

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 27th 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:**

**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:**  
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The meeting was called to order by Judge Pro-tem Carlos H. Cascos. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Captain Ronnie Saenz, Sheriff's Department, 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 23, 1996, at 1:37 P.M.:

**(1) APPROVAL OF COUNTY CLAIMS**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the County Claims were approved as presented by Ms. Lynda Irvine, First Assistant County Auditor.



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

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



**(3) APPROVAL OF THE MINUTES OF AUGUST 16, 1996, AUGUST 20, 1996, AND AUGUST 21, 1996**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Special Meeting held August 16, 1996, at 8:00 A.M., the Regular Meeting held August 20, 1996, at 1:30 P.M., and the Special Meeting held August 21, 1996, at 2:00 P.M., were approved.



**(5) ACTION ADOPTING A RESOLUTION ESTABLISHING A COUNTY POLICY ON PROCEDURES PERTAINING TO ELECTIONEERING AND LOITERING ON COUNTY PROPERTY**

At this time, Ms. Amalia Cano, Elections Administrator, stated that the Resolution was created to prevent the illegal parking and congestion of vehicles during the Election process and noted that the Sheriff's Department would assist to ensure the safety of the pedestrians.

Mr. Doug Wright, Cameron County Counsel, recommended that the area should be designated prohibiting illegal parking, in order to comply with the Americans with Disabilities Act (ADA) and to ensure public safety.

There was some discussion concerning the problems with signs being placed on County property, and the County Attorney clarified that the areas in front of the Courthouse were the City of Brownsville's Right-of-Ways and noted that the City Attorney intended to strictly enforce the Ordinance prohibiting signage that created a hazard to public safety.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution establishing a County Policy on procedures pertaining to Electioneering and Loitering on County Property, was adopted.

**The Resolution is as follows:**

**(4) ADOPTION OF AN ORDER SETTING THE TAX RATE FOR THE PORT OF HARLINGEN AUTHORITY AT \$0.0300 PER ONE HUNDRED DOLLAR VALUATION**

Commissioner Matz moved that the Order setting the Tax Rate for the Port of Harlingen Authority at \$0.0300 per one hundred dollar valuation be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.

**NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME.**

At this time, Mr. Alan Johnson, Chairman of the Board, stated that a road known as the Low Water Bridge, connecting Williams Road and FM106, which crossed through the Port of Harlingen area, was in desperate need of repair and added that the Port of Harlingen Authority purchased land adjacent to said property, in order to have the right-of-ways available for the County to begin improvements to said roads.

**The Order is as follows:**

**(10) POSSIBLE APPROVAL OF THE CONTRACT WITH SOUTHWEST KEY PROGRAM TO PROVIDE EDUCATIONAL SERVICES ACCORDING TO THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM**

At this time, Mr. Amador Rodriguez, Juvenile Department, stated that the Juvenile Board had negotiated with Southwest Key Program to provide the educational services and had entered into a Memorandum of Understanding with the Independent School Districts for coordination of the Alternative Education Program.

Commissioner Peña questioned the funding source in the amount of \$44,000.00 and Mr. Rodriguez responded that said amount was a portion of the up-front costs, in the amount of \$178,000.00, allocated by the State.

Mr. Juan Jose Sanchez, Southwest Key Program, explained that the amount of \$44,00.00 would be utilized to purchase computers, supplies and equipment, and a Special Education Teacher.

Judge Hinojosa stated that the balance of the state funds would be allocated to purchase equipment for the lab to be located in the armory which would serve the Juvenile Justice Alternative Education Program and the Boot Camp.

Commissioner Matz stated that there was some concern regarding the Boot Camp security by the surrounding residents and the Executive Assistant to the County Judge stated that a meeting was scheduled with the owners of the Green Acres Trailer Park, San Benito, Texas, to address their concerns.

Mr. Doug Wright, Cameron County Counsel, recommended that a Certificate of Title should be obtained from the Title Company for the release of the government property, in order to begin any improvements.

There was some discussion concerning the outstanding debt by the Southwest Key Program to the County regarding La Esperanza Home for Boys, Brownsville, Texas, and the County Attorney suggested that the issue should be resolved by the Commissioners' Court.

