

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 20TH day of FEBRUARY, 1996, there was conducted a **REGULAR PUBLIC MEETING** 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, C.P.A.**  
COMMISSIONER, PRECINCT NO. 2

**JAMES R. MATZ**  
COMMISSIONER, PRECINCT NO. 3

**HECTOR PEÑA**  
COMMISSIONER, PRECINCT NO. 4

**Hilda V. Treviño Deputy**  
COUNTY CLERK

**ABSENT:**  
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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 February 16, 1996, at 2:27 P.M.:

**(1) APPROVAL OF COUNTY CLAIMS**

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



**(2) IN THE MATTER OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES (NO ACTION TAKEN)**

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



**(3) IN THE MATTER OF THE MINUTES (NO ACTION TAKEN)**

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



**(4) AUTHORIZATION TO ADOPT A RESOLUTION SUPPORTING SOUTH PADRE ISLAND NATURE CENTER**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Resolution supporting South Padre Island Nature Center was adopted.

**The Resolution is as follows:**

**(5) ADOPTION OF A RESOLUTION  
ACKNOWLEDGING THE ESTABLISHMENT,  
EXISTENCE, AND SERVICE OF THE BRANCH  
OFFICES OF THE TAX ASSESSOR-COLLECTOR  
AND THE COUNTY CLERK**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution Acknowledging the Establishment, Existence, and Service of the Branch Offices of the Tax Assessor-Collector and the County Clerk, was adopted.

At this time, Judge Hinojosa commended the structure and establishment of the Sub-Offices and added that the Branch Offices of the Tax Assessor-Collector and the County Clerk would be more accessible to the County residents.

**The Resolution is as follows:**

**(6) APPROVAL OF STAFFING PLAN FOR THE  
COUNTY JUDGE/COMMISSIONERS' COURT**

At this time, Judge Hinojosa explained the need to reorganize the County Judge's Office and stated that the position of the Administrative Assistant had evolved into a position that involved strategic and general Urban Planning, as well as Special Projects and Proposal Writing, and noted that the duties of the Administrative Assistant had gravitated to the Executive Assistant which required a new Job Description. He added that the Plan provided a pay increase for the Executive Assistant to assume the position of the Administrative Assistant to the County Judge.

Commissioner Rosenbaum moved that the Staffing Plan for the County Judge/Commissioners' Court be approved.

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

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

**NAY:** None

**ABSTAINED:** Commissioner Matz

Commissioner Matz expressed some concern regarding the increase in salary in the amount of \$6,000.00, and questioned the County's role in qualifying for reimbursements from the State and the benefits of Emergency Planning.

At this time, there was some discussion concerning the employee evaluations being retained in the Personnel Office and the suggestion was made that all the employee files be centralized and that the same evaluation guidelines be applied to all employees.

**The Plan is as follows:**

(7) **APPROVAL TO HIRE A COMMUNITY PARKS  
MANAGER FOR PRECINCT NO. 4**

Commissioner Rosenbaum moved that a Community Parks Manager for Precinct No. 4 be retained.

The motion was seconded by Commissioner Peña and carried unanimously.

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(8) **APPROVAL TO HIRE A PART-TIME EMPLOYEE  
TO FILL A WORKERS' COMPENSATION SLOT**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to hire a Part-Time employee to fill a Workers' Compensation slot.

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(9) **IN THE MATTER OF AN AMENDMENT TO THE  
PROFESSIONAL SERVICES CONTRACT WITH  
DR. JAMES FREEBERG (TABLED)**

At this time, Mr. Doug Wright, Cameron County Counsel, stated that the increase, in the amount of \$700.00 for the remaining Fiscal Year was recommended by the Health Department and the Jail Administration.

There was some discussion concerning the request for the increase by Dr. James Freeberg prior to the renewal, the Agreement to provide said services without the increase, and the possible consequences should the Amendment be approved, and the suggestion was made to table the Item for further discussion.

