

THE STATE OF TEXAS           §

COUNTY OF CAMERON       §

**BE IT REMEMBERED** on the 10th day of DECEMBER, 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 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 December 6, 1996, at 2:42 P.M.:

- (4) **IN THE MATTER OF THE PRESENTATION BY REPRESENTATIVES OF MATAMOROS, TAMAULIPAS, IN APPRECIATION FOR THE ASSISTANCE PROVIDED BY THE CAMERON COUNTY HEALTH DEPARTMENT/ENVIRONMENTAL HEALTH DIVISION DURING THE RECENT FIGHT AGAINST THE DENGUE FEVER EPIDEMIC (TABLED)**
- (13) **IN THE MATTER OF THE ORGANIZATIONAL CHART AND PROCEDURES ON THE PURCHASING FOR THE CORRECTIONAL FACILITY (TABLED)**
- (15) **IN THE MATTER OF THE CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND DO. TAHER KHALIL AND THE SAN BENITO MEDICAL ASSOCIATES TO PROVIDE SERVICES FOR SEXUALLY TRANSMITTED DISEASES TREATMENT (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, these Items were **TABLED**.

- (5) **ADOPTION OF A PROCLAMATION DECLARING DECEMBER 12, 1996, AS "SECA UNA LAGRIMA DAY"**

Commissioner Rosenbaum moved that the Proclamation declaring December 12, 1996, as "Seca Una Lagrima Day" be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Proclamation is as follows:**

**(6) ADOPTION OF A PROCLAMATION  
DECLARING DECEMBER 9, 1996, THROUGH  
DECEMBER 20, 1996, AS "CAMERON COUNTY  
HELPING THE UNITED WAY PAINT A  
BRIGHTER TOMORROW"**

Commissioner Cascos moved that the Proclamation declaring December 9, 1996, through December 20, 1996, as "Cameron County Helping the United Way Paint a Brighter Tomorrow," be adopted.

The motion was seconded by Commissioner Peña.

At this time, Ms. Tracy Wickett and Mr. Edmundo Gonzalez, United Way of Southern Cameron County, expressed their gratitude to the County for its effort to support the United Way and requested that the County employees should be encouraged to support and attend the United Way rallies to contribute to the needs of the County.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Proclamation declaring December 9, 1996, through December 20, 1996, as "Cameron County Helping the United Way Paint a Brighter Tomorrow," was adopted.

**The Proclamation is as follows:**

**(9) AUTHORIZATION TO NEGOTIATE A CONTRACT FOR ARCHITECTURAL SERVICES FOR THE DESIGN OF THE CAMERON COUNTY BOOT CAMP AND THE EDUCATIONAL FACILITY, AND THE APPOINTMENT OF THE NEGOTIATING COMMITTEE**

At this time, Mr. Tony Martinez, Boot Camp Developmental Committee, stated that the Bids submitted had been evaluated and that Croslin and Associates had been ranked the highest.

Commissioner Rosenbaum moved that the Contract be negotiated with Croslin and Associates, Austin, Texas, for the Architectural Services for the design of the Cameron County Boot Camp and Educational Facility, and that the following individuals be appointed to the Negotiating Committee to negotiate fixed fee, with guidance from County Counsel:

Mr. Tony Martinez, Brownsville, Texas,

Ms. Edna Tamayo, Youth Commissioner and San Benito Independent School District,

Mr. Juan Bernal, County Engineer, and

Engineering Department.

The motion was seconded by Commissioner Peña and carried unanimously.

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At this time, Judge Hinojosa requested the Court and audience to observe a moment of silence in memory of Ms. Esther Casares, Free Trade Bridge employee.

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**(23) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 1:50 P.M. to discuss the following matters:

- a) Confer with County Counsel concerning the negotiations involving the Lease Agreement with Schlitterbahn Development; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1&2);
- b) Confer with County Counsel concerning the possible litigation with Business Records Corporation regarding the Cameron County Criminal Case Imaging Contract; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A&B);
- c) Confer with County Counsel on the appraisal of Enrique Flores' Property, Account No. 88-0010-0030-0010-00, Abstract No. 16, Landrum Point, Lot No. 1, Block No. 3; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551072;

- d) Confer with County Counsel on the status and the settlement of the case styled Angela Balderas vs. Cameron County, et. al., M-95-092, in the United States District Court for the Southern District of Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A&B);
- e) Confer with County Counsel on the possible Broker Proposal to conduct Comparable Market Analysis (CMA) of Cameron County Trustee Properties; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- f) Confer with County Counsel on the Isla Blanca Park Concessionaire asking for consideration to assign the remainder of the Lease Contract to a potential lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 2:15 P.M.

**NOTE: JUDGE HINOJOSA DID NOT RETURN TO THE MEETING.**

**(1) APPROVAL OF COUNTY CLAIMS**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as presented by the County Auditor.

