

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 17th 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:



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 13, 1996, at 11:06 A.M.:

(4) ADOPTION OF A RESOLUTION HONORING MR. FELIPE NARANJO, OFFICE MANAGER OF THE CAMERON COUNTY TAX OFFICE, ON THE OCCASION OF HIS RETIREMENT OF SERVICE TO THE OFFICE OF THE TAX ASSESSOR-COLLECTOR, AND PROCLAIMING DECEMBER 31, 1996, AS "FELIPE NARANJO DAY" IN CAMERON COUNTY

At this time, Judge Hinojosa presented the Resolution honoring Mr. Felipe Naranjo, Office Manager of the Cameron County Tax Office, on the occasion of his retirement, and expressed gratitude for Mr. Naranjo's years of service to the County and the community.

Commissioner Rosenbaum moved that the Resolution be adopted honoring Mr. Felipe Naranjo, Office Manager of the Cameron County Tax Office, on the occasion of his retirement of service to the Office of the Tax Assessor-Collector, and that December 31, 1996, be proclaimed as "Felipe Naranjo Day" in Cameron County.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Resolution is as follows:

NOT ON AGENDA

At this time, Mr. John Shergold, Assistant District Attorney, highlighted his experience and accomplishments during his tenure as an Assistant District Attorney for Cameron County and added that he had received notice from the newly Elected District Attorney informing him that his services were no longer needed in the Office of the District Attorney, noting that the process was very confusing and unfair.

**(25) AUTHORIZATION FOR MCFABRICATION TO
CONSTRUCT A WIDE LOAD GATE AT THE
FREE TRADE BRIDGE AT LOS INDIOS**

At this time, Mr. Joe Galvan, Bridge Systems Director, stated that Mc Fabrication, Matamoros, Tamaulipas, was fabricating a Steel Dump Body and added that the only place to cross to the United States was at the Free Trade Bridge. He stated that Mc Fabrication was willing to pay the costs or reimburse the County for the modification of the gate, in order to make the wide load gate more accessible, and any other improvements to the asphalt road and the light pole if necessary.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, McFabrication was authorized to construct a wide load gate at the Free Trade Bridge at Los Indios.

**(26) IN THE MATTER OF A POLICY PERMITTING
MOBILE FOOD AND BEVERAGE VENDORS AT
THE FREE TRADE BRIDGE AT LOS INDIOS
(RECESSED)**

At this time, Mr. Joe Galvan, Bridge Systems Director, stated that there were numerous complaints regarding mobile vendors being denied permission to sell food and beverages to the "Transmigrantes" at the Free Trade Bridge. He noted that the transmigrante traffic was very congested and added that health hazards, liability, and litter were considered in recommending that the mobile food vendors permits be denied.

Commissioner Cascos moved that the current Policy permitting the Mobile Food and Beverage Vendors at the Free Trade Bridge at Los Indios be retained.

The motion was seconded by Commissioner Rosenbaum.

At this time, the motion and the second were withdrawn.

Mr. Tudor Ulhorn, Rio Equipment Company, expressed concern regarding the transmigrante situation and added that he owned seven hundred acres of land adjacent to the Free Trade Bridge. He suggested that if the vendors

(23) AUTHORIZATION TO IMPLEMENT A UNIFIED WORKFORCE UNDER THE ENGINEERING DEPARTMENT COORDINATION TO COMPLETE THE CAMERON PARK ROAD AND DRAINAGE IMPROVEMENT PROJECT

At this time, Mr. Feliciano Mata, Brother Albert Phillips, and Ms. Judy Vera, Valley Interfaith Representatives, expressed their support in favor of the completion of the Cameron Park Road and Drainage Improvements Project.

Mr. Juan Bernal, County Engineer, presented Proposal No. 2 that would unify the Precincts under the Engineering Department Coordination for the completion of the Cameron Park Project and stated that two (2) crew men and a limited number of equipment would be needed from each of the Precincts, in order for the Program to succeed. He stated that said Program would be an excellent Pilot Program for the Consolidated Road Program and noted that the personnel in charge of the Project would be Mr. Carlos Sanchez, E.I.T., and Mr. Luis Quezada, Construction Technician.

Commissioner Cascos moved that the Unified Workforce under the Engineering Department Coordination be implemented to complete the Cameron Park Road and Drainage Improvement Project.

The motion was seconded by Commissioner Peña.

At this time, Commissioner Matz stated that the information concerning the Project was not available prior to the Meeting, in order for him to review and questioned the duration of the Program and the County Engineer responded that the crewmen and equipment would be needed for the next six (6) months.

Commissioner Matz stated that he would cooperate with the Program, but would need time to discuss the issue with the Precinct No. 3 Foreman.

