

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 12th 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:

1:30 P. M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

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:
LUCINO ROSENBAUM, JR.



The meeting was called to order by Judge Gilberto Hinojosa. He then asked Commissioner Cascos to lead the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on March 8, 1996, at 2:06 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) APPROVAL OF BUDGET AMENDMENTS
AND/OR SALARY SCHEDULES**

The County Auditor reported that there were no Salary Schedules for approval at this time.

Commissioner Cascos moved that the Fiscal Year 1995 Budget Amendment No. 95-32 be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Budget Amendment is as follows:

(3) APPROVAL OF THE MINUTES OF FEBRUARY 27, 1996

At this time, Commissioner Matz requested that the County Auditor's comments regarding the Items on the Agenda be included as part of the Minutes.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held February 27, 1996, at 1:30 P.M., were approved.



(4) AUTHORIZATION TO ADOPT A RESOLUTION IN SUPPORT OF THE HUMAN SETTLEMENTS CONFERENCE (HABITAT II), ALSO KNOWN AS THE CITY SUMMIT

Commissioner Cascos moved that the Resolution in support of the Human Settlements Conference (Habitat II), also known as the City Summit, be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

At this time, Ms. Maribel Bermudez, Board Information and Solutions Network, explained that the City of Brownsville was one (1) of twelve (12) cities in the United States selected to host a "Town Meeting" in order to discuss local housing issues, and urban and community involvement and to obtain recommendations to implement a Plan of Action. She stated that the Session would be facilitated and added that five hundred (500) persons from the Rio Grande Valley were expected to attend.

The Resolution is as follows:

(5) PRESENTATION BY THE HARLINGEN - SAN BENITO - SOUTH PADRE ISLAND EMERGENCY MEDICAL SERVICE DIRECTOR ON THE RECENTLY INSTITUTED VALLEY AIR CARE MEDICAL SERVICE

At this time, Mr. Bill Aston, Emergency Medical Service Director, highlighted the Valley Air Care Medical Service Project and noted that the aircraft was placed on alert over six hundred (600) times and transported approximately two hundred and twenty (220) critical patients over the last year. He reported that overflight exemptions would be established which allowed the aircraft to transport patients from Mexico to the hospitals in the United States after clearance by the United States Customs and Immigration and added that there were seventeen (17) different State and Federal agencies including the Los Indios Bridge working with the Project

Judge Hinojosa questioned whether Valley Air Care was allowed to bill the insurance company at a higher rate, and Mr. Aston responded that the Insurance Companies paid for medically necessary flights and that Medicare and Medicaid paid at a lower rate and added that the uncollectible amounts were paid through the Emergency Medical Service's Reserve account.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Presentation by the Harlingen - San Benito - South Padre Island Emergency Medical Service Director on the recently instituted Valley Air Care Medical Service, was acknowledged.



(6) AUTHORIZATION FOR THE TAX ASSESSOR-COLLECTOR TO SIGN AN AGREEMENT WITH H.E. BUTT COMPANY AND LOPEZ GROCERY STORES TO ISSUE AUTOMOBILE RENEWAL LICENSE STICKERS WITHIN CAMERON COUNTY

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Tax Assessor-Collector was authorized to sign an Agreement with H.E. Butt Company and Lopez Grocery Stores to issue Automobile Renewal License Stickers within Cameron County.

The Agreements are as follow:

(7) **AUTHORIZATION FOR THE TAX ASSESSOR-COLLECTOR TO UTILIZE THE RIO HONDO JUSTICE OF THE PEACE AND CONSTABLE'S OFFICE FOR A BRANCH TAX OFFICE TO BE FUNDED BY THE COUNTY TAX COLLECTOR AND THE COUNTY CLERK, AS PROVIDED BY VERNON'S CIVIL STATUTES ARTICLE 6657A-13C, AND AUTHORIZE ONE EMPLOYEE FOR SAID OFFICE TO BE FUNDED FROM LAPSED SALARIES AND /OR FORECLOSURE PROPERTY SALES OR AVAILABLE FUNDS**

Mr. Antonio Yzaguirre, Tax Assessor-Collector, reported that the State had agreed to fund the equipment and installation of the telephone and computer lines for the Rio Hondo Branch Tax Office and added that the County Clerk and the Tax Assessor-Collector would each fund half of the expenses in order to begin the operation of the said Office. He stated that the Tax Office employee would be utilized by the Constable and Justice of the Peace for clerical purposes. Commissioner Matz expressed concern regarding the County securing Collections Contract for the Rio Hondo Independent School District or the City of Rio Hondo.

