

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 30th day of APRIL, 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

COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

JAMES R. MATZ

The meeting was called to order by Judge Gilberto Hinojosa. He then asked Pastor Gayle Gardner, Good Shepherd Church, for the invocation and 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 April 25, 1996, at 4:06 P.M.;

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented a late claim as to Metal Creations, Warrant No. 12385, in the amount of \$7,500.00, for approval.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the late claim as to Warrant No. 12385, in the amount of \$7,500.00.

The Budget Officer's Comments Report is as follows:

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

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



**(3) IN THE MATTER OF THE MINUTES OF APRIL
23, 1996 (TABLED)**

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



**(4) APPROVAL OF THE PLACEMENT OF HOLIDAY
INN/FORT BROWN HOTEL SIGN ON THE
PASOL BUILDING**

At this time, Mr. Mark Yates, County Auditor, recommended that the issue be handled through the leasing agent, that being Bremco Building Managers, in order to maintain a fair market value and present the matter to the Commissioners' Court for approval at a later date. He added that the title to the Pasol Building was under litigation and that the space could be leased to any vendor and receive a fair market value for the space utilized.

Mr. Joe Galvan, Bridge Systems Director, stated that McDonald's had previously expressed an interest in utilizing the space and that at that time, the Texas Department of Transportation informed him that a permit needed to be obtained from the State regarding signs or billboards of any size that fronted a State maintained Highway or street.

Mr. Doug Wright, Cameron County Counsel, stated that the County Engineer's Office had researched the matter of the Texas Department of Transportation and added that the City of Brownsville needed to approve street signs, since the City had concurrent jurisdiction over the downtown area.

Judge Hinojosa stated that once the issues were resolved regarding the present legal status of the building, and clearance was received from such entities as the Texas Department of Transportation and the City of Brownsville, the County could proceed with the leasing of the space for the signs and suggested that Mr. Glenn Carr, Holiday Inn/Fort Brown Manager, review the issues with the Leasing Agent and that the County Engineer submit a definitive answer in respect to the Texas Department of Transportation.

Commissioner Cascos suggested that a Policy be implemented to determine the appropriate signage and cost associated and the County Auditor stated that the said property was owned by the Toll Bridge System and recommended that the Bridge System Director should create a Policy to suit the needs of the Bridge System's operation.

Commissioner Rosenbaum moved that the Holiday Inn/Fort Brown Hotel enter into negotiations for a sign to be placed on the Pasol Building, subject to the Bridge Systems Director creating a Policy to determine appropriate signage.

The motion was seconded by Commissioner Peña and carried unanimously.



(5) ACTION TO APPOINT THE COUNTY AUDITOR, THE COUNTY ATTORNEY, AND THE COUNTY TAX ASSESSOR-COLLECTOR TO A COMMITTEE TO STUDY THE CURRENT SYSTEM FOR COLLECTING DELINQUENT TAXES AND THE POSSIBILITY OF COLLECTING DELINQUENT TAXES IN HOUSE

At this time, Mr. Mark Yates, County Auditor, suggested that the County should examine the accomplishments and problems of the current collection system and determine ways to improve it. He stated that the Property Tax Sales process was uncoordinated between the Tax Assessor-Collector, the Delinquent Tax Attorneys, the Sheriffs, the District Clerk, and the Auditor's Office, indicating problems in the procedures, and added that the Proposed Plan would be designed so that the Court received the status of taxes frequently and efficiently.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the County Auditor, the County Attorney, and the County Tax Assessor-Collector were appointed to the Committee to study the current system for collecting delinquent taxes and the possibility of collecting delinquent taxes in house.

Judge Hinojosa suggested that the County Auditor submit recommendations in terms of proposing and organizing changes to the legislature, if deficiencies existed with respect to the current law.



(6) AUTHORIZATION TO AWARD CONTRACT TO LAMBDA CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF A 500,000 GALLON STORAGE TANK FOR THE OLMITO WATER SUPPLY CORPORATION; PURSUANT TO THE TEXAS COMMUNITY DEVELOPMENT PROJECT CONTRACT NO. 714151, AND AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE SAID CONTRACT

Commissioner Cascos moved that the Contract be awarded to the Lambda Construction Company, New Braunfels, Texas, for the construction of a 500,000 gallon storage tank for the Olmito Water Supply Corporation; pursuant to the Texas Community Development Project Contract No. 714151, and that the County Judge be authorized to execute said Contract.