Judge Hinojosa clarified that the approval of the Resolution would require that all the Precincts formally transfer the personnel slots and the equipment to the Engineering Department until the completion of the Project.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Peña and carried as follows, Proposal No. 2 for the Unified Workforce was implemented under the Engineering Department Coordination, until the completion of the Cameron Park Road and Drainage Improvement Project:

AYE: Commissioners Rosenbaum, Cascos, and Peña

NAY: None

ABSTAINED: Commissioner Matz, as to the issue of obtaining the information on a timely basis, in order to discuss and review the priorities within the Precincts.

The Proposal is as follows:

(16) ACTION TO CONDUCT A PUBLIC HEARING PURSUANT TO THE POSSIBLE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS UNDER THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM DISASTER RELIEF FUND

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Public Hearing, pursuant to the possible submission of a Grant Application to the Texas Department of Housing and Community Affairs under the 1996 Texas Community Development Program Disaster Relief Fund, was opened for public comment.

At this time, Mr. Frank Bejarano, Program Development and Management Director, explained that the Disaster Relief Fund was available to the County due to the Governor's Disaster Declaration following the floods of October, 1996, noting that the County could apply for the maximum amount of \$350,000.00. He stated that the funds were designated for repairs to basic public facilities, such as streets and added that a list of the damaged streets would be included in the Grant Application. He noted that the initial survey of damage assessments were conducted by the individual Precincts and that the Engineer's Office had compiled the data and estimated a cost in the amount of \$311,000.00.

Judge Hinojosa clarified that his Office had discussed delaying the submission of said Application, pending the Federal Emergency Management Act (FEMA) designation, and to use the maximum amount of \$350,000.00, as the twenty-five percent (25%) local match. He added that the Grant from the Texas Department of Housing and Community Affairs would be limited to road repairs, as opposed to the FEMA Grant which would provide a larger amount of funding for roads and housing repairs; noting that an Application requesting the amount of \$500,000.00 from the Home Demonstration Fund had been prepared by the County for Disaster Related Damages.

At this time, the following individuals expressed their support regarding the Federal Emergency Management Act (FEMA) Funding:

Mr. Manuel Hernandez, Brownsville resident,

Mr. Jose Luis Almazan, Brownsville resident, and

Mr. Lucio Torres, Cameron County resident.

Mr. Eliseo Muñoz, Brownsville resident, expressed concern regarding the Home Demonstration Funds for Disaster Related Damages.

Hearing and sensing no further comments, upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the public hearing was closed.

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(17) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS UNDER THE TEXAS COMMUNITY DEVELOPMENT PROGRAM DISASTER RELIEF FUND, PURSUANT TO THE OCTOBER 4-6, 1996, SEVERE FLOOD AND SUBSEQUENT DISASTER DECLARATION BY THE GOVERNOR'S OFFICE, AND AUTHORIZING THE COUNTY JUDGE TO ACT IN ALL MATTERS PURSUANT TO SAID APPLICATION**

Commissioner Rosenbaum moved that the Program Development and Management Director be authorized to submit the Grant Application to the Texas Department of Housing and Community Affairs under the Texas Community Development Program Disaster Relief Fund, pursuant to the October 4-6, 1996, severe flood and subsequent Disaster Declaration by the Governor's Office, and that the County Judge be authorized to act in all matters pursuant to said Application, subject to the denial of the Federal Emergency Management Act (FEMA) Declaration.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(11) **AUTHORIZATION TO INVESTIGATE THE POSSIBLE ESTABLISHMENT OF A COUNTY ORDINANCE REGARDING ANIMAL CONTROL**

At this time, Ms. Judy Reyna and Ms. Becky Abel, Lower Valley Humane Society, Ms. Sarah Manrique, City of Brownsville Animal Control, and Ms. Mary Lou Ferguson expressed their support of the Ordinance regarding Animal Control, in order to control the cruelty to the animals and obligate the owners to comply with the Ordinance, noting that local Veterinarians volunteered to care for the animals until the fees were collected by the Justices of the Peace.

There was a lengthy discussion regarding the availability of services during the weekends and the authority to remove the abandoned animals from the unsafe and health hazardous private property and the County Chief Sanitarian stated that if the County passed the Ordinance, the County would be responsible for enforcing the Ordinance. Judge Hinojosa suggested that the Civil Division, the County Chief Sanitation, the Sheriff's Department, representative from the Justice of the Peace, and the representatives from the Humane Society and the City of Brownsville Animal Control, should create the Ordinance to present to the Court for possible implementation.

Upon motion by Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Committee, composed of a representatives from the Humane Society, the City of Brownsville Animal Control, the Sheriff's

Department, the Justice of the Peace, the County Sanitation, the County Clerk's Office and the County Civil Division, was created for the possible establishment of a County Ordinance regarding the investigation of Animal Control.



(1) APPROVAL OF COUNTY CLAIMS

NOTE: JUDGE HINOJOSA LEFT THE COURT ROOM.