The Tax Assessor-Collector stated that he had contacted the School District to schedule a meeting to discuss the issues along with the County Auditor and noted that the School District had a Contract with the County Tax Attorneys in which the taxpayers paid the property taxes in the Harlingen area. He reported that the amount of \$8,100.00 was budgeted for the employee's salary from April 1, 1996, to September 31, 1996.

The County Auditor stated that there were no funds available and that the Commissioners' Court had a policy not to utilize lapsed salaries for current operational costs.

Commissioner Cascos noted that there was an Agreement to utilize the lapsed salaries to reimburse the Toll Bridge Fund and suggested for the Tax Assessor-Collector to fund the Tax employee's salary until the County could budget the funds for the next Fiscal Year. He stated that the Rio Hondo Tax Office would alleviate the Harlingen and Brownsville Tax Offices and suggested that an employee from said offices be transferred temporarily to the Rio Hondo Tax Office until the next fiscal year.

Judge Hinojosa suggested that the Tax Assessor-Collector and the County Clerk fund the amount of \$2,000.00 each, and that the County would fund the amount of \$4,000.00.

Commissioner Matz moved that the Tax Assessor-Collector be authorized to utilize the Rio Hondo Justice of the Peace and Constable's Office for a Branch Tax Office to be funded by the County Tax Collector and the County

Clerk, as provided by the Vernon's Civil Statutes Article 6657A-13C, and one (1) employee was authorized for said Office to be funded by the Tax Assessor-Collector, the County Clerk, and the County General Fund.

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

AYE: Commissioners Matz, Peña, and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Cascos.

**(8) APPROVAL TO REFUND TAXES TO
BROWNSVILLE PROFESSIONAL MEDICAL
BUILDING, INC., HAR-VEST, AND MARTHA
RUSSELL**

Commissioner Cascos moved that the Taxes be refunded to the Brownsville Professional Medical Building, Inc., Har-Vest, and Martha Russell.

The motion was seconded by Commissioner Matz and carried unanimously.

**(9) ACTION ON STATUS OF TWO (2) MOSQUITO
SPRAYERS ON LOAN BY THE
ENVIRONMENTAL HEALTH DEPARTMENT TO
MUNICIPALITY IN MEXICO**

At this time, Mr. Mark Yates, County Auditor, noted that the original Agreement had a forty-five (45) day initial period with an additional thirty (30) days requested and stated that the sprayers had not been returned to the County yet.

Mr. Richard Durbin, Health Administrator, requested permission to retrieve the sprayers and transport them back to the City of Brownsville.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the status of two (2) Mosquito Sprayers on loan by Environmental Health Department to Municipality in Mexico, was acknowledged and the Health Department was authorized to retrieve the two (2) Mosquito Sprayers.

**(10) ACTION INCREASING THE VAULT RESERVE
AMOUNT AT GATEWAY INTERNATIONAL
BRIDGE**

At this time, Mr. Joe Galvan, Bridge System Director, requested that the amount of \$2,000.00 be added to the Vault Reserve, increasing the total amount to \$8,000.00, in order to have sufficient currency for change to be utilized by the Bridge Collectors.

Commissioner Peña moved that the Vault Reserve Amount at the Gateway International Bridge be increased by the amount of \$2,000.00.

The motion was seconded by Commissioner Cascos and carried unanimously.

**(11) APPROVAL TO ISSUE MOBILE VENDORS
PERMIT TO ROBERT RAMIREZ, DBA E-Z
TOWING SERVICE**

Commissioner Matz moved that the Mobile Vendors Permit be issued to Robert Ramirez, dba E-Z Towing Service, Laguna Vista, Texas.

