

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 7th day of MAY, 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

COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

CARLOS H. CASCOS, C.P.A.



The meeting was called to order by Judge Gilberto Hinojosa. He then asked the entire Court to lead the Court and the audience in reciting the Pledge of Allegiance and Pastor Van Vaugh, Church of the Good Shepherd, Brownsville, for the invocation.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on May 3, 1996, at 1:40:

(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's Office.

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

Ms. Lynda Irvine, First Assistant County Auditor, stated that there were no Budget Amendments and/or Salary Schedules for approval at this time.

(3) APPROVAL OF THE MINUTES OF APRIL 23, 1996, AND APRIL 30, 1996

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held April 23, 1996, at 1:30 P.M., and the Regular Meeting held April 30, 1996, at 1:30 P.M., were approved.

(4) ADOPTION OF A RESOLUTION REQUESTING THAT THE LEGISLATIVE BUDGET BOARD AND TEXAS EDUCATION AGENCY ALLOCATE FUNDS FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS

At this time, Judge Hinojosa explained that the Legislature mandated that the Independent School Districts expell students that were arrested or adjudicated for violent crimes involving weapons, and mandated the Counties to educate the students. He stated that a Legislative Agenda had to be developed to discuss said unfunded mandates and added that the Independent School Districts were required to provide the Counties with the funds necessary to educate the students, and recommended approval of the Resolution in order for it to be submitted to the Legislature.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Resolution requesting that the Legislative Budget Board and Texas Education Agency allocate funds for the Juvenile Justice Alternative Education Programs, was approved.

The Resolution is as follows:

(5) **PRESENTATION AND DISCUSSION ON THE TEXAS TROPICAL MENTAL HEALTH AND MENTAL RETARDATION**


At this time, Ms. Irene Cantu, Tropical Texas Family Advisory Council, highlighted the interests of the families receiving services from the Organization and stated that the Advisory Council expressed concern as to the selection of the Executive Board Members of the organization by the County Judge. Ms. Cantu suggested that the selection criteria include the appointment of a minimum of two (2) consumer residents receiving services and that the appointments be limited to four (4) years. She recommended that open participation be available for individuals interested in serving as a member of the Board. She reported that the current Executive Board, which was under investigation for misuse of taxpayer's funds, was in the process of selecting a new Executive Director and requested that the Board Members be selected in order to avoid unfairness in the selection of the Director.

Ms. Dora Castillo, Tropical Texas Center for the Mental Health and Mental Retardation Representative, stated that the governing Board had remained the same for many years and noted the Board had allowed millions of dollars and charitable funds to be mismanaged and misappropriated for the past twenty (20) years. She added that the Board had ignored the documented complaints of the concerned families receiving services and had not been productive in correcting the problems in the Organization.

At this time, Judge Hinojosa stated that the Court was aware of the problems that occurred in the Organization and suggested that applications be solicited from the public for the Court to review in order to develop a criteria for the selection of Board Members. He recommended that a Proposal from the County Judge's Office be presented to the Court in one (1) week, in order to begin the process of soliciting applications and stated that a letter would be drafted to the Board Members advising them to delay the appointment of an Executive Director until the members were appointed by the County Judge.

Commissioner Matz moved that the Presentation and Discussion on the Texas Tropical Mental Health and Mental Retardation be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.



(6) AUTHORIZATION TO HIRE A JUVENILE COURT REFEREE FOR THE JUVENILE BOARD

At this time, Judge Hinojosa explained that the County had proposed that the County Court at Law No. 3 be enacted by the Legislature to alleviate the workload, with respect to civil and criminal litigation, and to focus the juvenile matters on one (1) County Court at Law Judge but added that the Proposal did not pass, and the recommendation was made that the Commissioners' Court should allocate funds to hire a Juvenile Court Referee on a contractual basis to handle all matters with respect to detention hearings and certain disposition matters.

Judge Menton Murray, Jr., 103rd District Court, stated that the additional funds needed for the program were available in the cost allocation fund that was set aside in the County's Budget. He noted that the County Court at Law Judges had to travel to the Juvenile Detention Facility in San Benito, Texas, and noted the differences between the Judges with respect to juvenile procedures and recommended that one (1) person be responsible to maintain uniformity in the Juvenile Services.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, a permanent Juvenile Court Referee position was created for the Juvenile Board, subject to funding through the end of the Fiscal Year.

The Contract is as follows:

(7) **ACKNOWLEDGMENT OF COMPLETION OF
THE CERTIFICATE OF CONTINUING
EDUCATION PROVISIONS FOR CARLOS H.
CASCOS, COMMISSIONER**

Commissioner Matz moved that the Completion of the Certificate of Continuing Education Provisions for Carlos H. Cascos, be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

The Certificate is as follows:

**(8) IN THE MATTER OF SETTING A COST FEE
FOR THE BRADY BILL APPLICATIONS
(TABLED)**

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

**(9) APPROVAL TO ADD A FACSIMILE SIGNATURE
AS SHOWN ON THE ATTACHED BANK
RESOLUTION**

Commissioner Peña, moved that the Facsimile Signature be added as shown on the attached Bank Resolution.