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

The Budget Officer's Comments Report is as follows:

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

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Budget Amendments and the following Salary Schedules were approved, with the exception of the Civil Division which would be recessed until Friday, December 20, 1996, at 9:00 A.M.:

Tax Assessor/Collector - Fund No. 10-499; and

Planning and Inspection - Fund No. 15-623.

The Budget Amendments and Salary Schedules are as follow:

(3) APPROVAL OF THE MINUTES OF DECEMBER 3, 1996, AND DECEMBER 10, 1996

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Minutes of the Regular Meeting held December 3, 1996, at 1:30 P.M., and the Regular Meeting held December 10, 1996, at 1:30 P.M., were approved.

(5) PRESENTATION OF THE INTERIM REPORT ON THE INVESTMENTS OF COUNTY FUNDS THROUGH SEPTEMBER 30, 1996

At this time, Mr. Eddie A. Gonzalez, County Treasurer, highlighted the Interim Report on Investments of County Funds through September 30, 1996.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Presentation of the Interim Report on the Investments of County Funds through September 30, 1996, was acknowledged.

The Report is as follows:

(6) IN THE MATTER OF ALL ELECTED OFFICIAL BONDS IN CONJUNCTION WITH OATHS AND SWEARING IN AND THE APPROVAL OF THE CEREMONIAL SWEARING IN ON JANUARY 1, 1997 (RECESSED)

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, this Item was **RECESSED** until Friday, December 20, 1996, at 9:00 A.M.

(7) APPROVAL OF THE CLAIMS FOR: UTILITIES, TELEPHONE, MONTHLY LEASES AND ALLOWANCES, CONTRACT AND TRAVEL/MILEAGE CLAIMS

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the claims for: utilities, telephone, monthly leases and allowances, Contract and travel/mileage claims, were approved.

(9) AUTHORIZATION TO NEGOTIATE A CONTRACT FOR PROFESSIONAL SERVICES FOR THE ORGANIZATIONAL STRUCTURE OF THE CAMERON COUNTY CONSOLIDATED ROAD AND BRIDGE SYSTEM, AND APPOINTMENT OF THE NEGOTIATING TEAM

NOTE: JUDGE HINOJOSA RETURNED TO THE COURT ROOM.

Commissioner Cascos moved that the Contract for Professional Services be negotiated with Dannenbaum Engineering Corporation, Houston, Texas, for the Organizational Structure of the Cameron County Consolidated Road and Bridge System, and that a Representative from the Engineering Department, the Auditor's Office and County Counsel be appointed to the negotiating team.

The motion was seconded by Commissioner Matz and carried unanimously.

(10) IN THE MATTER OF THE AGREEMENT FOR THE CONSTRUCTION AND OPERATION OF THE SECURE POST-ADJUDICATION JUVENILE FACILITY BY AND BETWEEN CAMERON COUNTY JUVENILE BOARD, CAMERON COUNTY AND THE TEXAS JUVENILE PROBATION COMMISSION (TABLED)

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

**(12) AUTHORIZATION TO EXECUTE THE
INTERLOCAL AGREEMENT BETWEEN
CAMERON COUNTY AND THE TOWN OF
LAGUNA VISTA**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Interlocal Agreement between Cameron County and the Town of Laguna Vista was executed.

The Agreement is as follows:

(13) APPROVAL TO HIRE A FULL TIME SECRETARY

Commissioner Peña moved that a full time secretary be hired for Precinct No. 4.

The motion was seconded by Commissioner Cascos and carried unanimously.



(14) IN THE MATTER OF THE OFFICIAL BOND FOR THE STATE OF TEXAS IN THE AMOUNT OF \$100,000.00, AND THE OFFICIAL BOND FOR CAMERON COUNTY IN THE AMOUNT OF \$100,000.00, FOR TONY YZAGUIRRE, JR., TAX ASSESSOR-COLLECTOR, PURSUANT TO V.T.C.A. PROPERTY TAX CODE, 6.28 © (RECESSED)

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

Item was **RECESSED** until Friday, December 20, 1996, at 9:00 A.M.



(15) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT AND THE CIVIL DIVISION TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT WITH CRUZ-HOGAN CONSULTANTS FOR THE ENGINEERING AND DESIGN AND CONSTRUCTION MANAGEMENT OF CERTAIN TEXAS DEVELOPMENT COMMUNITY PROGRAM FUNDED WATER FACILITY IMPROVEMENTS OF THE OLMITO WATER SUPPLY CORPORATION (TCDP CONTRACT NO. 716151)

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Program Development and Management Department and the Civil Division were authorized to negotiate a Professional Services Contract with Cruz-Hogan Consultants for the Engineering, Design and Construction Management of certain Texas Development Community Program Funded Water Facility Improvements of the Olmito Water Supply Corporation (TCDP Contract No. 716151).



