

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 30th day of **JULY, 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:



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.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on July 26, 1996, at 1:39 P.M.:

(4) ADOPTION OF A PROCLAMATION OF APPRECIATION FOR MR. MICHAEL MARTIN, P.E., COUNTY ENGINEER

At this time, Judge Hinojosa noted that Mr. Michael Martin, P.E., County Engineer, had resigned from his position as County Engineer and expressed the Court's appreciation to Mr. Martin for his dedication and public service to the County.

Judge Hinojosa moved that the Proclamation of Appreciation for Mr. Michael Martin, P.E., County Engineer, be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

Mr. Michael Martin, County Engineer, expressed his gratitude to the Court and recognized his staff for their support and efforts.

The Proclamation is as follows:

**(5) ADOPTION OF A PROCLAMATION
DECLARING AUGUST 1996 AS "COMMUNITIES
IN SCHOOLS MONTH"**

At this time, Mr. Ricardo Gonzalez, Communities in Schools (CIS) Executive Director, highlighted the functions and goals of the Communities in Schools Program and requested the support from Commissioners' Court.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Proclamation declaring August 1996, as "Communities in Schools Month" was adopted.

The Proclamation is as follows:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, stated that the Purchases without Purchase Orders would no longer be presented to the Court by the Auditors' Office and noted that the Department Heads would be responsible to submit to the Court the explanations for the discrepancies in order for the Auditor's Office to review and draft a check for resubmission to the Court.

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 THE BUDGET AMENDMENTS AND/OR SALARY SCHEDULES (NO ACTION TAKEN)

At this time, the County Auditor reported that there were no Budget Amendments and/or Salary Schedules for approval.



(3) APPROVAL OF THE MINUTES OF JULY 23, 1996

At this time, Mr. Mark Yates, County Auditor, noted that the Appraisal District discovered an error in their calculations which resulted in the Roll Back Rate being changed from \$0.315480 to \$0.316865 and highlighted the Debt Service as referenced in the Budget Officer's Comments Report.

There was some discussion as to the Tax Rate approved at the previous Meeting and the correction as noted by the County Auditor and the clarification was made that the Roll Back Tax Rate approved was \$0.316865.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Regular Meeting held July 23, 1996, at 1:30 P.M., were approved, subject to the corrections noted on Item No. 7 and No. 9.

The Budget Officer's Comments Report is as follows:

**(6) ACKNOWLEDGMENT OF THE AFFIDAVIT
FROM THE TEXAS NATIONAL GUARD
ARMORY BOARD RELEASING THE ARMORY
PROPERTY LOCATED IN SAN BENITO, TEXAS**

At this time, Ms. Graciela Salinas, Director of Management, stated that in order to release the property, an Environmental Study was performed.

Commissioner Matz moved that the Affidavit from the Texas National Guard Armory Board, releasing the Armory Property Located in San Benito, Texas, be acknowledged.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Affidavit is as follows:

(7) ACTION ON THE PROVISIONS OF SECTION 502.172, CHAPTER 502 OF THE TRANSPORTATION CODE, TO PROVIDE A COUNTY ROAD AND BRIDGE FEE, IN AN AMOUNT THAT DOES NOT EXCEED \$10.00, FOR EACH VEHICLE REGISTERED IN CAMERON COUNTY

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Provisions of Section 502.172, Chapter 502 of the Transportation Code, was approved in order to provide a County Road and Bridge Fee, in an amount not to exceed \$10.00, for each vehicle registered in Cameron County.

The Order is as follows:

**(8) APPROVAL OF THE AMENDED CONTRACT
FOR LEGAL SERVICES BETWEEN CAMERON
COUNTY AND JUAN JOSE MARTINEZ**

At this time, Mr. Mark Yates, County Auditor, stated that the Contract reflected an increase in the amount of \$300.00, said amount to be funded from the Court Appointed Attorneys' Budget.