Mr. Sanchez responded that the debt was being paid back to the County and that the issue would be retired this fiscal year.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Contract with Southwest Key Program was approved to provide Educational Services according to the Juvenile Justice Alternative Education Program.

**The Agreement is as follows:**

**(6) POSSIBLE APPOINTMENT OF THE INTERIM COUNTY ENGINEER TO FULFILL STATUTORY DUTIES DURING THE SELECTION PROCESS OF A PERMANENT COUNTY ENGINEER**

At this time, Judge Hinojosa stated that Mr. Michael Martin, former County Engineer, offered to fulfill the statutory duties for a period of six (6) weeks, at no cost to the County, during the selection process and recommended that the Court accept Mr. Martin's offer.

Commissioner Matz moved that Mr. Michael Martin, former County Engineer, be appointed as Interim County Engineer, for a period of (6) weeks, at no cost to the County, to fulfill statutory duties during the selection process of a permanent County Engineer.

The motion was seconded by Commissioner Peña and carried unanimously.

**(7) APPROVAL TO REFUND TAXES TO:**

- a) **802 EAST CORPORATION - DOUBLE ASSESSMENT - \$4,913.38**
- b) **TRANSAMERICA REAL ESTATE TAX SERVICE - ERRONEOUS PAYMENT - \$504.51**
- c) **RAMON K. ACOSTA - DOUBLE ASSESSMENT - \$906.88**
- d) **EUTIMIA OR M. SALINAS PIÑEDA - ABSOLUTE EXEMPTION - \$1,232.97**
- e) **WGM HYDRO - ERRONEOUS ASSESSMENT - \$7,720.61**

Commissioner Matz moved that the taxes be refunded to the following entities:

- a) 802 East Corporation - Double Assessment - \$4,913.38,
- b) Transamerica Real Estate Tax Service - Erroneous Payment - \$504.51,
- c) Ramon K. Acosta - Double Assessment - \$906.88,
- d) Eutimia or M. Salinas Piñeda - Absolute Exemption - \$1,232.97, and
- e) WGM Hydro - Erroneous Assessment - \$7,720.61.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**(9) APPOINTMENT OF MS. MARIE RAMIREZ, BROWNSVILLE, TEXAS, TO THE BOARD OF DIRECTORS OF THE TROPICAL TEXAS CENTER FOR MENTAL HEALTH AND MENTAL RETARDATION**

Commissioner Peña moved that Ms. Marie Ramirez, Brownsville, Texas, be appointed to the Board of Directors of the Tropical Texas Center for Mental Health and Mental Retardation.

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

**AYE:** Commissioners Rosenbaum, Cascos, and Peña

**NAY:** None

**ABSTAINED:** Commissioner Cascos.

At this time, Judge Hinojosa noted that Ms. Marie Ramirez was the Director of the Special Education Program at the Los Fresnos Independent School District and added that Tropical Texas Center for Mental Health and Mental Retardation had hired a new Executive Director and was now out of the State's jurisdiction, which would allow fiscal responsibility for the Center.

**(8) ACTION ON THE GATEKEEPER CONCEPT FOR  
MANAGED HEALTH CARE FOR THE INDIGENT  
HEALTH CARE PROGRAM**

At this time, Ms. Rosaura Garcia, County Auditor's Office, explained and highlighted the concept of the Gatekeeper for Managed Health Care for the Indigent Health Care Program and noted that Dr. Raul Garza, San Benito, Texas, was selected for the position based on his service to the community.

Commissioner Matz moved that the Gatekeeper Concept be approved for Managed Health Care for the Indigent Health Care Program.

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

**AYE:** Commissioner Rosenbaum, Cascos, Matz, and Peña

**NAY:** None

**ABSTAINED:** Judge Hinojosa.

**(11) APPROVAL OF PAYMENT WITHOUT A  
PURCHASE ORDER IN THE AMOUNT OF \$47.50  
TO IMAGE MICROGRAPHICS  
INCORPORATION FOR TONER**

At this time, Mr. Joe G. Rivera, County Clerk, noted that the toner was purchased without a Purchase Order from Image Micrographics and requested payment approval.