- (18) **ADOPTION OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO SUBMIT A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION OF THE ADJUDICATION OF DRUG OFFENDERS PROJECT**

- (19) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE**

- (20) **ADOPTION OF A RESOLUTION AUTHORIZING THE COMPUTER CENTER TO APPLY TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR A COUNTY-WIDE CRIMINAL CASE RECORD DATA BASE USING THE INTERNET WEB-SITE COMMUNICATION PROGRAM**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Resolutions were adopted authorizing the District Attorney's Office to submit a Continuation Application to the Governor's Office Criminal Justice Division for the Adjudication of Drug Offenders Project, for the Cameron County Drug Enforcement Task Force, and for the Computer Center to apply for a County-Wide Criminal Case Record Data Base using the Internet Web-Site Communication Program.

The Resolutions are as follow:

(21) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT AND THE CIVIL DIVISION TO NEGOTIATE A MANAGEMENT AND OPERATIONS AGREEMENT WITH THE HARLINGEN PAPER RECYCLING TO ESTABLISH A RECYCLING CENTER IN THE CAMERON PARK SUBDIVISION

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Program Development and Management Department and the Civil Division were authorized to negotiate a Management and Operations Agreement with Harlingen Paper Recycling, in order to establish a Recycling Center in the Cameron Park Subdivision.

(22) IN THE MATTER OF THE REQUEST FOR THE RE-ALIGNMENT OF DENNETT ROAD (TABLED)

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

(24) APPROVAL OF A NEW SLOT FOR A BUILDING MAINTENANCE ADMINISTRATIVE ASSISTANT UNDER THE BUILDING MAINTENANCE SUPERINTENDENT

Commissioner Rosenbaum moved that a new Slot for the Building Maintenance Administrative Assistant Position under the Building Maintenance Superintendent be approved, said funding to be allocated from Fund Balance.

The motion was seconded by Commissioner Cascos and carried unanimously.

(27) IN THE MATTER OF THE AGREEMENT WITH MR. ROBERTO RUIZ, ARCHITECT, TO PROVIDE A PRELIMINARY COST ESTIMATE FOR THE COMPLETION OF THE EXTERIOR RESTORATION OF THE DANCY BUILDING (NO ACTION TAKEN)

(28) AUTHORIZATION TO PURCHASE A MOBILE PHONE FOR THE VEHICLE MAINTENANCE DIRECTOR

Commissioner Matz moved that a mobile phone be purchased for the Vehicle Maintenance Director, as recommended by the County Auditor, noting the stipend allowance in the amount of \$50.00.

The motion was seconded by Commissioner Cascos and carried unanimously.

- (29) **IN THE MATTER OF THE AGREEMENT FOR HEALTH CARE SERVICES BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON (UTMB); FOR THE PERIOD OF JANUARY 15, 1997, TO JANUARY 14, 1998 (TABLED)**

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

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:

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

- a) Cameron County Drug Enforcement Task Force Commander to attend the "Regional Commanders Texas Narcotics Control Program Meeting" in Austin, Texas, on December 17-18, 1996;
- b) Constable Precinct No. 8 and two (2) Deputies to attend the "Twenty (20) Hour School on Civil Process" in San Marcos, Texas, on May 11-14, 1997;
- c) Deputy Constable Precinct No. 8 to attend the "Forty (40) Hour Course on Blood Spatter Interpretation 1" in Austin, Texas, on January 20-24, 1997;
- d) Unified Narcotics Intelligence Task-Force Assistant Director and a Tactical Intelligence Agent to pick up two (2) lease vehicles from CAPPS in San Antonio, Texas, on December 11, 1996; and
- e) County Extension Agent to attend the "District Food Show (4-H)" in Falfurrias, Texas, on December 7, 1996.

(31) AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 96-06-01-II, FOR ARCHITECTURAL SERVICES FOR THE DESIGN OF THE PORT ISABEL HEALTH CLINIC

The Request for Proposal follows:

(32) AUTHORIZATION TO AWARD ANNUAL BIDS NO. 2070 FOR AIR CONDITIONER FILTERS

JOE W. FLY - Harlingen, Texas
\$3,684.54

- (33) AUTHORIZATION TO ADVERTISE FOR ANNUAL BIDS NO. 1480 FOR VEHICLE - LEASING**
- (34) APPROVAL OF COUNTY AUCTIONEER'S (TEXAS AUTO TITLE INCORPORATED) ATTACHMENT TO THE PROPOSAL AND FINAL CONTRACT FOR AUCTIONEERING SERVICES**

The Attachment is as follows:

(35) AUTHORIZATION TO RENEW AWARD OF THE FOLLOWING ANNUAL BIDS FOR ONE (1) ADDITIONAL YEAR:

a) LAUNDRY SUPPLIES

ASTRO - McAllen, Texas

Item	Description	Cost
a)	Powder Detergent	\$1.30
b)	Liquid Detergent	\$11.50
c)	Liquid Bleach	\$4.24

b) PATROL TIRES

ROUND TIRE - Harlingen, Texas

Item	Description	Cost
a)	P25-70R15	\$47.00
b)	P235-70R15	\$49.00

c) TONER LASER CARTRIDGE RECYCLING

C.S.C. PETER - Brownsville, Texas

Total \$686.00

d) TYPEWRITER MAINTENANCE

DAVIS OFFICE - Harlingen, Texas

Item	Description	Cost
a)	Typewriters	\$42.50
b)	Word Processors	\$42.50

(36) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 3

Club Pro Subdivision - being 7.989 acres of land, more or less, out of Laguna Vista Subdivision of the Santa Isabel Grant; and

b) Precinct No. 3

Club Maintenance Subdivision - being a 1.780 acre tract of land, more or less, out of Block No. 362 and parts of Broadway Boulevard and 14th Street, Laguna Vista Subdivision in the Santa Isabel Grant.

- (31) AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 96-06-01-II FOR ARCHITECTURAL SERVICES FOR THE DESIGN OF THE PORT ISABEL HEALTH CLINIC**

The Request for Proposal is as follows:

Supplemental Agenda

(1) AUTHORIZATION FOR THE AUDITOR'S OFFICE TO ISSUE ADVANCE PAYROLL CHECKS TO COUNTY EMPLOYEES ON DECEMBER 23, 1996

At this time, Mr. Mark Yates, County Auditor, stated that the Auditor's Office would be short-handed and that the employees would need to work overtime, in order to prepare the payroll checks by said date.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Auditor's Office was authorized to issue the advance payroll checks to the County employees, if possible on December 23, 1996.



(37) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 4:10 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) To discuss the status and authorize substitution of County Counsel on the case styled, Jose Raul Castillo, et. al. vs. Cameron County, Cause No. B-93-260, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- c) To discuss the status and authorize substitution of County Counsel on the case styled, Patricia Cortez vs. Cameron County, Cause No. B-94-264, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- d) To discuss the status and authorize substitution of County Counsel on the case styled, Bernardo Olvera vs. Cameron County, Cause No. B-94-265, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- e) To discuss the status and authorize substitution of County Counsel on the case styled, Francisco Concha, et. al. vs. Cameron County, Cause No. B-94-271, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- f) To discuss the status and authorize substitution of County Counsel on the case styled, Juan Aragues Gonzalez vs. Cameron County, Cause No. B-94-276, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);

- g) To discuss the status and authorize substitution of County Counsel on the case styled, Reynaldo Machuca vs. Cameron County, Cause No. B-94-277, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- h) To discuss the status and authorize substitution of County Counsel on the case styled, Olegario De La Cruz vs. Cameron County, Cause No. B-94-278, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- I) To discuss the status and authorize substitution of County Counsel on the case styled, David Guevara, et. al. vs. Cameron County, Cause No. B-94-279, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- j) To discuss the status and authorize substitution of County Counsel on the case styled, Juan S. Hernandez vs. Cameron County, Cause No. B-94-291, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- k) To discuss the status and authorize substitution of County Counsel on the case styled, Maria G. Lopez, et. al. vs. Cameron County, Cause No. B-95-009, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- l) To discuss the status and authorize substitution of County Counsel on the case styled, Travis Oden vs. Cameron County, Cause No. 96-40477, in the United States Court of Appeals, Fifth Circuit; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- m) To discuss the status and authorize substitution of County Counsel on the case styled, Guadalupe Lopez vs. Cameron County, et. al., Cause No. B-95-69, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- n) To discuss the status and authorize substitution of County Counsel on the case styled, Espiridion Yarrito vs. Cameron County, Charge No. 360951005, with the EEOC, San Antonio, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- o) To discuss the status and authorize substitution of County Counsel on the case styled, Marroquin vs. Cameron County, et. al., Cause No. B-95-149, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- p) To discuss the status and authorize substitution of County Counsel on the case styled, Angela Balderas vs. Cameron County, et. al., Cause No. M-95-092, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);