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

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(10) **AUTHORIZATION FOR THE PROGRAM  
DEVELOPMENT AND MANAGEMENT  
DEPARTMENT TO ADVERTISE FOR BIDS FOR  
DRAINAGE IMPROVEMENTS IN THE  
CAMERON PARK SUBDIVISION, PURSUANT TO  
THE COUNTY'S COLONIA CONSTRUCTION  
FUND**

At this time, Mr. Frank Bejarano, Program Development and Management Director, reported that Grant Funds were available for the Road and Drainage Improvements in the Cameron Park Subdivision.

Mr. Michael Martin, County Engineer, stated that Holdar Engineering was currently working on the Paseo de la Resaca area and would change the elevations, which would allow them to work on the Drainage Improvements for the Cameron Park Subdivision, and that would require funds from the County.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Program Development and Management Department was authorized to advertise for bids for the Drainage Improvements in the Cameron Park Subdivision, pursuant to the County's Colonia Construction Fund.

[REDACTED]

**(11) DESIGNATION OF THREE (3) COLONIAS IN CAMERON COUNTY TO BE SERVED BY STATE LEGISLATED COLONIA SELF-HELP CENTERS**

At this time, Mr. Frank Bejarano, Program Development and Management Director, suggested that three (3) Colonias and one (1) alternate Colonia be designated for the Project.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the following Colonias in Cameron and Willacy County were designated to be served by State Legislated Colonia Self-Help Centers.

**Cameron County:** Cameron Park, Las Palmas, Villa Pancho, and Valle Escondido; and

**Willacy County:** La Sara.

[REDACTED]

**(12) AUTHORIZATION TO NOMINATE ONE (1) OR MORE COLONIA RESIDENTS TO A STATE CREATED COLONIA ADVISORY COMMITTEE**

Commissioner Rosenbaum moved that the following two (2) Colonia residents be nominated to a State Created Colonia Advisory Committee:

Gloria Moreno - Cameron Park resident, and

Jose Luis Almazan - Valle Escondido resident.

The motion was seconded by Commissioner Cascos and carried unanimously.

**(13) AUTHORIZATION FOR PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO NEGOTIATE A CONTRACT WITH BARREDA APPRAISAL SERVICE FOR APPRAISAL OF A PARCEL OF LAND IN THE CAMERON PARK SUBDIVISION**

At this time, Mr. Frank Bejarano, Program Development and Management Director, recommended to begin Contract negotiations with Barreda and Associates in order to perform an Appraisal on a parcel of land in Cameron Park for the development of a Community Park as required by the Uniform Acquisition Act.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Program Development and Management Department was authorized to negotiate a Contract with Barreda Appraisal Service for the appraisal of a parcel of land in the Cameron Park Subdivision.



**(14) APPROVAL OF A TEXAS CAPITAL FUND AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF COMMERCE TO IMPLEMENT CERTAIN WASTEWATER IMPROVEMENTS FOR THE HARLINGEN WATERWORKS SYSTEM, IN SUPPORT OF AN EXPANSION BY THE FRUIT OF THE LOOM COMPANY**

At this time, Mr. Frank Bejarano, Program Development and Management Director, reported that the Agreement between Cameron County and the Texas Department of Commerce was to utilize a Texas Capital Fund Grant in the amount of \$500,000.00 for the expansion of the Harlingen Fruit of the Loom Company and noted that the County would be responsible for the management of the funds. He noted that the expansion would provide an increase of between fifty (50) to eighty (80) jobs.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Texas Capital Fund Agreement between Cameron County and the Texas Department of Commerce to implement certain Wastewater Improvements for the Harlingen Waterworks System, in support of an expansion by the Fruit of the Loom Company, was approved.

