THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 5th day of MARCH, 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: PRESENT: 1:30 P. M. **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: GILBERTO HINOJOSA** 

The meeting was called to order by Judge Pro-tem Carlos H. Cascos. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Mr. Johnny Cavazos, former County Commissioner, 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 March 1, 1996, at 2:04 P.M.:

### **SUPPLEMENTAL AGENDA**

(1) APPROVAL OF AMENDED RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO RESERVE FUNDS FOR JUDGEMENT AND TO PAY JUDGEMENT IF MANDATE ISSUES

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Amended Resolution authorizing the County Auditor to reserve funds for Judgement and to pay Judgement if Mandate issues, was approved.

The Resolution is as follows:

(2) APPROVAL OF THE LEASE FOR THE BUILDING ON PAREDES LINE FOR THE WOMEN'S, INFANTS, AND CHILDREN (WIC) SERVICES

Commissioner Peña moved that the Lease for the building on Paredes Line, Brownsville, Texas, for the Women's, Infants, and Children (WIC) Services be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Lease Agreement is as follows:

## (5) IN THE MATTER OF THE SHERIFF'S DEPARTMENT EMPLOYEE'S EXTENDED SICK LEAVE (TABLED)

At this time Commissioner Matz, noted that the issue was not recommended by the Personnel/Safety Risk Coordinator to be approved.

There was some discussion concerning the approval of unpaid leave of absence and the County Auditor noted that the Family Medical Leave Act currently provided for sixty (60) days leave of absence and added that an organization was required to provide health insurance for the period that was unpaid.

Mr. Alex Perez, County Sheriff, noted that the employee requesting the extended sick leave had acquired compensation time that was not utilized or documented and stated that he would allow the employee to utilize the compensation time if the extended sick leave was not approved by the Court.

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

#### (1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented a late claim as to Mr. Richard Santellana, Cameron/Willacy County Adult Probation Director, Warrant No. 8326, in the amount of \$97.15, for approval.

Commissioner Rosenbaum moved that the County Claims be approved as presented by the County Auditor, inclusive of the late claim as to Warrant No. 8326, in the amount of \$97.15.

The motion was seconded by Commissioner Matz and carried unanimously.

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

Commissioner Matz moved that the Fiscal Year 1996, Budget Amendment No. 96-07, and the Salary Schedule for Women's, Infants, and Children (WIC) - Fund No. 32-630, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendment and Salary Schedule are as follow:

### (3) APPROVAL OF THE MINUTES FOR FEBRUARY 13, 1996, AND FEBRUARY 20, 1996

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes for the Regular Meeting held February 13, 1996, at 1:30, and the Regular Meeting held February 20, 1996, at 1:30, were approved.

## (4) APPROVAL TO REFUND TAXES TO RESACA VIEW, INC., IN THE AMOUNT OF \$1,585.98 PER AGREED JUDGEMENT NO. 93-08-03219-E

Commissioner Peña moved that the taxes in the amount of \$1,585.98, be refunded to the Resaca View, Inc., per Agreed Judgement No. 93-08-03219-E.

The motion was seconded by Commissioner Matz and carried unanimously.

# (6) APPROVAL TO LEASE TWO VOTING MACHINES TO THE OFFICE OF STUDENT ACTIVITIES AT THE UNIVERSITY OF TEXAS AT BROWNSVILLE, FOR A STUDENT CENTER REFERENDUM ELECTION ON MARCH 6, 1996

At this time, the Elections Administrator noted that the correct number of Voting Machines to be leased should be four (4) instead of two (2).

Commissioner Matz moved that the Lease of four (4) Voting Machines to the Office of Student Activities at the University of Texas at Brownsville, for a Student Center Referendum Election on March 6, 1996, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

# (7) AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE CONTRACT WITH BARREDA APPRAISAL SERVICE FOR APPRAISAL OF PROPOSED LAND FOR THE CAMERON PARK SUBDIVISION

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the County Judge was authorized to execute a Contract with Barreda Appraisal Service for the appraisal of proposed land for the Cameron Park Subdivision.

# (8) AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CONVERSION OF THE JUVENILE DETENTION FACILITY TO ADULT PROBATION OFFICES

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, authorization was given to advertise for Bids for the Conversion of the Juvenile Detention Facility to Adult Probation Offices.

There was some discussion concerning the infrastructure of the building regarding the utilities that were not in the original plans and the suggestion was made that underground utilities should be implemented to provide safe and reliable services.

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the Architect had provided a status report on the Dancy Building Construction and presented utility related problems that would have to be addressed by the Court and noted that a Change Order might be required by the Architect.

# (9) APPROVAL OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A THIRD YEAR GRANT APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR PRECINCT NO. 8, CONSTABLE'S CRIME WATCH PROGRAM

Mr. Mark Yates, County Auditor, stated that the County would be required to match the amount of \$12,847.00 for the new fiscal year beginning in October 31, 1996.