Commissioner Matz moved that the payment without a Purchase Order to Image Micrographics Incorporation, in the amount of \$47.50, for toner, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**(12) APPROVAL OF AN ORDER REQUIRING ALL ELECTION JUDGES APPOINTED BY THE COMMISSIONERS' COURT TO RECEIVE TRAINING AND CERTIFICATION BY THE ELECTIONS ADMINISTRATOR PRIOR TO SERVING THE APPOINTED CAPACITY**

At this time, Ms. Amalia Cano, Elections Administrator, stated that the Judges and Clerks were required to receive training and Certification, in order to be aware of the changes in the laws, prior to serving at the polling places.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Order requiring all the Election Judges appointed by the Commissioners' Court to receive training and certification by the Elections Administrator, prior to serving in the appointed capacity, was adopted.

**The Order is as follows:**

**(13) APPROVAL OF POLLING PLACES FOR THE NOVEMBER 5, 1996, GENERAL ELECTION**

Judge Hinojosa suggested that the new polling locations should be advertised in the newspapers and in the Spanish and English radio stations, in order to advise the public of the changes.

Commissioner Matz moved that the following Polling Places for the November 5, 1996, General Election, be approved:

Alfredo Villarreal Elementary School, North Lakeside and Mesquite, Olmito, Texas, Precinct No. 4, and  
Rivera High School, 6955 FM 802, Brownsville, Texas, Precinct No. 68.

The motion was seconded by Commissioner Peña and carried unanimously.

**(14) APPROVAL OF THE MOBILE AND RETAIL EARLY VOTING LOCATIONS FOR THE NOVEMBER 5, 1996, GENERAL ELECTION**

**(15) APPROVAL OF THE EARLY VOTING BRANCH OFFICES FOR THE GENERAL ELECTION OF NOVEMBER 5, 1996**

At this time, Mr. Joe G. Rivera, County Clerk, stated that the early voting was analyzed in order to determine high traffic voting locations and added that the County would utilize the H.E.B. stores, in order make early voting convenient for the public.

Commissioner Cascos stated that the public should be aware of the correct Precinct locations and noted that incorrect ballots were given to the voters on some occasions.

Judge Hinojosa recommended that different ballots be available at each polling place, in order for the public to cast their votes on the correct Precinct ballot.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Mobile and Retail Early Voting locations and the following Early Voting Branch Offices for the November 5, 1996, General Election, were approved.

San Benito Tax Office - Goolsby Building, 650 E. Hwy 77, San Benito, Texas,  
Los Fresnos Tax Office - 105 Ocean Blvd., Los Fresnos, Texas,  
Harlingen County Building- 608 E. Harrison, Harlingen, Texas,  
Port Isabel City Hall - 100 Maxan, Port Isabel, Texas,  
Port Isabel H.E.B. - 1697 Hwy 100, Port Isabel, Texas  
La Feria Tax Office - 126 West First Street, La Feria, Texas,  
Brownsville Wal-Mart 2721 Boca Chica, Brownsville, Texas,  
Brownsville H.E.B. - 2950 Southmost, Brownsville, Texas, and  
Brownsville H.E.B. - 2250 Boca Chica, Brownsville, Texas.

**The List is as follows:**



**(16) APPROVAL FOR THE HARLINGEN SOUTH HIGH SCHOOL TO BORROW FIVE VOTING MACHINES FOR A MOCK ELECTION OF THE SOCIAL STUDIES DEPARTMENT TO BE HELD ON TUESDAY, OCTOBER 22, 1996**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Harlingen South High School was authorized to borrow five (5) Voting Machines for a Mock Election of the Social Studies Department to be held on Tuesday, October 22, 1996.



**(17) APPROVAL TO CONTRACT A SECOND TACTICAL INTELLIGENCE AGENT FOR THE UNIFIED NARCOTIC INTELLIGENCE TASK FORCE**

Upon motion by Judge Hinojosa, seconded by Commissioner Peña and carried unanimously, a second Tactical Intelligence Agent was contracted for the Unified Narcotic Intelligence Task Force.



