THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 6th day of AUGUST, 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.

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

<u>Hilda V. Treviño Deputy</u> 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 August 6, 1996, at 9:01 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented a late claim as to Knapp Chevrolet, Warrant No. 18091, in the amount of \$1,614.68.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the late claim as to Knapp Chevrolet, Warrant No. 18091, in the amount of \$1,614.68.

The Budget Officer's Comments Report is as follows:

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

Commissioner Rosenbaum moved that the Salary Schedule for the Maintenance and Operation Precinct No. 1,

Fund No. 15-617, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Salary Schedule is as follows:

(3) APPROVAL OF THE MINUTES OF JULY 30, 1996

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes

of the Regular Meeting held July 30, 1996, at 1:30 P.M., were approved.

(4) IN THE MATTER OF THE PRESENTATION BY MR. LARRY DITTO AND MR. STEVE LABUDA, UNITED STATES FISH AND WILDLIFE, FOR REVENUE SHARING CHECK, IN THE AMOUNT OF \$160,051.00 (NO ACTION TAKEN)

At this time, Mr. Larry Ditto, United States Fish and Wildlife, presented a revenue check, in the amount of

\$160,051.00, in lieu of taxes and noted that a low tourism rate in the County was experienced due to the drought

conditions.

(28) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court

met in Executive Session at 1:50 P.M. to discuss the following matter:

d) 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).

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the

Court reconvened in Regular Session at 2:15 P.M.

(29) ACTION RELATIVE TO EXECUTIVE SESSION

d) Confer with County Counsel on the possible litigation regarding the Dancy Building.

Mr. Doug Wright, Cameron County Counsel, recommended that County Counsel should be directed to notify

the Bonding Company and the General Contractor and that the Project Manager and County Attorney should be

directed to negotiate with the sub-contractor concerning the completion of the Dancy Building Project.

Commissioner Rosenbaum moved that County Counsel be directed to notify the Bonding Company and the

General Contractor and that the Project Manager and the County Attorney be directed to negotiate with the Sub-

Contractor concerning the completion of the Project.

The motion was seconded by Commissioner Cascos and carried unanimously.

(5) ADOPTION OF A RESOLUTION SUPPORTING THE CIRCULATION OF A PETITION IN SUPPORT OF A UNIT ROAD SYSTEM

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the

Resolution supporting the circulation of a Petition in support of a Unit Road System, was adopted.

The Resolution is as follows:

(6) AUTHORIZATION TO PROVIDE ADMINISTRATIVE AND LEGAL SUPPORT TO THE EMERGENCY SERVICES DISTRICT NO. 1

At this time, Judge Hinojosa stated that the Emergency Services District submitted several alternative Budgets that contained Administrative Expenses in the amount of \$35,000.00 and noted that the District was created as a taxing entity and grew into an entity with functions that required expenditures. He suggested the District's Budget should be allocated solely for the governmental entities that provided the emergency services and recommended that the County should provide the administrative support.

Mr. Mark Yates, County Auditor, noted that the amount requested was significantly high and added that the Auditor's Office did not have sufficient staff to provide said services.

Judge Hinojosa suggested that the Services be provided to the Emergency Services District No. 1 and added that the Auditing issues would subsequently be resolved.

Commissioner Matz moved that the Administrative and Legal Support be provided to the Emergency Services

District No. 1, with the exclusion of Line Item No. 9, in Budget Option No. 1.

The motion was seconded by Commissioner Peña and carried unanimously.

The Options are as follow:

(7) APPOINTMENT OF THE EVALUATION COMMITTEE TO REVIEW THE PROPOSALS FOR THE CONSTRUCTION TESTING OF THE LEVEE CONSTRUCTION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the

following individuals were appointed to the Evaluation Committee, in order to review the Proposals for the

Construction Testing of the Levee Construction:

Honorable Gilberto Hinojosa - County Judge,
Mr. Joe Galvan - Bridge Systems Director,
Mr. P.J. Garcia - Brownsville City Engineer,
Mr. Frank Bejarano - Program Development and Management Director,
Ms. Grace Salinas - Director of Management,
Mr. Mark Yates - County Auditor, and
Mr. Carlos A. Sanchez - County Engineer.