The motion was seconded by Commissioner Peña and carried unanimously.

(7) AUTHORIZATION TO ADVERTISE FOR BIDS FOR A USED TRASH COMPACTOR WITH HYDRAULIC LIFT ARM FOR THE PARKS SYSTEM, AS AN ALTERNATE TO THE PRESENT WASTE COLLECTION CONTRACT

At this time, Mr. Kenneth Conway, Parks System Director, stated that the issue should be considered in order to save money for the County.

Mr. Mark Yates, County Auditor, suggested that a Cost Study be performed to determine the cost of the Parks System's Trash Collection process as opposed to the amount paid to the Brownsville landfill.

There was some discussion regarding the Precincts utilizing the trash compactor in order to reduce costs from utilizing the landfill and the Parks System Director stated that the trash compactor would not be large enough to meet the needs of the Precincts.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the advertisement for Bids for a used trash compactor with hydraulic lift arm for the Parks System was authorized, as an alternate to the present Waste Collection Contract.

(8) IN THE MATTER OF THE RENEWAL OF THE MOBILE VENDOR PERMIT TO MR. JUAN TORRES, JR., DOING BUSINESS AS CRISTY MOBILE UNIT, FORMERLY KNOWN AS SUPER CORN II (NO ACTION TAKEN)

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

(9) AUTHORIZATION OF THE MUTUAL AID AGREEMENT BETWEEN PORT ISABEL AND CAMERON COUNTY PARKS FOR LAW ENFORCEMENT SERVICES

Commissioner Rosenbaum moved that the Mutual Aid Agreement between Port Isabel and Cameron County Parks for Law Enforcement Services be approved.

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

AYE: Commissioners Rosenbaum, Cascos, and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

The Agreement is as follows:

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

Commissioner Cascos moved that the Resolution for the continuation Application to the Governor's Office Criminal Justice Division, for the Juvenile Probation Department's purchase of Juvenile Alternative Services, be amended.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Resolution is as follows:

(11) IN THE MATTER TO AMEND THE S & B INFRASTRUCTURE, LIMITED CONTRACT ON THE LOS TOMATES INTERNATIONAL BRIDGE PROJECT FOR ADDITIONAL SURVEYING AND DESIGN SERVICES ON THE LEVEE RELOCATION PLANS (TABLED)

At this time, Mr. Michael Martin, County Engineer, stated that the Contract was increased by the amount of \$36,520.00, for additional work to be performed on the Levee Relocation Project.

There was some discussion regarding the matter that the original Proposal did contain the additional work to be performed, and the County Engineer stated that the Contract had been reviewed closely and it was determined that in order to obtain lower construction costs the Contract would have to be increased and amended.

Commissioner Cascos suggested that the Item be Tabled until S & B Infrastructure, Limited could submit actual figures demonstrating lower construction costs to the County Auditor.

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

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 Cascos and carried unanimously, the "Consent" Agenda Items were approved as follow, subject to the Bid Proposal deadline being extended to May 21, 1996, on Item No. 14a:

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

- a) Women's Infants, and Children (WIC) and Breast-feeding Coordinator to attend the "Texas Perinatal Association Planning Committee Meeting" on May 7, 1996, in Weslaco, Texas;
- b) Two (2) Health Department employees to attend the "Workshop on Pharmacology for the Well Women" on May 3-4, 1996, in San Antonio, Texas;

- c) Five (5) Health Department Employees to attend the "Turberculosis (TB) Workshop" on April 1-3, 1996, in Harlingen, Texas;
- d) Health Department employee to attend the "Board of Nurse Examiners (BNE)" on May 22, 1996, in Corpus Christi, Texas;
- e) Computer Programmer of the Cameron County Financial Disruption Task Force to attend the "Advanced Personal Computer Troubleshooting Course" on May 1-2, 1996, in San Antonio, Texas;
- f) Planning Development and Management Director and Community Development Coordinator to attend the "Urban County Conference" on May 17-18, 1996, in South Padre Island, Texas;
- g) Engineering Department Clerk to attend the "Organization of Files Seminar" on May 6, 1996, in Austin, Texas;
- h) Airport Director, Southwind Aviation, to attend the "Texas Airport Operators Conference" on April 24, 1996, in Austin, Texas; and
- I) Personal/Safety Risk Director to attend the "Defensive Driving Instructors Course" on May 13-16, 1996, in Austin, Texas.