**(18) APPROVAL TO CONTRACT WITH RAB-KISTNER CONSULTANTS, INCORPORATED, TO PROVIDE TESTING SERVICES FOR THE LOS TOMATES LEVEE RELOCATION PROJECT**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, Rab-Kistner Consultants, Incorporated, was contracted to provide Testing Services for the Los Tomates Levee Relocation Project.

**The Contract is as follows:**

**(19) APPROVAL OF THE 1997 FISCAL YEAR  
HOLIDAY SCHEDULE FOR CAMERON  
COUNTY EMPLOYEES**

Commissioner Rosenbaum moved that the 1997 Fiscal Year Holiday Schedule for Cameron County Employees be approved.

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

**AYE:** Commissioners Rosenbaum, Cascos, and Peña

**NAY:** Commissioner Matz.

**The Schedule 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 Matz, seconded by Commissioner Peña and carried unanimously, the "Consent" Agenda Items were approved as follow:

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

- a) Elections Administrator to attend the "Election Center 13th Annual National Conference" in Boston, Massachusetts, on September 3-7, 1996;
- b) Tactical Intelligence Agent to attend the "Texas District and County Attorneys' Association Seminar" in South Padre Island, Texas, on September 25-27, 1996;
- c) Sheriff and Jail Administrator to attend the "27th Annual Jail Management Conference" in Huntsville, Texas, on October 1-4, 1996;
- d) Jail Administrator, Chief Deputy and Patrol Lieutenant, to attend the "Annual Texas Police Association Conference" in Bandera, Texas, on September 15-20, 1996;
- e) Three (3) Health Department Employees to attend the "Advanced Practice Nursing Impact of Regulation on Practice Workshop" in Austin, Texas, on September 27, 1996;
- f) Three (3) Health Department Employees to attend the "Tuberculosis Elimination Clinical Records Conference" in Austin, Texas, on September 9-11, 1996;
- g) Parks System Director to attend the "Texas Parks and Wildlife Commission Annual Public Meeting" in Austin, Texas, on August 29-30, 1996;
- h) County Extension Marine Agent to attend the "Marine Advisory Service Staff Conference" in College Station, Texas, on August 28-30, 1996;
- I) County Extension Marine Agent to attend the "Brown Tide Seminar" in Port Aransas, Texas, on August 20-22, 1996;
- j) County Judge, Administrative Assistant to the County Judge and Bridge Systems Director, to attend the "Bi-National Conference" in Yuma, Arizona, on September 9-11, 1996; and

- k) County Judge to attend a "Special Commission Meeting for the Statewide Transportation Enhancement Program" in Austin, Texas, on August 28-29, 1996.



**(21) FINAL APPROVAL**

- a) **Precinct No. 3**  
Myerwood Subdivision, Section No. 1 - 9.65 acres out of the North 20 acres of Block No. 14, Harlingen Land and Water Company Subdivision.

**(22) PRELIMINARY AND FINAL APPROVAL**

- a) **Precinct No. 2**  
Replat of Lot No. 1, Block No. 1, Cardoza Subdivision - being 1.794 acres, being all of Lot No. 1, Block No. 1, Cardoza Subdivision.

**(23) AUTHORIZATION TO OPEN BIDS FOR FURNITURE - WOMEN'S, INFANTS, AND CHILDREN (WIC) DEPARTMENT**

**The Bids received and opened follow:**

**(23) AUTHORIZATION TO OPEN BIDS FOR FURNITURE -  
WOMEN'S, INFANTS, AND CHILDREN (WIC)  
DEPARTMENT**

**The Bids received and opened are as follow:**

**(24) EXECUTIVE SESSION**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 2:30 P.M. to discuss the following matter:

- a) Confer with County Counsel on the possible litigation involving restoration of the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) and (2).

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 2:50 P.M.



**(25) ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Confer with County Counsel on the possible litigation involving restoration of the Dancy Building.

Commissioner Cascos recommended that the Report by County Counsel should be acknowledged regarding the possible litigation involving restoration of the Dancy Building.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Status Report by County Counsel was acknowledged regarding the possible litigation involving restoration of the Dancy Building.

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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 **3rd** day of **September, 1996**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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