(8) ACKNOWLEDGMENT TO INCREASE PLEDGE SECURITIES

Commissioner Matz moved that the increase in Pledge Securities be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

The Application is as follows:

(9) APPROVAL OF THE COUNTY AUCTION TO BE HELD ON SEPTEMBER 7, 1996, AT THE CAMERON COUNTY WAREHOUSE IN SAN BENITO

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County

Auction was scheduled for September 7, 1996, at the Cameron County Warehouse in San Benito, Texas.

(10) AUTHORIZATION TO AWARD ANNUAL REQUEST FOR PROPOSAL NO. 96-06-04, FOR FOOD AND BEVERAGE CONCESSIONS - NEW COURTHOUSE

At this time, Mr. Michael Forbes, County Purchasing Agent, recommended that the Request for Proposal be

awarded to Mr. Alfredo Gonzalez, Brownsville, Texas, as reviewed and recommended by the Evaluation Committee.

Commissioner Cascos requested comments and experience from the concessionaires and Mr. Alfredo

Gonzalez, Brownsville, Texas, responded that he owned two (2) restaurants in Brownsville, Texas, and managed the

concession stand at the Jacob Brown Auditorium, Brownsville, Texas, and stated that he would provide insurance for

the Coffee Shop.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the

recommendation of the Purchasing Agent was rejected and the Annual Request for Proposal No. 96-06-04, for Food

and Beverage Concessions - new Courthouse, was awarded to Ms. Sylvia Rodriguez, Brownsville, Texas.

(11) AUTHORIZATION TO ACCEPT DIVISADERA, PELON AND TAPIA ROAD, AS COUNTY DEDICATED ROADS, WITHIN PRECINCT NO. 2, LOCATED ABOUT ONE (1) MILE SOUTH OF FM/1732 AND FRONTING ON THE EAST SIDE OF FM/1421

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously,

Divisadera, Pelon and Tapia Roads, were accepted as County Dedicated Roads, located about one (1) mile South of

FM/1732 and fronting on the East Side of FM/1421, within Precinct No. 2.

(12) IN THE MATTER OF CHANGE ORDER NO. 1 TO THE ADULT PROBATION OFFICE CONTRACT WITH TERRY RAY CONSTRUCTION (TABLED)

At this time, Judge Hinojosa explained that the estimated cost for the construction of a temporary wall in the

Adult Probation Office would be \$11,000.00 and suggested that the County should lease the Portable Building for the

Juvenile Probation Offices.

There was some discussion regarding said issue affecting the schedule and structure of the work being performed, and the costs involved and Mr. Richard H. Mycue, Project Architect, stated that the placement of a temporary wall would divide the Project in half, resulting in the increased cost due to the work being duplicated, as opposed to the work being completed all at once.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, this Item

was TABLED.

(20) ACTION TO APPROVE THE RENTAL OF PORTABLE OFFICES FOR THE JUVENILE PROBATION DEPARTMENT AND TO DESIGNATE THE FUNDING SOURCE

Commissioner Peña moved that the Portable Offices be leased for the Juvenile Probation Department.

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

AYE: Commissioners Rosenbaum, Peña, and Judge Hinojosa

- NAY: Commissioners Cascos and Matz.
- (13) **ACTION AMENDING THE ENVIRONMENTAL PROTECTION AGENCY GRANT CONTRACT** WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL, FOR THE CAMERON PARK RECYCLING PROJECT, BY EXTENDING THE CONTRACT EXPIRATION DATE то MARCH 31, 1997, AND INCORPORATING THE **APPROPRIATE** FEDERAL REQUIREMENTS

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the

Environmental Protection Agency Grant Contract with the Lower Rio Grande Valley Development Council, was

amended for the Cameron Park Recycling Project, by extending the Contract expiration date to March 31, 1997, and

incorporating the appropriate Federal requirements.

