

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 13th day of OCTOBER, 1998, 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:

9:30 A.M.

PRESENT:

GILBERTO HINOJOSA  
COUNTY JUDGE

PEDRO "PETE" BENAVIDES  
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 at 9:38 A.M. 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 October 9, 1998, at 2:54 P.M.:

**(1) APPROVAL OF COUNTY CLAIMS**

At this time, Commissioner Matz expressed concern as to Warrant No. 4001, payable to Walt Meziere and Associates, in the amount of \$10,065.00.

Mr. Mark Yates, County Auditor, stated that Warrant No. 4001 was for the Jail Package implementation which was purchased through the Gateway Technology Inmate Phone System and included travel and training for the County employees. He added that the County would be set up to access the Internet by the end of October and stated that the Jail Package of the Court System would be demonstrated to the Court.

There was some discussion as to the Warrants being paid for the Justices of the Peace Offices without Lease Agreements and the suggestions were made to execute the Request for Proposals for the County Property located on FM511, in order to construct and consolidate the County Offices in one location. Mr. Yates also suggested that several County Offices should be centralized at the Los Indios International Bridge for accessibility and security purposes.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides 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 THE BUDGET AMENDMENTS  
AND/OR SALARY SCHEDULES**

At this time, Mr. Mark Yates, County Auditor, stated that there were some slight modifications in some Departments Salary Schedules, but noted that the Salary Schedules were all within their Budgets.

Judge Hinojosa expressed concern as to some of the Departments which were inconsistent in distributing the four percent (4%) across the board and added that the only exception to the Policy was in the Public Works Department, in order to equalize the salaries.

Commissioner Benavides expressed concern as to the employees in the Public Works Department who did not receive the increase as a result of the equalization within the Department.

Mr. Yates explained that the employees in the Public Works Department whose salaries exceeded the established salaries did not receive the increase, in order to bring up the lower paid employees' salaries for the equalization of the Department.

Judge Hinojosa explained that the Policy decision was made as a result of the Consolidation of the Precincts not to have any pay cuts within the Public Works Department and noted that due to the disparity among the Precincts' salaries, the agreement was made to equalize the Department.

There was a lengthy discussion as to the inconsistencies within the salary increases and the suggestion was made to review the salary schedules and schedule a Workshop, in order to justify the exceptions made in the Departments.

Mr. Yates noted that Judge Tony Torres, Justice of the Peace, Precinct No. 2, Place No. 1, had requested that the Court Assistant I be upgraded to a Court Assistant II Position, noting that a Court Assistant II currently existed in the Justice of the Peace Office.

Judge Hinojosa clarified that all Justices of the Peace contained Court Assistants I, II and III and that the salaries among the JP-s should be consistent, noting that there could only be one of each position in each Justice of the Peace Office.

Commissioner Matz moved that the 1998 Fiscal Year Budget Amendment No. 98-27, be approved and that the Salary Schedules be deferred until after Executive Session.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Budget Amendments are as follow:**

At this time, Judge Hinojosa presented and welcomed the following special visitors from the Consulado de Mexico (Mexican Consulate):

Licenciada Bernice Rendon,

Ms. Velma Ramirez de Tersero, and

Ms. Thelma Carrera de Ramirez.

[REDACTED]

(3) **IN THE MATTER OF THE MINUTES OF  
SEPTEMBER 1, 1998, AND SEPTEMBER 8, 1998  
(TABLED)**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, this Item was **(TABLED)** for one (1) week.

[REDACTED]

(4) **APPOINTMENT OF MS. ELAINE FLORES TO  
THE TEXAS TROPICAL MENTAL HEALTH AND  
MENTAL RETARDATION BOARD**

Commissioner Peña moved that Ms. Elaine Flores, Harlingen, Texas, be appointed to the Texas Tropical Mental Health and Mental Retardation Board.