- q) To discuss the status and authorize substitution of County Counsel on the case styled, Isys Chamberlain vs. Cameron County, Cause No. 95-10-5582-C, in the 197th District Court, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- r) To discuss the status and authorize substitution of County Counsel on the case styled, Gildardo Guadalupe Espinoza vs. Alex Perez, et. al, Cause No. B-94-213, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- s) To discuss the status and authorize substitution of County Counsel on the case styled, Ramon Martin Arambula vs. Cameron County Sheriff's Department, Cause No. B-95-107, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- t) To discuss the status and authorize substitution of County Counsel on the case styled, Gustavo Almaguer vs. Pauline Alonso, et. al., Cause No. B-94-328, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- u) To discuss the status and authorize substitution of County Counsel on the case styled, Juan Guerra, Jr. vs. Alex Perez, County Sheriff, et. al., Cause No. 95-04-1724-E, in the 357th Judicial District Court, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- v) To discuss the status and authorize substitution of County Counsel on the case styled, Cesario Leal, III, et. al. vs. Cameron County, Cause No. 95-CCL-00208, in the County Court at Law No. 2, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- w) To discuss the status and authorize substitution of County Counsel on the case styled, Gerardo Gonzalez al. vs. the Texas Department of Corrections, et. al., Cause No. B-95-78, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- x) To discuss the status and authorize substitution of County Counsel on the case styled, Antonio Vallejo, Jr. vs. Alex F. Perez, County Sheriff, et. al., Cause No. B-95-059, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- y) To discuss the status and authorize substitution of County Counsel on the case styled, Janie Houghston vs. June Williams, et. al., Cause No. 89-08-3329-D, in the 103rd District Court, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- z) To discuss the status and authorize substitution of County Counsel on the case styled, Antonio Escobar vs. Cameron County Sheriff Alex Perez, et. al., Cause No. B-95-143, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- aa) To discuss the status and authorize substitution of County Counsel on the case styled, Fidel Barrera vs. Cameron County Parks System, EEOC Charge No. 31C960911-S; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);

- bb) To discuss the status and authorize substitution of County Counsel on the case styled, Antonio Gonzalez-Contreras Castillo, vs. Issis Chainberlan, et. al., Cause No. B-95-113, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- cc) To discuss the status and authorize substitution of County Counsel on the case styled, Arnulfo Gonzalez Cuevas vs. Cameron County Sheriff Alex F. Perez, et. al., Cause No. B-96-031, in the United States District Court, Southern District, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- dd) To discuss the status and authorize substitution of County Counsel on the case styled, Edward Alcala, et. al. vs. Cameron County, Cause No. B-96-203, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- ee) To discuss the status and authorize substitution of County Counsel on the case styled, Denise Stockton Bell vs. Judge Rogelio Valdez, et. al., Cause No. 96-09-214-B, in the 138th Judicial District Court, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- ff) To discuss the status and authorize substitution of County Counsel on the case styled, Jon Allan Ashcraft vs. Cameron County Jail, et. al., Cause No. B-93-205A, in the United States District Court for the Southern District of Texas, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- gg) To discuss the status and authorize substitution of County Counsel on the case styled, Homer Reyna vs. Cameron County, Cause No. 96-07-3814-D, in the 103rd Judicial District Court, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- hh) To discuss the status and authorize substitution of County Counsel on the case styled, Cameron County vs. Eliseo Muñoz, Jr., et. al., Cause No. 1996-CCL-237-A, condemnation proceeding in the County Court at Law No. 1, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- ii) Confer with County Counsel pertaining to Cameron County Trustee property known as Port Isabel - unsubdivided Point. Part No. 1, Tract D, 4.41 acres; formerly known as the Old Marchan Property; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- jj) Confer with County Counsel pertaining to the potential property available to lease or purchase in La Feria, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- kk) Confer with county Counsel pertaining to the initial draft proposal presentation from Grupo Xesa and authorization to continue discussions for the possible development and lease of the Dolphin Cove/Children's Beach Area in Isla Blanca Park, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- ll) Confer with County Counsel to discuss a Maintenance Agreement for a 24" storm sewer pipe along the West side of FM/1577; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071; and

- mm) Confer with County Counsel concerning Legal Services for the Sunny Skies Colonia; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 4:50 P.M.

(38) ACTION RELATIVE TO EXECUTIVE SESSION

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

Judge Hinojosa recommended that the Status Report should be acknowledged regarding the negotiations involving the Lease Agreement with Schlitterbahn Development.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Status Report by County Counsel was acknowledged regarding the negotiations involving the Lease Agreement with Schlitterbahn Development.