The Contract is as follows:

(14) ACTION ON AMENDING THE ENGINEERING SERVICES CONTRACT WITH MEJIA AND ROSE, INCORPORATED, FOR THE CAMERON PARK PAVING AND DRAINAGE PROJECT DATED MAY 2, 1996, BY EXTENDING THE EXPIRATION DATE FROM MAY 31, 1996, TO JULY 27, 1997

Commissioner Cascos moved that the Engineering Services Contract with Mejia and Rose, Incorporated, be

amended by extending the expiration date from May 31, 1996, to July 27, 1997, for the Cameron Park Paving and

Drainage Project dated May 2, 1996.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Contract is as follows:

(15) APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT WITH CUBCO CONSTRUCTION COMPANY FOR THE CAMERON PARK DRAINAGE IMPROVEMENT PROJECT IN THE AMOUNT OF \$3,081.00

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the

Change Order No. 2, to the Contract with Cubco Construction Company for the Cameron Park Drainage Improvement

Project, in the amount of \$3,081.00, was approved.

The Change Order is as follows:

(16) APPROVAL TO FINANCE THE ADDITIONAL COST OF \$40,000.00, FOR PCSS TO CONVERT THE CRIMINAL, CIVIL AND PROBATE FILES INTO THE NEW JUDICIAL COURT SYSTEM, FINANCED BY IBM CREDIT CORPORATION

At this time, Mr. Norio Nishiguchi, Computer Center Director, stated that it would take five-hundred and thirty hours for PCSS to convert about twenty-five (25) years of the Criminal, Civil and Probate Files, as opposed to the forty (40) conversion hours that were budgeted and noted that it would take the in-house staff six hundred hours to convert the files.

Mr. Mark Yates, County Auditor, stated that the estimated amount of \$9,000.00, would be added annually to

the existing budget for the next five years in order to fund said Project.

Commissioner Cascos moved that the additional cost of \$40,000.00 be financed for PCSS to convert the

Criminal, Civil and Probate Files into the new Judicial Court System Financed by IBM Credit Corporation.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(17) APPROVAL TO CONTINUE THE LEASE WITH REDELCO COMPANY, INCORPORATED, ON STORAGE UNIT NO. 21, WHICH HOUSES THE COUNTY'S SEIZED VEHICLES, FOR A TOTAL OF \$250.00 PER MONTH, STARTING JUNE 1, 1996, THROUGH AUGUST 31, 1997

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Lease

with Redelco Company, Incorporated, was renewed on Storage Unit No. 21, for the County's seized vehicles, for a

total of \$250.00 per month, starting June 1, 1996, through August 31, 1997.

(18) APPROVAL OF THE INTERLOCAL AGREEMENT FOR THE PURPOSE OF THE CONTINUATION OF THE CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE

Commissioner Cascos moved that the Interlocal Agreement, for the purpose of the continuation of the

Cameron County Drug Enforcement Task Force, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

(19) APPROVAL TO RENEW THE CONTRACT WITH REDELCO FOR WAREHOUSE LEASE FOR THE UNIFIED NARCOTIC INTELLIGENCE TASK FORCE

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Contract

with Redelco was renewed for the Warehouse Lease for the Unified Narcotic Intelligence Task Force.

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:

At this time, Commissioner Matz commented that the financial information of travel items should be included

on the Agenda Requests in order to comply with County Policy.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the

"Consent" Agenda Items were approved as follow:

(21) APPROVAL OF TRAVEL AND/OR TRAVEL EXPENSES FOR THE

FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:

- a) County Extension Agent to attend the "Annual Meeting of the Texas County Agriculture Agents" in Kerrville, Texas, on July 28-31, 1996;
- b) Assistant County Agriculture Agent to attend the "42nd Annual Texas A&M University Beef Cattle Shore Course" in College Station, Texas, on August 11-14, 1996;
- c) Justice of the Peace Precinct No. 6, Place 1, to attend the "1st Annual Juvenile Judges Conference" in Galveston, Texas, on August 13-16, 1996;
- d) Commissioners' Court to attend the "County Judges' and Commissioners' Association of Texas Conference" in Lubbock, Texas, on October 15-17, 1996;
- e) Unified Narcotic Intelligence Task Force Director to attend the "High Intensive Drug Trafficking Area (HIDTA) - Department of Public Safety (DPS) Conference" in Austin, Texas, on August 12-16, 1996;
- f) Tactical Intelligence Agent to attend the "Department of Public Safety Conference" in Austin, Texas, on August 14-16, 1996;
- g) Juvenile Probation employee to attend the "Basic Choices Coordinator Training" in Georgetown, Texas, on August 19-22, 1996;
- h) Commissioner Precinct No. 1 and four (4) employees to pick up equipment purchase in Houston, Texas, on August 8-9, 1996; and
- I) Health Department employee to attend the "Women's, Infants, and Children (WIC) Director's Meeting" in Austin, Texas, on September 10-12, 1996.

(22) FINAL APPROVAL

a) Precinct No. 4

Southwest Subdivision - being a subdivision of a 8.078 acre tract of land out of Block No. 2, F.H. Handley Subdivision out of Survey 40.

(23) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 3

Este Estates - being 2.21 acres out of Block No. 324, San Benito Irrigation Company Subdivision; and

b) Precinct No. 3

Mansfield Park Section II - being 27.30 acres, out of the West 30 acres, Block No. 177, Fresnos Land and Irrigation Company Subdivision.

(24) AUTHORIZATION TO RENEW THE AWARDS OF THE FOLLOWING ANNUAL BIDS FOR ONE YEAR:

a) FOOD: EGGS

E. DE LA GARZA - Brownsville, Texas Eggs - Grade A - 0.72

b) FOOD: BREAD

RICHTER BAKING - Corpus Christi, Texas				
Item	Description	Cost		
a)	Bread - White	\$0.49		
b)	Rolls - Cinnamon	\$1.05		
c)	Hamburger Buns	\$2.55		
d)	Bread - Wheat	\$0.53		
e)	Dinner Rolls	\$1.12		

c) FOOD: MILK

HYGEIA DAIRY - Harlingen, Texas 2% Low Fat-1/2 Pint - .0156

d) FOOD: PAN DULCE

TONY'S TORTILLAS - Brownsville, Texas Pan Dulce - 0.0945

e) FOOD: TORTILLAS

JASSO'S TORTILLAS - Edinburg, Texas Flour Tortillas - 0.038

<u>LUPITA'S TORTILLAS - Brownsville, Texas</u> Corn Tortillas - 0.010833

f) FOOD: COFFEE

SYSCO FOODS - San Antonio, Texas				
Item	Description	Cost		
a)	Coffee Regular Grain	\$1.77		

b) Coffee Decaf \$8.78

g) FOOD: TAMALES

LUPITA'S TORTILLAS - Brownsville, Texas

Cost

Item Description

a)	Tamales - Chicken	\$2.30
b)	Tamales - Beef/Pork	\$2.30

h) FOOD: DRINK MIX

<u>CAIN'S COFFEE - Corpus Christi, Texas</u> Drink Mix - 0.0729

E. DE LA GARZA - Brownsville, Texas				
Item	Description	Cost		
b)	Iced Tea mix	0.07593		
c)	Iced Tea Bags	0.16		

(25) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS

- a) SWEEPER (NEW OR USED) PRECINCT NO. 4
- b) PICK-UP TRUCKS ENGINEERING AND PRECINCT NO. 2
- c) ANNUAL BID NO. 2280-96 FUEL
- d) DEMOLITION OF PASOL BUILDING, BROWNSVILLE, TEXAS
- e) REQUEST FOR PROPOSAL NO. 96-07-05, FOR CONSTRUCTION MATERIALS TESTING SERVICES -LOS TOMATES INTERNATIONAL BRIDGE PROJECT