At this time, Judge Pro-tem Cascos expressed concern as to Warrant No. 25174, Brazos River International, in the amount of \$223,003.13; Warrant No. 25283, Honorable Lilia Abrego Gonzales, in the amount of \$1,500.00; and Warrant Nos. 25325 through 25328, Joe King, Jr. Printer Incorporated, in the amount of \$686.50.

The County Auditor clarified that the County Engineer had certified that the work had been performed as to Warrant No. 25174, Warrant No. 25283 was being paid at the old rate of the Contract and that Warrant Nos. 25325 through 25328 were for business cards and other printing services that were not available in-house.

**(2) IN THE MATTER OF 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.

Commissioner Matz expressed concern and requested that the Policies regarding the mobile phones and the Constables' equipment should be submitted to the Court.



**(10) AUTHORIZATION TO LOCATE A COLLECTION BOX FOR THE TOYS FOR TOTS CHRISTMAS CAMPAIGN IN THE CAMERON COUNTY COURTHOUSE**

At this time, Sergeant Javier Mata, United States Marine Corps, requested the County's support for the Toys for Tots Program which would benefit the children, by establishing drop off points within the County and the suggestion was made to authorize Mr. Joseph Ardito, Property Management Coordinator, and Mr. Remi Garza, Executive Assistant to the County Judge, to coordinate the most accessible satellite stations within the County with Sergeant Mata.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the satellite stations were designated to place the collection boxes for the Toys for Tots Christmas Campaign in Cameron County.



**(11) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH MR. ROBERT RUIZ, ARCHITECT, TO PROVIDE A PRELIMINARY COST ESTIMATE FOR THE COMPLETION OF THE EXTERIOR RESTORATION OF THE DANCY BUILDING**

Commissioner Peña moved that the Agreement be entered into with Mr. Robert Ruiz, Architect, to provide a preliminary cost estimate for the completion of the exterior restoration of the Dancy Building, subject to Legal review.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.



**(12) AUTHORIZATION TO PAY THE DANCY BUILDING ARCHITECTURAL AND ENGINEERING EVALUATION INVOICE RECEIVED FROM ROBERTO J. RUIZ, INCORPORATED**

Commissioner Peña moved that the Dancy Building Architectural and Engineering Evaluation Invoice received from Mr. Roberto J. Ruiz, Incorporated, be paid.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.



**(14) IN THE MATTER OF A POLICY PERMITTING MOBILE FOOD AND BEVERAGE VENDORS AT THE FREE TRADE BRIDGE AT LOS INDIOS (NO ACTION TAKEN)**



- (16) APPROVAL FOR THE RENEWAL OF THE CONTRACT FOR MR. FOSTER JOSEPH WATKINS, TACTICAL INTELLIGENCE AGENT FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE
- (17) APPROVAL FOR THE RENEWAL OF THE CONTRACT FOR MR. TERRY FERNANDEZ, TACTICAL INTELLIGENCE AGENT, FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK-FORCE
- (18) APPROVAL FOR THE RENEWAL OF THE CONTRACT FOR MR. FRED C. BALL, DIRECTOR FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE
- (19) APPROVAL TO RENEW THE CONTRACT WITH REDELCO FOR THE WAREHOUSE LEASE FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE
- (20) APPROVAL TO RENEW THE CONTRACT WITH B. P. NEWMAN FOR OFFICE SPACE LEASE AND JANITORIAL SERVICES FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the following Contracts were renewed for the Unified Narcotics Intelligence Task Force:

Mr. Foster Joseph Watkins, Tactical Intelligence Agent,

Mr. Terry Fernandez, Tactical Intelligence Agent,

Mr. Fred C. Ball, Director,

Redelco Company, Incorporated for the warehouse lease, and

B. P. Newman for office space lease and janitorial services.

**The Contracts are as follow:**



**(21) APPROVAL OF THE AMENDMENT OF THE WORK STUDY CONTRACT WITH THE UNIVERSITY OF TEXAS - BROWNSVILLE TO FACILITATE THE GRANT APPLICATION FOR THE CRIMINAL JUSTICE WORK STUDY PROGRAM**

**NOTE: COMMISSIONER MATZ LEFT THE COURT ROOM.**

At this time, Ms. Emma Cerbin Garcia, University of Texas Brownsville, stated that the University of Texas - Brownsville was applying for a Grant for the Criminal Justice Work Study Program, which would allow for one hundred percent (100%) funding for minority students in the Criminal Justice Field. She stated that ten (10) selected students were required to be hired in the Criminal Justice areas at no cost to the County, in order to gain first hand experience.

Judge Pro-tem Cascos expressed concern regarding space constraints to accommodate ten (10) individuals and stated that the Departments could not be obligated to hire said individuals.