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

AYE: Commissioners Rosenbaum, Matz, and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

The Resolution is as follows:

(10) AUTHORIZATION FOR THE COUNTY EXTENSION AGENT TO TAKE A STUDY LEAVE OF ABSENCE FROM JANUARY 17, 1997, THROUGH AUGUST 8, 1997, TO FULFILL THE RESIDENCY REQUIREMENTS AT TEXAS A&M UNIVERSITY

Commissioner Peña moved that the County Extension Agent take a Study Leave of Absence from January 17, 1997, through August 9, 1997, to fulfill the Residency requirements at Texas A&M University.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(11) APPROVAL OF THE ANNUAL BEACH CLEANING CONTRACT FOR SELECTED BEACHES ON SOUTH PADRE ISLAND, BETWEEN CAMERON COUNTY AND ALFREDO VEGA (LOW QUOTE), EFFECTIVE MAY 10, 1996, THROUGH SEPTEMBER 2, 1996

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Annual Beach Cleaning Contract for selected beaches on South Padre Island was approved between Cameron County and Mr. Alfredo Vega, that being the low quote, effective May 10, 1996, through September 2, 1996, subject to legal review.

The Contract is as follows:

**(12) AUTHORIZATION TO APPROVE THE LEASE
BETWEEN CAMERON COUNTY WOMEN'S,
INFANTS, AND CHILDREN (WIC) AND SHIV
BABA, INCORPORATED**

At this time, Mr. Joseph Ardito, Property Management Coordinator, stated that the Lease had been negotiated with Shiv Baba, Incorporated, and noted that numerous square footage was negotiated and available for future usage by the County.

Commissioner Peña moved that the Lease between Cameron County Women's, Infants, and Children (WIC) and Shiv Baba, Incorporated, be approved, subject to legal review.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Lease is as follows:

**(13) AUTHORIZATION TO SOLICIT QUOTES FROM
PRINT ADVERTISING FOR FORECLOSED
PROPERTIES**

The Property Management Coordinator explained that the County owned properties were previously approved by the Court to be sold and were reviewed to determine clear and proper Titles to the County.

Commissioner Matz moved that quotes be solicited from Print Advertising for the foreclosed properties.

The motion was seconded by Commissioner Peña and carried unanimously.

**(14) AUTHORIZATION TO SOLICIT AND ACCEPT
BIDS FOR DEMOLITION AND CLEAN UP OF
CAMERON COUNTY PROPERTY, FORMALLY
KNOWN AS MARCHAN PROPERTY LOCATED
IN PORT ISABEL, CAMERON COUNTY, TEXAS**

At this time, Mr. Joseph Ardito, Property Management Coordinator, recommended that the Bids be solicited and accepted promptly and stated that the Project would cost an estimated amount of \$50,000.00.

Judge Hinojosa stated that the Federal Emergency Management Administration had removed the flood zone requirements which would increase the value on the property and suggested that the property be cleaned and placed on the market as soon as possible, in order for the County to receive reimbursement.

Commissioner Matz suggested that the Agreement include adequate Worker's Compensation and General Liability Insurance Coverage for the demolition and clean up process.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the solicitation and acceptance of Bids were approved for the demolition and clean up of Cameron County Property, formally known as Marchan Property located in Port Isabel, Cameron County, Texas.

**(15) AUTHORIZATION 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**

Commissioner Peña moved that the S & B Infrastructure, Limited Contract on the Los Tomates International Bridge Project for additional surveying and design services on the Levee Relocation Plans, be amended.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Amended Contract is as follows:

**(16) AUTHORIZATION TO TRAVEL AND/OR
APPROVAL OF TRAVEL EXPENSES, SUBJECT
TO FUNDS IN THEIR BUDGET**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the following travel and/or travel expenses were approved, subject to funds in their Budget:

- a) County Extension Agent to make a "Presentation for the Sea Grant Site Visit Team on County Marine Programs" on April 25, 1996, in Corpus Christi, Texas;
- b) County Extension Agent to attend the "State Association Board Meeting" on May 6-8, 1996, in Brownwood, Texas;
- c) County Extension Agent to meet with "Texas Parks and Wildlife" on May 2, 1996, in Sinton, Texas;
- d) County Extension Agent to attend the "1996 Ranch to Rail - South Field Day" on May 1, 1996, in Kingsville, Texas;
- e) County Extension Agent to attend the "Lundell's Ranch Clinic focusing on Drought Situation" on May 4, 1996, in Alice, Texas;
- f) Twenty (20) Health Department employees to attend the "Nurse Practice Act Workshop" on May 6, 1996, in Weslaco, Texas;
- g) Health Department employee to attend the "Tuberculosis (TB) Managers' Meeting" on May 6-7, 1996, in Austin, Texas;
- h) Cameron County Drug Enforcement Task Force Staff to attend the "Texas Narcotics Control Program Annual Training" on June 2-5, 1996, in Corpus Christi, Texas;
- I) Justice of the Peace, Precinct No. 6, Place No. 2, to attend the "Court Personnel Seminar" on May 20-22, 1996, in Austin, Texas;
- j) Four (4) Sheriff's Department Lieutenants and Sergeant to attend the "Jail Management Issues Seminar" on June 3-5, 1996, in South Padre Island, Texas;
- k) Sheriff and Jail Administrator to attend the "Texas Jail Association Training" on May 13-16, 1996, in Austin, Texas; and
- l) Assistant Administrative to the County Judge and County Attorney to attend the "Conference of Urban Counties (CUC) Meeting to discuss Juvenile Justice Alternative Education Programs" on May 9-10, 1996, in Austin, Texas.



(17) **IN THE MATTER OF EXECUTIVE SESSION (TABLED)**

(18) **IN THE MATTER OF ACTION RELATIVE TO EXECUTIVE SESSION (TABLED)**

- a) In the matter of conferring with County Counsel on issues associated with Retroactive Compensation for County employees; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2). **(TABLED)**

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

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

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APPROVED this **14th** 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