said salary to be negotiated.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Personnel Director was directed to contact Mr. Richard Durbin, Austin, Texas, for the Health Administrator position.



**(10) AUTHORIZATION TO RENEW APPLICATION FOR STATE ASSISTANCE IN CLEANING AND MAINTAINING PUBLIC BEACHES FOR FISCAL YEAR 1996**

Commissioner Rosenbaum moved that the Application for State Assistance in Cleaning and Maintaining Public Beaches for Fiscal Year 1996 be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

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 **5th** day of **December**, 1995.

---

**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

---

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