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

**AYE:** Commissioners Benavides, Matz and Peña

**NAY:** None

**ABSTAINED:** Commissioner Cascos.

[REDACTED]

(5) **AUTHORIZATION TO ADVERTISE FOR  
FIFTEEN (15) PATROL CARS FOR THE  
SHERIFF-S DEPARTMENT**

Commissioner Peña moved that fifteen (15) patrol cars be advertised for the Sheriff-s Department.

The motion was seconded by Commissioner Benavides and carried unanimously.

(7) **APPROVAL OF THE WAIVER OF HOTEL EXPENSE LIMIT FOR COMMISSIONERS-COURT LEGAL COUNSEL-S TRAVEL TO ATTEND THE GOVERNMENT CIVIL PRACTICE COURSE**

Commissioner Peña moved that the waiver of hotel expense limit be approved for the Commissioners-Court Legal Counsel-s travel to attend the Government Civil Practice Course.

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

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

**NAY:** Commissioner Matz.

(8) **ADOPTION OF A RESOLUTION ACKNOWLEDGING THE OPENING, ESTABLISHMENT, EXISTENCE AND SERVICE OF THE BROWNSVILLE SOUTHMOST BRANCH TAX OFFICE IN CAMERON COUNTY**

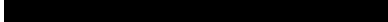
Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Resolution was adopted acknowledging the opening, establishment, existence and service of the Brownsville Southmost Branch Tax Office in Cameron County.

**The Resolution is as follows:**

**(9) APPROVAL OF THE MAINTENANCE RENEWAL OF VOLUME PURCHASE AGREEMENT (VPA) FOR AREFLECTION® SOFTWARE FOR ONE (1) YEAR BEGINNING OCTOBER 30, 1998, AND ENDING OCTOBER 30, 1999, FOR A TOTAL COST OF \$1,999.50**

Commissioner Peña moved that the Maintenance Renewal of Volume Purchase Agreement (VPA) for AReflection® Software be approved for one (1) year beginning October 30, 1998, and ending October 30, 1999, for a total cost of \$1,999.50.

The motion was seconded by Commissioner Benavides and carried unanimously.



**(10) APPROVAL OF CHANGE ORDER NO. 4 FOR THE SOUTH TEXAS BOOT CAMP**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, Change Order No. 4 for the South Texas Boot Camp was approved.

**The Order is as follows:**

**(11) AUTHORIZATION FOR CHIEF PARK RANGER TO PARTICIPATE IN THE NATIONAL CRIME PREVENTION COUNCIL AND ATTEND A CRIME PREVENTION COALITION OF AMERICA CONFERENCE ON OCTOBER 9-14, 1998, IN WASHINGTON, D.C.**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Chief Park Ranger was authorized to participate in the National Crime Prevention Council and attend a Crime Prevention Coalition of America Conference on October 9-14, 1998, in Washington, D.C.



**(12) APPROVAL OF TWO (2) RESERVE DEPUTIES FOR CONSTABLE PRECINCT NO. 6**

Commissioner Benavides moved that the two (2) Reserve Deputies for Constable Precinct No. 6 be approved, as recommended by the Personnel Director.

The motion was seconded by Commissioner Peña and carried unanimously.

At this time, Mr. Mark Yates, County Auditor, stated that the Personnel Department had been requested to submit information, in order to create slots for the non-paid Deputy Reserves Personnel for Worker-s Compensation purposes.



**(13) AUTHORIZATION FOR THE COUNTY ENGINEERING DEPARTMENT TO CONDUCT PUBLIC MEETINGS FOR FUTURE RIGHTS-OF-WAY FOR PRECINCTS NO. 1 AND NO. 2**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the County Engineering Department was authorized to conduct Public Meetings for future Rights-of-Way for Precincts No. 1 and No 2.