**The Agreement is as follows:**

## **CONSENT AGENDA ITEM**

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

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

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

- a) County Court at Law Judge No. 2 to attend the "5th Administrative Region Business Meeting" on May 31, 1996, through June 2, 1996, in Corpus Christi, Texas;
- b) District Clerk and three (3) Deputies to attend the "24th Annual County and District Clerk Continuing Education Seminar on Agricultural Extension Service" on March 18-20, 1996, in Bryan, Texas;
- c) 107th District Judge to attend the "Advanced Evidence Course" on March 10-15, 1996, in Las Vegas, Nevada;
- d) Health Department Director and two (2) employees to attend the "Request for Proposal Conference" on February 19-20, 1996, in Austin, Texas;
- e) Women's, Infants, and Children (WIC) Breastfeeding Coordinator to attend the "Breastfeeding Management Meeting" on March 8-10, 1996, in Houston, Texas;
- f) Women's, Infants, and Children (WIC) Director to attend the "Lower Rio Grande Valley Development Council Meeting" on February 14, 1996, in Weslaco, Texas;
- g) Two (2) Park Rangers to attend the "Intermediate Child Abuse Course" at the Lower Rio Grande Valley Development Council Regional Police Academy on February 26-28, 1996, in Raymondville, Texas;
- h) Two (2) Park Rangers to attend the "Intermediate Crime Scene Search Course" at the Lower Rio Grande Valley Development Council Regional Police Academy on March 4-6, 1996, in Raymondville, Texas;
- I) Two (2) Juvenile Officers to attend the "9th Annual Juvenile Conference" on February 23-24, 1996, in Austin, Texas;



- j) Drug Enforcement Task Force Commander to attend the "Texas Narcotic Control Program Operation Command Group and Regional Commanders Meeting" on February 21-22, 1996, in Fort Worth, Texas; and
- k) Property Management Coordinator to meet with Potential Investors on March 4-6, 1996, in Monterrey, Nuevo Leon, Mexico.

**(16) PRELIMINARY AND FINAL APPROVAL**

**a) Precinct No. 3**

Moreno Subdivision - being all of Block No. 124, A and R Country Acres;

**b) Precinct No. 4**

Cameron Properties Unit II Subdivision - being a 13.059 acre tract of land, more or less, out of Block No. 52, Minnesota-Texas Land and Irrigation Company Subdivision; and

**c) Precinct No. 4**

Duran Subdivision - being the South 10.00 acres of land out of Block No. 39, Hooks and Hodges Subdivision No. 1.

**(17) AUTHORIZATION TO OPEN BIDS**

- A) ANNUAL BID - FINANCING FOR EQUIPMENT
- B) ANNUAL BID - ROAD MATERIALS - FLEX BASE
- C) ANNUAL BID - ROAD MATERIALS - SURFACING
- D) ANNUAL BID - ROAD MATERIALS - DRAINAGE
- E) ANNUAL BID - ROAD MATERIALS - EMULSION OILS
- F) ANNUAL BID - PEST CONTROL
- G) ANNUAL BID - TYPEWRITER MAINTENANCE

The Bids received and opened are as follow:

**(18) APPROVAL TO AWARD ARMORED CAR CONTRACT**

**ROCHESTER ARMORED - Omaha, Nebraska**

Item	Description	Cost
a)	Pick-up by location	\$2,898.86
b)	Consolidated Pick-up	\$2,099.86