Commissioner Peña moved that the Amendment of the Work Study Contract be approved with the University of Texas - Brownsville to facilitate the Grant Application for the Criminal Justice Work Study Program.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**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 Peña and carried unanimously, the "Consent" Agenda Items were approved as follow:

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

- a) Chief Juvenile Probation Officer to attend the "Texas Group Meeting and to meet with Southwest Key Personnel regarding the Juvenile Justice Alternative Program" in Austin, Texas, on December 11-13, 1996;
- b) Parks System Director, Gateway Bridge Director and Chief Sergeant to attend the "National Hurricane Conference" in Houston, Texas, on April 22-25, 1997;
- c) Health Department employee to attend the "Local Health Department Directors and Regional Health Directors Meeting" in Falfurrias, Texas, on December 20, 1996;
- d) Health Department Administrator to attend a "Wage Seminar in South Padre Island, Texas, on December 10, 1996;

- e) County Extension Agent to participate as the District Director in the "Texas County Agricultural Agents Association" in Brownwood, Texas, on December 2-4, 1996;
- f) Computer Director and Programming Staff to attend an "On-site Demonstration of PCSS" in Orange, Texas, on December 15-16, 1996;
- g) Computer Center Director to attend a "One-day Windows and the AS/400 Boot Camp" in Dallas, Texas, on December 18-19, 1996; and
- h) Health Department employee to attend the "Meeting of the EBT/Clinic Operations for Committee Members" in Dallas, Texas, on December 2-3, 1996.

**SUPPLEMENTAL AGENDA**

**(1) IN THE MATTER OF ALLOCATING BUDGET YEAR 1995-1996 ROLL OVER FUNDS FROM FUND NOS. 15 AND 16 TO BUDGET YEAR 1996-1997, ITEM NO. 15-617-037 (TABLED)**

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

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

- a) Confer with County Counsel concerning the negotiations involving the Lease Agreement with Schlitterbahn Development.

Judge Pro-tem Cascos recommended that the Status Report by the Property Management Coordinator should be acknowledged.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Status Report by the Property Management Coordinator was acknowledged regarding the negotiations involving the Lease Agreement with Schlitterbahn Development.

- b) Confer with County Counsel concerning the possible litigation with the Business Records Corporation regarding the Cameron County Criminal Case Imaging Contract.

Judge Pro-tem Cascos recommended that the Status Report by County Counsel should be acknowledged and should continue along the terms and conditions as discussed in Executive Session.

Commissioner Peña moved that the Status Report by County Counsel be acknowledged and that County Counsel be authorized to continue along the terms and conditions as outlined in Executive Session regarding the possible litigation with the Business Records Corporation regarding the Cameron County Criminal Case Imaging Contract.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

- c) Confer with County Counsel on the appraisal of Enrique Flores' Property, Account No. 88-0010-0030-0010-00, Abstract No. 16, Landrum Point, Lot No. 1, Block No. 3.

Judge Pro-tem Cascos recommended that Mr. Remi Garza, Executive Assistant to the County Judge, should be authorized to discuss the matter with Mr. Flores regarding the Court's decision, noting that the Court had no jurisdiction over this Item and suggested that Mr. Flores continue discussing the matter with the Appraisal District.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, Mr. Remi Garza, Executive Assistant to the County Judge, was authorized to discuss the Court's decision with Mr. Enrique Flores regarding his property, Account No. 88-0010-0030-0010-00, Abstract No. 16, Landrum Point, Lot No. 1, Block No. 3, noting that the Court had no jurisdiction over this Item and suggested that Mr. Flores continue to discuss the matter with the Appraisal District.

- d) Confer with County Counsel on the status and the settlement of the case styled Angela Balderas vs. Cameron County, et. al., M-95-092, in the United States District Court for the Southern District of Texas.

Judge Pro-tem Cascos recommended that the Status Report by Mr. Richard Burst, County Counsel, should be acknowledged regarding said matter.

Commissioner Rosenbaum moved that the Status Report by Mr. Richard Burst, County Counsel, be acknowledged regarding the status and the settlement of the case styled Angela Balderas vs. Cameron County, et. al., M-95-092, in the United States District Court for the Southern District of Texas.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Confer with County Counsel on the possible Broker Proposal to conduct Comparable Market Analysis (CMA) of Cameron County Trustee Properties.

Judge Pro-tem Cascos recommend that Mr. Joseph Ardito, Property Management Coordinator, should be authorized to elicit proposals from other Brokers regarding said matter.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, Mr. Joseph Ardito, Property Management Coordinator, was authorized to elicit proposals from other Brokers regarding the possible Broker Proposal to conduct Comparable Market Analysis (CMA) of Cameron County Trustee Properties.

- f) Confer with County Counsel on the Isla Blanca Park Concessionaire asking for consideration to assign the remainder of the Lease Contract to a potential lease.

Judge Pro-tem Cascos recommended that the Status Report by the Property Management Coordinator should be acknowledged to notify the concessionaire that the remainder of the Contract may be assigned to the new lessee.

Commissioner Rosenbaum moved that the Status Report by the Property Management Coordinator be acknowledged and that the Isla Blanca Park Concessionaire be notified that the remainder of the Lease Contract may be assigned to the new lessee, subject to Legal Review.

The motion was seconded by Commissioner Peña and carried unanimously.

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

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**APPROVED** this **17th** day of **December, 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**