**(14) APPOINTMENT OF THE REMAINING PRESIDING AND ALTERNATE JUDGES NOT APPOINTED ON THE JULY 10, 1998, COMMISSIONERS- COURT MEETING**

Commissioner Peña moved that the remaining Presiding and Alternate Judges, not appointed on the July 10, 1998, Commissioners- Court Meeting, be appointed.

The motion was seconded by Commissioner Matz and carried unanimously.

**The List as follows:**

(15) **APPROVAL OF THE INTERLOCAL COOPERATION AGREEMENT AND THE MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE PARTICIPATING CAMERON COUNTY SCHOOL DISTRICTS REGARDING THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM**

Commissioner Peña moved that the Interlocal Cooperation Agreement and the Memorandum of Understanding between Cameron County and the participating Cameron County School Districts regarding the Juvenile Justice Alternative Education Program be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Agreement is as follows:**



# **CONSENT AGENDA ITEM**

**THE FOLLOWING ITEMS WERE RECOMMENDED FOR ACONSENT® AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:**

At this time, Commissioner Matz expressed concern as to Item 18 Ab® regarding the Purchase without the Purchase Order in the Health Department.

Ms. Maria San Pedro, Health Department Director of Nurses, explained that an employee received a phone call from a salesperson informing the employee that sanitary gloves, along with a box of chocolates was being shipped to the Health Department. She stated that the employee claimed that the order was not placed and that it was the employee's understanding that the shipment was a sample order. Ms. San Pedro noted that the Health Department was billed for the unauthorized order and added that the boxes of gloves were opened and were currently being utilized.

Mr. Mark Yates, County Auditor, recommended that the vendor be notified of the County Purchasing Procedures and noted that County employees did not have the authority to Contract with any vendor on behalf of the County.

Commissioner Benavides moved that the following AConsent® Agenda Items be approved.

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

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

**NAY:** Commissioner Matz, as to Item 18 Ab®.

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

- a) Two (2) Unified Narcotics Intelligence Task-Force Staff members to attend the >Advanced Intelligence Analysis Courses® in Santa Barbara, California, on October 25-30, 1998;
- b) Tax Assessor-Collector Chief Deputy and Data Processing Manager to attend the A1998 Tax Roll Merger at Hamer Enterprises® in McAllen, Texas, on September 30, 1998;
- c) Two (2) Commissioners= Court Legal Counsel Staff members to attend the AGovernment Civil Practice Course® in New Orleans, Louisiana, on November 15-19, 1998;
- d) Two (2) County Extension Agents to attend a ABetter Living for Texans Training® in Kingsville, Texas, on October 5, 1998;
- e) County Extension Agent to attend the ARegion 5 Advisory Council Meeting® in Kingsville, Texas, on November 5, 1998;
- f) County Clerk and two (2) Deputies to attend the A44<sup>th</sup> Annual Conference on Vital Statistics® in Austin, Texas, on December 7-8, 1998;

- g) Three (3) Unified Narcotics Intelligence Task-Force Staff members to travel to San Antonio, Texas, to trade in their County Leased Vehicles from CAPPs Car Rental on October 7-8, 1998;
- h) Unified Narcotics Intelligence Task-Force Director and Assistant Director to attend an Executive Committee Meeting in Laredo, Texas, on October 26-28, 1998;
- i) Court Administrators/Coordinators to attend the 1998 TACA Education Conference in Austin, Texas, on November 8-11, 1998;
- j) Two (2) Health Department employees to attend a Training on the Americans with Disability Act in Pharr, Texas, on October 19, 1998; and
- k) County Health employee to attend a Program Manager Meeting in Austin, Texas, on September 23-24, 1998.

████████████████████

**(17) PRELIMINARY APPROVAL**

- a) Precinct No. 4  
  
Royal Acres Subdivision, Block No. 136, (1978 AC), Adams Gardens Subdivision AC.