(13) PRELIMINARY AND FINAL APPROVAL

- a) **Precinct No. 1**
Los Pinos Subdivision - being the West 5.0 acres out of the Southwest 10.0 acres, out of Block No. 9, El Jardin Subdivision; and
- b) **Precinct No. 3**
Q-R Subdivision - being 4.234 acre tract out of the North 9.53 acres, of Block Nos. 27 and 28, Stuart Place Subdivision, Survey No. 137.

(14) AUTHORIZATION TO OPEN BIDS

- a) **CONSTRUCTION OF ADULT PROBATION OFFICES IN OLD JUVENILE DETENTION CENTER (DEADLINE EXTENDED TO MAY 21, 1996)**
- b) **AIR CONDITION UNITS 14 OR 15 TONS (QUANTITY - 3)**

The Bids received and opened follow:

(14) AUTHORIZATION TO OPEN BIDS

b) AIR CONDITION UNITS 14 OR 15 TONS (QUANTITY - 3)

The Bids received and opened follow:

There was some discussion regarding the status on the remodeling of the Old Courthouse and the issue of several offices being without air conditioning and the suggestion was made to place window units in the existing offices occupied by County employees.



(15) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:10 P.M. to discuss the following matters:

- a) Confer with Mr. Richard Burst, County Counsel, concerning Employment Contract; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(A)(1) and Section 551.071(2);
- b) Confer with County Counsel to authorize expenses to remove an outdoor sign located on the FM/509 Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with County Counsel for authorization to contract with Allen, Williford, and Seale, Houston, Texas, for Appraisal Services on Lincoln Park for the Los Tomates Bridge Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- d) Confer with County Counsel for settlement to County Court at Law Nos. 1 and 2, for Court Reporter Fee Costs for condemnation cases for the Los Tomates Bridge Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 3:00 P.M.



(16) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with Mr. Richard Burst, County Counsel, concerning Employment Contract.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Auditor should be directed to manage the Budget Amendments in order to reflect the Executive Session discussion.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the County Auditor was directed to manage the Budget Amendments in order to reflect the Executive Session discussion, noting that the Employment Contract between the County and Mr. Richard Burst was not executed.

- b) Confer with County Counsel to authorize expenses to remove an outdoor sign located on the FM/509 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 County Auditor should be directed to continue to obtain bids for the removal of an outdoor sign.

Commissioner Peña moved that the County Auditor be directed to continue to obtain bids for the removal of an outdoor sign on the FM/509 Project, and that County Counsel be directed to proceed along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Cascos and carried unanimously.

- c) Confer with County Counsel for authorization to contract with Allen, Williford, and Seale, Houston, Texas, for Appraisal Services on Lincoln Park for Los Tomates Bridge Project.

Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that Allen, Williford, and Seale, Houston, Texas, should be retained to appraise forty-nine (49) and twenty-nine (29) acre tracts, for the amount of \$1,200.00 and \$1,500.00, respectively.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, Allen, Williford, and Seale, Houston, Texas, were retained for Appraisal Services on a forty-nine (49) and a twenty-nine (29) acre tract on Lincoln Park for the Los Tomates Bridge Project, in the amount of \$1,200.00 and \$1,500.00 and County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session.

- d) Confer with County Counsel for settlement to County Court at Law Nos. 1 and 2, for Court Reporter Fee Costs regarding condemnation cases for the Los Tomates Bridge Project.

Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that the settlement, in the amount of \$3,959.25, to the County Court at Law Nos. 1 and 2, for Court Costs, Court Reporter Fees, and payment to the special Commissioners should be approved as presented by the County Engineer.

Commissioner Cascos moved that the settlement, in the amount of \$3,959.25, to the County Court at Law Nos. 1 and 2, for Court Reporter Fees, Court Costs, and payment to the special Commissioners, be approved as presented by the County Engineer regarding the condemnation cases for the Los Tomates Bridge Project, and that County Counsel be directed to proceed along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Peña and carried unanimously.

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

APPROVED this 7th day of May, 1996.

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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