- b) To discuss the status and authorize substitution of County Counsel on the case styled, Jose Raul Castillo, et. al. vs. Cameron County, Cause No. B-93-260, in the United States District Court for the Southern District of Texas, Brownsville;
- c) To discuss the status and authorize substitution of County Counsel on the case styled, Patricia Cortez vs. Cameron County, Cause No. B-94-264, in the United States District Court for the Southern District of Texas, Brownsville;
- d) To discuss the status and authorize substitution of County Counsel on the case styled, Bernardo Olvera vs. Cameron County, Cause No. B-94-265, in the United States District Court for the Southern District of Texas, Brownsville;
- e) To discuss the status and authorize substitution of County Counsel on the case styled, Francisco Concha, et. al. vs. Cameron County, Cause No. B-94-271, in the United States District Court for the Southern District of Texas, Brownsville;
- f) To discuss the status and authorize substitution of County Counsel on the case styled, Juan Aragues Gonzalez vs. Cameron County, Cause No. B-94-276, in the United States District Court for the Southern District of Texas, Brownsville;
- g) To discuss the status and authorize substitution of County Counsel on the case styled, Reynaldo Machuca vs. Cameron County, Cause No. B-94-277, in the United States District Court for the Southern District of Texas, Brownsville;
- h) To discuss the status and authorize substitution of County Counsel on the case styled, Olegario De La Cruz vs. Cameron County, Cause No. B-94-278, in the United States District Court for the Southern District of Texas, Brownsville;
- I) To discuss the status and authorize substitution of County Counsel on the case styled, David Guevara, et. al. vs. Cameron County, Cause No. B-94-279, in the United States District Court for the Southern District of Texas, Brownsville;

- j) To discuss the status and authorize substitution of County Counsel on the case styled, Juan S. Hernandez vs. Cameron County, Cause No. B-94-291, in the United States District Court for the Southern District of Texas, Brownsville;
- k) To discuss the status and authorize substitution of County Counsel on the case styled, Maria G. Lopez, et. al. vs. Cameron County, Cause No. B-95-009, in the United States District Court for the Southern District of Texas, Brownsville;
- l) To discuss the status and authorize substitution of County Counsel on the case styled, Travis Oden vs. Cameron County, Cause No. 96-40477, in the United States Court of Appeals, Fifth Circuit;
- m) To discuss the status and authorize substitution of County Counsel on the case styled, Guadalupe Lopez vs. Cameron County, et. al., Cause No. B-95-69, in the United States District Court for the Southern District of Texas, Brownsville;
- n) To discuss the status and authorize substitution of County Counsel on the case styled, Espiridion Yarrito vs. Cameron County, Charge No. 360951005, with the EEOC, San Antonio, Texas;
- o) To discuss the status and authorize substitution of County Counsel on the case styled, Marroquin vs. Cameron County, et. al., Cause No. B-95-149, in the United States District Court for the Southern District of Texas, Brownsville;
- p) To discuss the status and authorize substitution of County Counsel on the case styled, Angela Balderas vs. Cameron County, et. al., Cause No. M-95-092, in the United States District Court for the Southern District of Texas, Brownsville;
- q) To discuss the status and authorize substitution of County Counsel on the case styled, Isys Chamberlain vs. Cameron County, Cause No. 95-10-5582-C, in the 197th District Court, Cameron County;
- r) To discuss the status and authorize substitution of County Counsel on the case styled, Gildardo Guadalupe Espinoza vs. Alex Perez, et. al, Cause No. B-94-213, in the United States District Court, Southern District, Brownsville;
- s) To discuss the status and authorize substitution of County Counsel on the case styled, Ramon Martin Arambula vs. Cameron County Sheriff's Department, Cause No. B-95-107, in the United States District Court, Southern District, Brownsville;
- t) To discuss the status and authorize substitution of County Counsel on the case styled, Gustavo Almaguer vs. Pauline Alonso, et. al., Cause No. B-94-328, in the United States District Court, Southern District, Brownsville;
- u) To discuss the status and authorize substitution of County Counsel on the case styled, Juan Guerra, Jr. vs. Alex Perez, County Sheriff, et. al., Cause No. 95-04-1724-E, in the 357th Judicial District Court, Cameron County;
- v) To discuss the status and authorize substitution of County Counsel on the case styled, Cesario Leal, III, et. al. vs. Cameron County, Cause No. 95-CCL-00208, in the County Court at Law No. 2, Cameron County;
- w) To discuss the status and authorize substitution of County Counsel on the case styled, Gerardo Gonzalez al. vs. the Texas Department of Corrections, et. al., Cause No. B-95-78, in the United States District Court, Southern District, Brownsville;