**(18) PURCHASES WITHOUT PURCHASE ORDERS**

- a) BUREAU OF LABORATORIES, IN THE AMOUNT OF \$137.50, HEALTH DEPARTMENT; AND
- b) SUPERIOR MEDICAL COMPANY, IN THE AMOUNT OF \$494.64, HEALTH DEPARTMENT.

████████████████████

**(19) EXECUTIVE SESSION**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:40 A.M. to discuss the following matters:

- a) Confer with County Counsel concerning the rights to the treated wastewater effluent; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (A)(2);
- b) Confer with County Counsel concerning personnel issues and policies concerning pay raises; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- c) Deliberation regarding the Real Property concerning the Right-of-Way acquisition of Parcel No. 76, for FM/1419; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- d) Deliberation regarding the Real Property concerning the acquisition of a certain 9.5 acre tract for the Valle Escondido/Valle Hermoso Drainage Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 11:45 A.M.

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

- a) Confer with County Counsel concerning the rights to the treated wastewater effluent.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Status Report by County Counsel was acknowledged regarding the rights to the treated wastewater effluent.

- b) Confer with County Counsel concerning the personnel issues and policies concerning pay raises.

Commissioner Matz moved that the Status Report by County Counsel be acknowledged regarding the Personnel Issues and Policies concerning pay raises.

The motion was seconded by Commissioner Peña and carried unanimously.

- c) Deliberation regarding the Real Property concerning the Right-of-Way acquisition of Parcel No. 76, for FM1419.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the purchase of the Right-of-Way acquisition of Parcel No. 76, for FM1419, in the amount of \$17,500.00, plus closing costs was approved.

- d) Deliberation regarding the Real Property concerning the acquisition of a certain 9.5 acre tract for the Valle Escondido/Valle Hermoso Drainage Project.

Commissioner Matz moved that the Status Report by County Counsel be acknowledged regarding the Real Property concerning the acquisition of a certain 9.5 acre tract for the Valle Escondido/Valle Hermoso Drainage Project.

The motion was seconded by Commissioner Peña and carried unanimously.

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

At this time, Judge Hinojosa stated that it was the consensus among the Commissioners that there be a four percent (4%) across the board increase for all County employees with the exception of the Public Works Department. He clarified that the four percent (4%) increase would be allocated to the slot, the increase would be applied to the employee's current salary. Judge Hinojosa added that the increase would apply to the County employees working for the County for a period of six (6) months or more, including transfers within the County Departments and noted that employees recently employed by the County who had less than six (6) months would not receive the increase until the six (6) months were completed. He clarified that it was no shape or form of a probationary period by the Court, but was a policy decision by the Court to increase only the employees who have worked for six (6) months or more.

Commissioner Peña clarified that the increase would apply to County employees transferring within the County Departments who had a continuous period of the six (6) months working with the County.

Judge Hinojosa proposed that the Salary Schedules for the Public Works Department submitted by the County Engineer, as opposed to the Salary Schedules submitted by the County Auditor be adopted and noted that the County Engineer had been mandated by the Court to equalize the salaries in the Public Works Department.

At this time, Mr. Juan Bernal, County Engineer, noted that Line Item No. 10, should reflect Field Agent III - Building Inspector, in the Salary Schedule for Planning and Inspection, Fund No. 150-6230.

Commissioner Peña moved that the Countywide Salary Schedules be approved, as recommended by the County Auditor and the County Engineer.

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

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

**NAY:** Commissioner Benavides, as to the Public Works Department Salary Schedules.

**The Salary Schedules are as follow:**

**(6) IN THE MATTER OF THE DISCUSSION TO ADVERTISE FOR THE PURCHASE OF PATROL CARS FOR CONSTABLES/DEPUTIES INCLUDING THE QUANTITY AND THE APPROVED COLOR FOR THE PATROL CARS (TABLED)**

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

\_\_\_\_\_

here being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 11:55 A.M.

=====

**APPROVED** this **10th** day of **November, 1998**.

\_\_\_\_\_  
**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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