Commissioner Rosenbaum moved that the Amended Contract for Legal Services between Cameron County and Mr. Juan Jose Martinez, Attorney at Law, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Contract is as follows:

(9) **PRESENTATION ON THE CONVERSION OF THE BROWNSVILLE ADULT DETENTION FACILITY WATER HEATING UNITS TO SOLAR HEATING UNITS**

At this time, Mr. Michael Martin, County Engineer, highlighted the amount of money that the County would save by converting the Detention facility to Solar Heating Units and added that in order for the roof to sustain the weight of the unit, the roof would need repairs, in the amount of \$60,000.00.

Commissioner Cascos questioned whether Gelman Solar Systems, Brownsville, Texas, was the sole source and the County Engineer responded that the County would have to proceed with the Request for Proposals process.

Ms. Ella Suarez and Mr. Blademere Gelman, Solahart Representatives, highlighted the functions, benefits, and savings of the Solar Heating System.

Dr. Peter B. Gawenda, University of Texas at Brownsville, stated that the University was under mandate to reduce the energy costs and reported that the University was currently utilizing the System in two (2) areas and expected that the units would pay for themselves in three (3) years.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the presentation on the conversion of the Brownsville Adult Detention Facility Water Heating Units to Solar Heating Units, was acknowledged.

The Presentation Reports are as follow:

(10) IN THE MATTER OF THE RENTAL OF PORTABLE OFFICES FOR JUVENILE PROBATION DEPARTMENT AND DESIGNATE A FUNDING SOURCE (TABLED)

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the Portable Offices would cost the estimated amount of \$4,000.00, which would temporarily house the Juvenile Probation Department while the Adult Probation Office Conversion was under renovation.

Mr. Amador Rodriguez, Juvenile Detention Director, explained that the construction company was to begin the renovation process in the Juvenile Probation Department and would limit the available space for the public.

Judge Hinojosa suggested that the matter be resolved with the construction company, in order to avoid additional expenses.

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



(11) AUTHORIZATION TO APPOINT COUNTY ELECTION PRESIDING AND ALTERNATE JUDGES FOR THE TERM OF 1996-1997

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the County Election Presiding and Alternate Judges for the term of 1996-1997 were appointed.

The List is as follow:

**(12) ACKNOWLEDGMENT OF THE REPORT
SUMMARIZING RANGER ACTIVITIES FOR
SECOND QUARTER FISCAL YEAR 1996**

Commissioner Matz moved that the Parks Ranger Activities Report for the Second Quarter of Fiscal Year 1996, be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

The Report is as follows:

(13) APPROVAL OF THE TEXAS DEPARTMENT OF HEALTH DOCUMENT NO. 7460004207-96, CHANGE NO. 10: BUDGET JUSTIFICATION; TRANSFER OF FUNDS FROM FINANCIAL ASSISTANCE TO DIRECT ASSISTANCE TO COVER MERIT RAISES

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Texas Department of Health Document No. 7460004207-96, Change No. 10: Budget Justification, was approved in order to transfer funds from Financial Assistance to Direct Assistance to cover Merit Raises.

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

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

- a) Administrative Assistant to the County Judge and International Bridge Systems Director to attend the "United States - Mexico Border Infrastructure Conference" in San Antonio, Texas, on August 4-6, 1996;
- b) Health Department employee to attend the "Seminar on Fundamental Graphic Design Skills and Techniques" in McAllen, Texas, on September 20, 1996;
- c) Personnel/Safety Risk Director to view "Classification System for Fort Bend County" in Richmond, Texas, on August 19-21, 1996;
- d) Chief Parks Ranger to attend the "In-Service Mandated Training for Law Enforcement" in Raymondville, Texas, on July 22-23, 1996;
- e) Constable Precinct No. 2 and Deputy to attend the "Annual Training Conference" in Port Aransas, Texas, on September 5-7, 1996;
- f) Elections Administrator and five (5) staff members to attend the "Secretary of State Fourteenth Annual Election Law Seminar" in Austin, Texas, on July 31, 1996, through August 2, 1996;
- g) Two (2) Sheriff's Investigators to attend the "MCAC Homicide and Sexual Assault Investigation Seminar" in Austin, Texas, on September 9-13, 1996;
- h) Constable Precinct No. 8 and two (2) Deputies to attend the "Absent Student Assistance Program" in San Marcos, Texas, on August 7-8, 1996;
- I) Chief Juvenile Probation Officer to attend the "Texas Juvenile Probation Commission Quarterly Meeting" and the "Texas Juvenile Probation Commission Update" in Austin, Texas, on August 1-3, 1996; and