The motion was seconded by Commissioner Peña and carried unanimously.

**(12) AUTHORIZATION TO SUBMIT CONTINUATION
APPLICATION TO THE GOVERNOR'S OFFICE
CRIMINAL JUSTICE DIVISION FOR THE
JUVENILE PROBATION DEPARTMENT'S
PURCHASE OF JUVENILE ALTERNATIVE
SERVICES**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Continuation Application to be submitted to the Governor's Office Criminal Justice Division, for the Juvenile Probation Department's Purchase of Juvenile Alternative Services, was approved.

The Application is as follows:

(13) AUTHORIZATION TO ADVERTISE FOR REQUESTS FOR PROPOSALS FOR GEOTECHNICAL TESTING FOR THE CONSTRUCTION PHASE OF THE LOS TOMATES BRIDGE LEVEE RELOCATION PROJECT AND TO DESIGNATE A SELECTION COMMITTEE

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the advertisement of Request for Proposals for Geotechnical Testing for the Construction Phase of the Los Tomates Bridge Levee Relocation Project was approved, and the following Selection Committee was appointed:

Mr. Michael Martin, County Engineer,
Mr. Joe Galvan, Bridge System Director,
Mr. P.J. Garcia, Brownsville Resident,
Mr. Mark Yates, County Auditor,
Mr. Andy Vega, Brownsville City Manager,
Ms. Grace Salinas, Assistant Administrator, and
Commissioner Lucino Rosenbaum Jr., Cameron County.

(14) AUTHORIZATION TO CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES TO PREPARE THE APPLICATION FOR A JUVENILE BOOT CAMP CORRECTIONAL FACILITY, LOCATED AT THE TEXAS NATIONAL GUARD ARMORY, SAN BENITO, TEXAS

At this time, Judge Hinojosa stated that an architectural and engineering firm was retained for assistance and recommendations concerning the repairs to the foundation of the school, to be located at the Texas National Guard Armory.

Commissioner Cascos expressed concern regarding the selection of the Firm to handle the repairs.

At this time, Mr. Michael Martin, County Engineer, stated that the County would utilize Croslin and Associates, Austin, Texas, since the Firm had a database set up for the Project and had designed the County's Juvenile Detention Center.

The County Auditor stated that a Resolution would be required by the Court declaring the issue an emergency.

Commissioner Cascos suggested that the County Engineer advertise for the Request for Proposals, in order to bring in competitive prices and set a deadline for April 15, 1996.

Judge Hinojosa suggested that the County Engineer fax the Request for Proposals to the local Firms and to set the deadline of March 18, 1996, for the Request for Proposals.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Contract for Architectural and Engineering Services to prepare the Application for a Juvenile Boot Camp Correctional Facility located at the Texas National Guard Armory, San Benito, Texas, was acknowledged and the County Engineer was authorized to contact local Firms and to set the deadline of March 18, 1996, for the Request for Proposals.



(15) ACTION ON LEASE AGREEMENT TO ALLOW FOR AMORTIZATION OF COST FOR ABATEMENT ON ASBESTOS ON COUNTY BUILDING LOCATED AT 35 ORANGE STREET OFFICE

At this time, Ms. Dylbia Jefferies, County Attorney, stated that an Agreement needed to be implemented with the State Agency to include a "Hold Harmless Clause" for the abatement.

Commissioner Matz expressed concern regarding the forty (40) year Lease with the County being responsible for all maintenance and repairs with no income generated.

At this time, Mr. Remberto Arteaga, Child Welfare Protective Services, stated that there was a Lease Agreement with Cameron County and that it had a provision for the County to be reimbursed for said expenses. He noted that the Lease Agreement needed to be renegotiated in order for the County to be reimbursed for most of the expenses including the utilities paid by the County that are required by a Contractual Agreement by the State and added that Federal funding had been identified and that the Child Welfare Protective Services had begun the process of reimbursing the County. He reported that the abatement process would cost the amount of \$9,000.00 to \$12,000.00 which the Agency would fund.