**(17) AUTHORIZATION TO OPEN BIDS**

**a) ANNUAL - FINANCING FOR EQUIPMENT**

**The Bids received and open are as follow:**

**(17) AUTHORIZATION TO OPEN BIDS**

**b) ANNUAL BID - ROAD MATERIALS - FLEX BASE**

**The Bids received and opened are as follow:**

**(17) AUTHORIZATION TO OPEN BIDS**

**c) ANNUAL BID - ROAD MATERIALS - SURFACING**

**The Bids received and opened are as follow:**

**(17) AUTHORIZATION TO OPEN BIDS**

**d) ANNUAL BID - ROAD MATERIALS - DRAINAGE**

**The Bids received and opened are as follow:**

**(17) AUTHORIZATION TO OPEN BIDS**

**e) ANNUAL BID - ROAD MATERIALS - EMULSION OILS**

**The Bids received and opened are as follow:**

**(17) AUTHORIZATION TO OPEN BIDS**

**f) ANNUAL BID - PEST CONTROL**

**The Bids received and opened are as follow:**

**(17) AUTHORIZATION TO OPEN BIDS**

**g) ANNUAL BID - TYPEWRITER MAINTENANCE**

**The Bids received and opened are as follow:**



**(19) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:05 P.M. to discuss the following matters:

- a) Discuss financial matters pertaining to billings and payments to Cameron County Fresh Water District No. 1; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(B);
- b) Confer with County Counsel to review easement regarding Southern Union Gas Company; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(12);
- c) Confer with County Counsel regarding foreclosed property located at unsubdivided Share No. 6, Tract No. 4; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- d) Confer with County Counsel regarding the possible sale of Harlingen - Original Townsite, Lot No. 1, Block No. 142; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- e) Confer with County Counsel regarding foreclosed property located at Abstract No. 2 - Olmito Gardens I Pt. Block No. 5 South ½ of Southeast 1/4; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- f) Confer with County Counsel pertaining to Motel Proposal to be located at Sea Ranch Marina, Isla Blanca Park, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- g) Confer with Legal Counsel regarding negotiations of a potential Lease Agreement on a 4.6 acre tract located at the Free Trade Bridge at Los Indios, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- h) Confer with Legal Counsel on Condemnation Case concerning Los Tomates Bridge, for Parcel No. 006; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A&B);
- i) To advise status of the case and discuss settlement on William Burton vs. County, B-94-034, in the United States District Court for the Southern District of Texas, Brownsville Division; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B);
- j) Evaluation of Mr. Remi Garza, in the capacity of Executive Assistant to County Judge; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(a)(1&2); and
- k) To discuss status of the case on Rolando Flores vs. County, B-90-223, in the United States District Court for the Southern District of Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(a).

Upon motion by Commissioner Rosenbaum, seconded by Judge Hinojosa and carried unanimously, the Court reconvened in Regular Session at 3:40 P.M.

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

- a) To discuss financial matters pertaining to billings and payments to Cameron County Fresh Water District No. 1.

Commissioner Rosenbaum reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should be directed to accept the offer presented by the Water District for the settlement of overpayment of billings.

Commissioner Matz moved that the County Counsel be directed to accept the offer as presented by the Water District for the settlement of overpayment of billings, and to proceed along the terms and conditions as outlined in Executive Session.

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

**AYE:** Commissioners Rosenbaum, Cascos, Matz, and Peña

**NAY:** None

**ABSTAINED:** Judge Hinojosa.

- b) Confer with County Counsel to review the easement regarding Southern Union Company.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion it was the consensus of the Court as determined by polling, that the Status Report by County Counsel be acknowledged.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Status Report by County Counsel regarding Easement of Southern Union Company was acknowledged.

- c) Confer with Legal Counsel regarding foreclosed property located at unsubdivided Share No. 6, Tract No. 4;
- d) Confer with County Counsel regarding the possible sale of Harlingen - Original Townsite, Lot No. 1, Block No. 142;
- e) Confer with County Counsel regarding foreclosed property located at Abstract No. 2 - Olmito Gardens I Pt. Block No. 5 South ½ of Southeast 1/4;

- f) Confer with County Counsel pertaining to Motel Proposal to be located at Sea Ranch Marina, Isla Blanca Park, Cameron County, Texas;
- g) Confer with County Counsel regarding negotiations of a potential Lease Agreement on a 4.6 acre tract located at the Free Trade Bridge, Los Indios, Cameron County, Texas;
- h) Confer with County Counsel on Condemnation Case concerning Los Tomates Bridge, for Parcel No. 006;
- I) To advise status of the case and discuss settlement on William Burton vs. County, B-94-034, in the United States District Court for the Southern District of Texas, Brownsville Division; and
- k) To discuss status of the case on Rolando Flores vs. County, B-90-223, in the United States District Court for the Southern District of Texas.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling that the Reports by County Counsel should be acknowledged.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum, and carried unanimously the County Counsel Status Reports were acknowledged.

- j) Evaluation of Mr. Remi Garza, in the capacity of Executive Assistant to the County Judge.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the evaluation of Mr. Remi Garza, in the capacity of Executive Assistant to the County Judge should be acknowledged.

Commissioner Matz moved that the evaluation of Remi Garza, in the capacity of Executive Assistant to County Judge be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

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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**.

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**APPROVED** this 27th day of **February, 1996**.

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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**