At this time, Mr. Juan Mendoza, Los Fresnos Constable, highlighted the effectiveness of the Program and presented an Annual Report for the Court.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Resolution authorizing the Submission of a Third Year Grant Application to the Governor's Office Criminal Justice Division for Precinct No. 8 Constables Watch Program was adopted.

The Resolution and Report are as follow:

### (10) ACTION ON PROPOSED DRAFT POLICIES ON THE USE OF COUNTY VEHICLES

At this time, Commissioner Cascos questioned the issue of whether the Elected Officials were being considered employees for purposes of the Policy and expressed concern regarding the percentage that the Commissioners would have to pay for the personal use of the vehicles.

There was some discussion concerning the percentage cost that an employee would be charged for the personal use of the vehicle and for commuting purposes; as well as the issue of the Elected Officials being on call twenty-four (24) hours, and the suggestion was made to have the County Auditor develop a percentage formula for Elected Officials.

Commissioner Matz moved that the Proposed Draft Policies on the Use of County Vehicles be approved, with the understanding that the Elected Officials be considered as employees for purposes of said Policy.

The motion was seconded by Commissioner Peña and carried unanimously.

The Policy is as follows:

(11) APPROVAL OF THE FINAL CONTRACT PROPOSAL REQUEST FOR PROPOSAL 950801, FOR HARDWARE PRODUCTS FROM LOMAR MARKETING, INC., FOR 100 COLOR WORK STATIONS

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the final Contract Proposal Request for Proposal No. 950801, for Hardware Products from Lomar Marketing, Inc., Houston, Texas, for one hundred (100) Color Work Stations was approved.

(12) APPROVAL OF THE FINAL CONTRACT PROPOSAL, REQUEST FOR PROPOSAL NO. 950801, HARDWARE PRODUCTS, FOR THE IBM AS/400 MODEL NO. 510 UPGRADE

At this time, Mr. Mark Yates, County Auditor, noted that the current Computer System had cost the County the amount of \$250,000.00 and recommended that a Plan be developed to determine the utilization of the System.

#### NOTE: COMMISSIONER ROSENBAUM LEFT THE COURT ROOM.

Commissioner Peña moved that the final Contract Proposal, Request for Proposal No. 950801, Hardware Products, for the IBM AS/400 Model No. 510 Upgrade, be approved, subject to review by County Counsel and approval by the County Auditor.

The motion was seconded by Commissioner Matz and carried unanimously.

(13) APPROVAL OF THE FINAL CONTRACT PROPOSAL, REQUEST FOR PROPOSAL NO. 950801, FOR SOFTWARE APPLICATION FROM JALAN FOR THE JAIL MANAGEMENT SYSTEM

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the final Contract Proposal, Request for Proposal No. 950801, for Software Application from Jalan, Spokane, Washington, for the Jail Management System was approved.

(14) APPROVAL OF THE FINAL CONTRACT PROPOSAL, REQUEST FOR PROPOSAL NO. 950801, FOR SOFTWARE APPLICATION FROM PCSS FOR THE COURT AUTOMATION SYSTEM

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the final Contract Proposal, Request for Proposal No. 950801, for Software Application from PCSS, Spartanburg, South Carolina, for the Court Automation System was approved.

# (15) 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 following travel and/or travel expenses were approved, subject to funds in their Budget:

- Administrative Assistant to the County Judge to attend "Meeting with Mexican Officials on Los Tomates International Bridge" on February 27-28, 1996, in Mexico City, Mexico;
- b) Women's, Infants, and Children (WIC) Director to attend the "Local Health Department Directors Meeting" on March 6, 1996, in Falfurrias, Texas;
- c) Elections Administrator to attend the "IACREOT Spring Educational Seminar" on March 29-31, 1996, in Virginia Beach, Virginia; and
- d) Drug Enforcement Task Force Commander to attend a "Texas Narcotics Control Program Commander's Meeting" with Criminal Justice Director on March 18-19, 1996, in Austin, Texas.

#### NOTE: COMMISSIONER ROSENBAUM RETURNED TO THE COURT ROOM AT THIS TIME.

#### **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 Peña, seconded by Commissioner Matz and carried unanimously, the Consent Agenda Items No. 16, 17, 18 A through D, and 19, were approved.

#### (16) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Wagensommer Subdivision - being a subdivision of a 1.784 acre tract of land out of Tract "M", Share "V", of the Partition Survey of the Estate of Carlos and Enrique Zepeda of the San Pedro De Carricitos Grant.