Commissioner Peña moved that the Lease Agreement to allow for Amortization of Cost for Abatement on Asbestos on the County Building, located at 35 Orange Street Office, be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.



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

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

- a) Health Department employee to attend a Workshop on the "A, B, C, D's of Skin Cancer" on March 22, 1996, in Weslaco, Texas;
- b) Women's, Infants, and Children (WIC) Assistant Director, Administrative Technician, and Women's, Infants, and Children (WIC) Technician, to attend "Community Assessment Conference" on April 8-10, 1996, in San Antonio, Texas; and
- c) Women's, Infants, and Children (WIC) Director to attend "Women's, Infants, and Children (WIC) State Meeting" on April 8-10, 1996, in San Antonio, Texas.



(17) AUTHORIZATION TO AWARD BIDS

A) ANNUAL BIDS - MOSQUITO INSECTICIDE

B & G CHEMICALS - Houston, Texas

Item	Description	Cost
a)	Scourge 18 + 54 - 5 Gallon	\$273.92
b)	Scourge 18 + 54 - 55 Gallon/Drum	\$272.30
c)	Mosquito Mist One - 55 Gallon/Drum	\$36.12
d)	Malathion 95% - 55 Gallon/Drum	\$32.67
c)	Biomist 30 + 30 - 5 Gallon	\$314.00
d)	Orchex 796 Oil - Gallon	\$3.46

B) ANNUAL BIDS - FINANCING FOR EQUIPMENT

ASSOCIATES - Irving, Texas

f)	Interest Rate-Inc. Over T-Bill or Avg T-HB153	
Item	Description	Basis Points
a)	3 year	0.00
b)	4 year	-0.10
c)	5 year	-0.10
d)	7 year	-0.10

(18) AUTHORIZATION TO OPEN BIDS

- a) **PICK-UP TRUCKS**
- b) **CAMERON PARK DRAINAGE IMPROVEMENTS**

The Bids received and opened follow:

18) AUTHORIZATION TO OPEN BIDS

a) PICK-UP TRUCKS

The Bids received and opened follow:

(18) AUTHORIZATION TO OPEN BIDS

b) CAMERON PARK DRAINAGE IMPROVEMENTS

The Bids received and opened follow:

(19) 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) Confer with County Counsel on condemnation cases concerning Los Tomates Bridge, for Parcel No. 006 and Los Tomates Lane, a field road adjoining the parcels; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- b) Request consideration and authorization for settlement on the condemnation case concerning Parcel No. 9, FM. 1419 Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) Request consideration and authorization to contact for additional local appraisal services for Los Tomates Bridge Project, Parcels Nos. 3, 4, and 6; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 2:45 P.M.



(20) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel on condemnation cases concerning Los Tomates Bridge, for Parcel No. 006 and Los Tomates Lane, a field road adjoining the parcels.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed with condemnation, along with the terms and conditions as outlined in Executive Session regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, County Counsel was directed to proceed with the condemnation case pursuant to the Resolution concerning Los Tomates Bridge, for Parcel No. 006 and Los Tomates Lane, a field adjoining the parcel, and to proceed along the terms and conditions as outlined in Executive Session.

The Resolution is as follows:

- b) Request consideration and authorization for settlement on the condemnation case concerning Parcel No. 9 FM 1419 Project.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that the request for settlement should be authorized and that County Counsel should proceed along the terms and conditions as outlined in Executive Session.

Commissioner Cascos moved that the request for settlement on the condemnation case concerning Parcel No. 9 FM1419 Project be approved and that County Counsel be directed to proceed along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Matz and carried unanimously.



- c) Request consideration and authorization to contact for additional local appraisal services for Los Tomates Bridge Project Parcels Nos. 3, 4, and 6.

Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that the request to contact for additional local appraisal services should be authorized and that the County Counsel should proceed along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the additional local appraisal services for Los Tomates Bridge Project Parcels Nos. 3, 4, and 6, were approved and County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session.



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 **26th** 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