- x) To discuss the status and authorize substitution of County Counsel on the case styled, Antonio Vallejo, Jr. vs. Alex F. Perez, County Sheriff, et. al., Cause No. B-95-059, in the United States District Court, Southern District, Brownsville;
- y) To discuss the status and authorize substitution of County Counsel on the case styled, Janie Houghston vs. June Williams, et. al., Cause No. 89-08-3329-D, in the 103rd District Court, Cameron County, Texas;
- z) To discuss the status and authorize substitution of County Counsel on the case styled, Antonio Escobar vs. Cameron County Sheriff Alex Perez, et. al., Cause No. B-95-143, in the United States District Court, Southern District, Brownsville;
- aa) To discuss the status and authorize substitution of County Counsel on the case styled, Fidel Barrera vs. Cameron County Parks System, EEOC Charge No. 31C960911-S;
- bb) To discuss the status and authorize substitution of County Counsel on the case styled, Antonio Gonzalez-Contreras Castillo, vs. Issis Chainberlan, et. al., Cause No. B-95-113, in the United States District Court, Southern District, Brownsville;
- cc) To discuss the status and authorize substitution of County Counsel on the case styled, Arnulfo Gonzalez Cuevas vs. Cameron County Sheriff Alex F. Perez, et. al., Cause No. B-96-031, in the United States District Court, Southern District, Brownsville;
- dd) To discuss the status and authorize substitution of County Counsel on the case styled, Edward Alcalá, et. al. vs. Cameron County, Cause No. B-96-203, in the United States District Court for the Southern District of Texas, Brownsville;
- ee) To discuss the status and authorize substitution of County Counsel on the case styled, Denise Stockton Bell vs. Judge Rogelio Valdez, et. al., Cause No. 96-09-214-B, in the 138th Judicial District Court, Cameron County;
- ff) To discuss the status and authorize substitution of County Counsel on the case styled, Jon Allan Ashcraft vs. Cameron County Jail, et. al., Cause No. B-93-205A, in the United States District Court for the Southern District of Texas, Brownsville;
- gg) To discuss the status and authorize substitution of County Counsel on the case styled, Homer Reyna vs. Cameron County, Cause No. 96-07-3814-D, in the 103rd Judicial District Court, Cameron County; and
- hh) To discuss the status and authorize substitution of County Counsel on the case styled, Cameron County vs. Eliseo Muñoz, Jr., et. al., Cause No. 1996-CCL-237-A, condemnation proceeding in the County Court at Law No. 1, Cameron County.

Commissioner Matz recommended that on Items “b” through “hh”, the Commissioners’ Court should direct County Counsel to submit the appropriate legal documents in all cases so as to substitute the Legal Division of the Commissioners’ Court for Luis Saenz, County Attorney.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, on Items “b” through “hh”, the Commissioners’ Court directed County Counsel to submit the appropriate legal documents in all cases so as to substitute the Legal Division of the Commissioners’ Court for Luis Saenz, County Attorney.

- ii) Confer with County Counsel pertaining to the Cameron County Trustee Property known as Port Isabel - unsubdivided Point, Part No. 1, Tract D, 4.41 acres; formerly known as the Old Marchan Property.

Commissioner Cascos recommended that the Status Report by the Property Management Coordinator should be acknowledged regarding said matter.

Commissioner Cascos moved that the Status Report by the Property Management Coordinator be acknowledged regarding the Cameron County Trustee Property known as Port Isabel - unsubdivided Point, Part No. 1, Tract D, 4.41 acres; formerly known as the Old Marchan Property.

The motion was seconded by Commissioner Peña and carried unanimously.

- jj) Confer with County Counsel pertaining to the potential property available to lease or purchase in La Feria, Cameron County, Texas.

Commissioner Cascos recommended that the Property Management Coordinator should be authorized to negotiate the property in La Feria, Texas.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Property Management Coordinator was authorized to negotiate the lease or purchase property available in La Feria, Cameron County, Texas.

- kk) Confer with county Counsel pertaining to the initial draft proposal presentation from Grupo Xesa and authorization to continue discussions for the possible development and lease of the Dolphin Cove/Children's Beach Area in Isla Blanca Park, Cameron County, Texas.

Commissioner Cascos recommended that Mr. Joseph Ardito, Property Management Coordinator, should be authorized to continue the negotiations with Grupo Xesa regarding said matter.

Commissioner Cascos moved that Mr. Joseph Ardito, Property Management Coordinator, be authorized to continue to negotiate with Grupo Xesa for the possible development and lease of the Dolphin Cove/Children's Beach Area in Isla Blanca Park, Cameron County, Texas.

The motion was seconded by Commissioner Matz and carried unanimously.

- ll) Confer with County Counsel to discuss a Maintenance Agreement for a twenty-four inch (24") storm sewer pipe along the West side of FM/1577.

Commissioner Cascos recommended that the Engineering Department should be directed to authorize the installation and the subsequent maintenance of the twenty-four inch (24") storm sewer pipe along FM/1577.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Engineering Department was directed to install the twenty-four inch (24") storm sewer pipe along the West side of FM/1577.

- mm) Confer with County Counsel concerning Legal Services for the Sunny Skies Colonia.

Commissioner Cascos recommended that Mr. Douglas Wright, Attorney at Law, should discuss the legal services with the appropriate individuals regarding the Sunny Skies Colonia, noting the limit was approved, in the amount of \$12,000.00.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, Mr. Douglas Wright, County Counsel, was directed to discuss the Legal Services regarding the Sunny Skies Colonia, with the appropriate individuals, noting the limit was approved, in the amount of \$12,000.00.



Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court recessed until Friday, December 20, 1996, at 9:00 A.M.