The Bids/Request for Proposals follow:

(26) AUTHORIZATION TO

- a) OPEN ANNUAL REQUEST FOR PROPOSAL NO. 96-07-03, FOR BULLET PROOF VESTS
- b) APPROVED THE FOLLOWING EVALUATION COMMITTEE:

MR. BETO PEÑA - DEPARTMENT OF PUBLIC SAFETY MR. RONNIE SAENZ - SHERIFF'S DEPARTMENT MR. MIKE FORBES - PURCHASING DEPARTMENT MR. SAL TINAJERO - PARKS SYSTEM MR. JUAN MENDOZA - CONSTABLE PRECINCT NO. 8

c) APPROVED NEGOTIATIONS TOWARDS AWARD RECOMMENDATION

The Request for Proposal follows:

- (27) AUTHORIZATION TO AWARD PUBLIC AND INMATE PAY TELEPHONES SERVICES FOR INTER-LATA LONG DISTANCE TO AT&T PER GENERAL SERVICES COMMISSION - STATE OF TEXAS CATALOG
 - a) CONTRACT PERIOD THREE (3) YEARS
 - b) COMMISSION RATE ON INMATE PHONES 36%
 - c) COMMISSION RATE ON PUBLIC PAY PHONES \$.01 \$2,083.33 = 22%

\$2,083.34 - \$6,249.99 = 24% \$6,250.00 - \$ UP = 26%

a) SWEEPER (NEW OR USED) - PRECINCT NO. 4

b) PICK-UP TRUCKS - ENGINEERING AND PRECINCT NO. 2

c) ANNUAL BID NO. 2280-96 FUEL

d) DEMOLITION OF PASOL BUILDING, BROWNSVILLE, TEXAS

e) REQUEST FOR PROPOSAL NO. 96-07-05, FOR CONSTRUCTION MATERIALS TESTING SERVICES -LOS TOMATES INTERNATIONAL BRIDGE PROJECT

(26) AUTHORIZATION TO

a) OPEN ANNUAL REQUEST FOR PROPOSAL NO. 96-07-03, FOR BULLET PROOF VESTS

The Request for Proposal follows:

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court

met in Executive Session at 2:40 P.M. to discuss the following matters:

- a) In the matter of interviewing Applicants for County Engineer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A)(1); (TABLED)
- b) Confer with County Counsel concerning the Waiver of all penalties and interest by Cameron County on the following properties; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and

Acct. No. 97-3780-0100-0300-00 = Steven and Wayne Hinsley 0.5700 acres, and Acct. No. 97-3780-0100-0300-10 = Steven and Wayne Hinsley 0.8170 acres,

c) In the matter of conferring with County Counsel on the Status Report and discussion/authorization of settlement on the case styled Maria Longoria vs. Cameron County, et. al., Cause No. B-94-65, in the United States District Court; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B); (TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court

reconvened in Regular Session at 3:55 P.M.

(29) ACTION RELATIVE TO EXECUTIVE SESSION

a) In the matter of interviewing Applicants for County Engineer. (TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried

unanimously, this Item was TABLED.

b) In the matter of conferring with County Counsel concerning the Waiver of all penalties and interest by Cameron County on the following properties: (DENIED)

Acct. No. 97-3780-0100-0300-00 = Steven and Wayne Hinsley 0.5700 acres; and Acct. No. 97-3780-0100-0300-10 = Steven and Wayne Hinsley 0.8170 acres.

Mr. Doug Wright, Cameron County Counsel, recommended that the County Counsel should inform the

interested parties of the denial regarding said matters.

Commissioner Rosenbaum moved that the request for Cameron County to waive all penalties and interests on

said properties be **DENIED**:

The motion was seconded by Commissioner Peña and carried unanimously.

c) In the matter of conferring with County Counsel on Status Report and discussion/authorization of settlement on the case styled Maria Longoria vs. Cameron County, et. al., Cause No. B-94-65, in the United States District Court. **(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.

APPROVED this 20th 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