- j) Unified Narcotics Intelligence Task Director and Agent to pick up two (2) Lease Vehicles from CAPPS, in San Antonio, Texas, on July 15, 1996;



- (15) **AUTHORIZATION TO PARTICIPATE WITH THE TEXAS CORRECTIONAL INDUSTRIES AND TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED FOR VARIOUS PURCHASES FOR FISCAL YEAR 1997**
- (16) **AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 96-07-01, FOR TREATMENT ALTERNATIVES TO INCARCERATION PROGRAM SUBSTANCE ABUSE TREATMENT SERVICES**

The Request for Proposal received follows:

- (16) **AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 96-07-01, FOR TREATMENT ALTERNATIVES TO INCARCERATION PROGRAM SUBSTANCE ABUSE TREATMENT SERVICES**

The Request for Proposal received is as follows:

(17) 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 the possible Litigation regarding the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- b) Confer with County Counsel on a possible Lease at Isla Blanca Park, Cameron County, with the Boy Scouts of America; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with County Counsel to discuss and authorize the possible purchase of a Building located in La Feria, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- d) Confer with County Counsel on the possible sale of Cameron County Trustee Property known as Brownsville-Linda Vista Lot No. 5; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- e) Confer with County Counsel on the possible sale of Cameron County Trustee Property known as Brownsville - Ebony Heights Lot No. 7, Block No. 2; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 3:30 P.M.



(18) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel on the possible Litigation regarding the Dancy Building.

Mr. Doug Wright, Cameron County Counsel, recommended that County Counsel and the Project Architect should be directed to negotiate with the Contractor concerning said matter.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, County Counsel and the Property Architect were directed to negotiate with the Contractor concerning the Dancy Building.

- b) Confer with County Counsel on a possible lease at Isla Blanca Park, Cameron County with the Boy Scouts of America.

The County Attorney recommended that the Property Management Coordinator should be directed to negotiate with the Boy Scouts of America concerning specific terms of the Lease.

Commissioner Matz moved that the Property Management Coordinator be directed to negotiate with the Boy Scouts of America regarding the specific terms of the Lease at Isla Blanca Park, Cameron County.

The motion was seconded by Commissioner Peña and carried unanimously.

- c) Confer with County Counsel to discuss and authorize the possible purchase of a Building located in La Feria, Texas.

Mr. Doug Wright, Cameron County Counsel, recommended that the Property Management Coordinator should review the options available concerning possible County Office space in La Feria, Texas, and should negotiate with the property owners regarding a possible Lease or Purchase regarding said matter.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Property Management Coordinator was directed to review the options available concerning possible County Office space and was directed to negotiate with the property owners regarding the possible Lease or Purchase of the Building located in La Feria, Texas.

- d) Confer with County Counsel on the possible sale of Cameron County Trustee Property known as Brownsville-Linda Vista Lot No. 5; and
- e) Confer with County Counsel on the possible sale of Cameron County Trustee Property known as Brownsville - Ebony Heights Lot No. 7, Block No. 2.

Mr. Doug Wright, Cameron County Counsel, recommended that the possible purchases by the third parties regarding said Properties should be approved.

Commissioner Peña moved that the purchases by the third parties of the Cameron County Trustee Properties known as Brownsville-Linda Vista Lot No. 5, and Ebony Heights Lot No. 7, Block No. 2, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

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**.

APPROVED this 6th day of August, 1996.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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