#### (17) AUTHORIZATION TO OPEN BIDS

- a) SALE OF COPIERS (QUANTITY 3)
- b) SALE OF BURSTER/DETACHER
- c) ANNUAL BID MOSQUITO INSECTICIDE

#### The Bids received and opened follow:

#### (18) AUTHORIZATION TO AWARD ANNUAL BIDS

#### A) TYPEWRITER MAINTENANCE

#### **DAVIS OFFICE - Harlingen, Texas**

Item	Description	Cost
a)	Typewriters	\$39.00
<b>b</b> )	Word Processors	\$62.00

#### B) TONER LASER CARTRIDGE RECYCLING

#### C.S.C. PETER - Brownsville, Texas

Item	Description	Cost
a-1)	Laser Jet 1	\$33.00
a-2)	Laser Jet II and III	\$27.00
a-3)	Laser Jet IIP and IIIP	\$29.00
a-4)	Laser Jet IIISi and 4Si	\$54.00
a-5)	Laser Jet 4	\$54.00
a-6)	Lexmark IBM 4019 and 4029	\$70.00
a-7)	Same as a-6 - (10K)	\$60.00
a-8)	Laser Jet 4L and 4P	\$30.00
b-1)	Laser Jet 4V	\$70.00
b-2)	Laser Jet 5L	\$35.00
b-3)	Laser Jet 5P	\$35.00
b-4)	Laser Jet 5Si	\$59.00
b-5)	Lexmark 4049 (14K)	\$70.00
<b>b-6</b> )	Same as B-5 (7K)	\$60.00

#### C) ROAD MATERIALS - EMULSION OILS

#### **KOCH MATERIALS - Austin, Texas**

Item	Description	Cost
a)	Anionic Emulsion Type RS-2	0.6859
<b>b</b> )	Anionic Emulsion Type M-2	0.6859
c)	Anionic Emulsion Type MS-1	0.6859
d)	Anionic Emulsion Type SS-1	0.6859
e)	<b>High Float Emulsion Type AES-300</b>	0.6859
f)	Anionic Emulsion Type AE-P	0.7859
Ď)	ROAD MATERIALS - DRAINAGE M	IATERIALS

<b>ROHA</b>	N COMPANY	-	Harlingen,	Texas
Item	Description	Cost		
a-1) a-2)	Type "C" 18" / x 20 L.F. w/Coupler Type "C" 24" / x 20 L.F. w/Coupler	\$7.20 \$10.56		

Type "S" 18" / x 20 L.F. w/Coupler Type "S" 24" / x 20 L.F. w/Coupler a-3) \$7.44

\$10.92 a-4)

#### CONTECH CONSTRUCTION - CORPUS CHRISTI, TEXAS Item **Description** Cost b-1) 18" x 2 3/4 x 1/2" Corrugations - 16G \$8.46 b-2) 24" x 2 3/4 x 1/2" Corrugations - 16G \$10.77 b-3) 30" x 2 3/4 x 1/2" Corrugations - 14G \$13.80 b-4) 36" x 2 3/4 x 1/2" Corrugations - 14G \$19.95 48" x 2 2/3 x 1/2" Corrugations - 14G \$26.87 b-5) 60" x 2 2/3 x 1/2" Corrugations - 12G **b-6**) \$46.12 b-7) 72" x 3" x 1" Corrugations - 12G \$72.02 84" x 3" x 1" Corrugations - 12G \$83.70 b-8) 96" x 3" x 1" Corrugations - 10G \$111.48 b-9) b-a) 18"/ \$8.46 b-b) 24"/ \$10.77 30"/ \$13.80 b-c) b-d) 35"/ \$19.95 b-e) 48"/ \$26.87 60"/ b-f) \$46.12 \$72.02 72"/ b-g) 84"/ \$83.70 b-h) 96"/ b-i0 \$111.48 W.T. LISTON -Harlingen, Texas Item **Description** Cost c-a) 18"/ x 8 L.F. \$7.13 \$10.75 c-b) 24"/ x 8 L.F. 30"/ x 8 L.F. \$14.70 c-c) 18"/ x 8 L.F. \$8.90 d-a) 24"/ x 8 L.F. \$14.05 d-b) d-c) 30"/ x 8 L.F. \$19.14 d-d) 36"/ x 8 L.F. \$26.70 d-e) 48"/ X 8 L.F. \$43.05 d-f) 54"/ x 8 L.F. \$51.45 60"/ x 8 L.F. d-h) \$63.57 d-m) 72"/ x 8 L.F. \$86.55

#### E) IN THE MATTER OF FINANCING FOR EQUIPMENT (TABLED)

### (19) AUTHORIZATION TO ADVERTISE FOR BIDS FOR ONE (1) WATER TRUCK WITHOUT TANK

At this time, Commissioner Matz expressed some concern regarding the Vendors that did not respond to the Bid Advertisements.

Mr. Michael Forbes, County Purchasing Agent, suggested that a survey be sent out to the Vendors to determine the reason for the low response to the Bids.

1	17)	AUTHORIZATION	TO OPEN RIDS
		AUTHININATION	1 I () () I DI DI DI DI

c) ANNUAL BID - MOSQUITO INSECTICIDE

The Bids received and opened follow:

There being no further business to come before the Cour	t, upon motion by Commissioner Peña, seconded by
nmissioner Matz and carried unanimously, the meeting was a	ADJOURNED.
	<del></del>
APPROVED this 12th day of March, 1996.	
	GILBERTO HINOJOSA COUNTY JUDGE
ATTEST:	
JOE G. RIVERA, COUNTY CLERK AND EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT OF	

**CAMERON COUNTY, TEXAS**