

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 5th day of JANUARY, 1999, 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

NATIVIDAD "TIVIE" VALENCIA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Gilberto Hinojosa at 9:37 A.M. He then asked Mr. Bob Clark, 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 31, 1998, at 11:36 A.M.:

At this time, Judge Hinojosa welcomed Commissioner Natividad Valencia, Precinct No. 4, on the occasion of his first day back on the County Commissioners= Court.

Commissioner Valencia expressed his gratitude for his re-election to the Commissioners= Court and added that his office would maintain an open door policy for the community.

SUPPLEMENTAL AGENDA

(1) **ADOPTION OF A RESOLUTION OFFICIAL NAMING THE LOS TOMATES INTERNATIONAL BRIDGE PROJECT AS A THE VETERANS MEMORIAL INTERNATIONAL BRIDGE AT LOS TOMATES**

At this time, Mr. Bruce Aiken, Brownsville resident, expressed concern as to the Los Tomates Bridge Project being named "The Veterans Memorial International Bridge at Los Tomates" and requested clarification as to whether the County was naming the Bridge for the deceased veterans or all veterans in general. He explained that a veteran pertained to an individual who fought and survived a war and that "memorial" signified a veteran who fought in a war was had deceased.

Judge Hinojosa stated that the County wanted to honor veterans and wanted a County site to place a monument in memory of the deceased war heros.

Mr. Remi Garza, Executive Assistant to the County Judge, reported that the City of Brownsville had agreed and suggested that the Bridge be named "The Veterans International Bridge at Los Tomates."

Judge Hinojosa stated that "memorial" should be left out of the name and that a monument would still be placed at the County site in memory of the deceased veterans.

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Resolution officially naming the Los Tomates International Bridge Project as "The Veterans International Bridge at Los Tomates" was adopted.

The Resolution is as follows:

At this time, Judge Hinojosa set a few moments for public comment regarding the 14.9 acres adjacent to Isla Blanca Park which would be discussed in Executive Session.

Mr. Bill Law, South Padre Island resident, expressed concerns as to the proposed site for the construction of Schlitterbaum Park and as to whether a plan had been implemented to control the traffic increase, and whether the noise and wetlands issues had been addressed.

Mr. Jean Washburn, South Padre Island resident, expressed concerns to the severe environmental problems which existed at the proposed site and as to the impact that the Park would have on the economic community.

Judge Hinojosa stated that the Legal and Contract issue would be discussed in Executive Session and clarified that Schlitterbaum had approached the County for the development of 14.9 acre tract of land. He noted that there were many proposals submitted for the development of the land, but noted that Schlitterbaum was the only entity to submit a concrete proposal to the County. Judge Hinojosa stated that the wetlands were included in the Request for Proposal and added that Schlitterbaum was fully aware of the wetlands issue in the area. He reported that the parking issues had been addressed during the Request for Proposal Process and confirmed that the organization's operations had been carefully reviewed and examined by County Officials. Judge Hinojosa clarified that the revenues generated from the Park would fund the maintenance and development of the County Parks System and added that the traffic and noise issues would be addressed.

Commissioner Matz stated that the trash and security issues would also be considered and suggested that the concerns expressed by the residents of South Padre Island should be addressed.

SUPPLEMENTAL AGENDA

(2) **APPROVAL OF THE COURT APPOINTED ATTORNEY CONTRACTS FOR ATTORNEYS OSCAR DE LA FUENTE, JR. AND ROBERT LERMA, JR.**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Court Appointed Attorney Contract for Attorneys Oscar De La Fuente, Jr. and Robert Lerma, Jr., were approved.

The Contracts are as follow:

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

At this time, Mr. Mark Yates, County Auditor, stated that Judge Janet Leal, County Court at Law No. 1, was requesting that a Aroving@ Bailiff be retained for three (3) months for the three (3) County Courts at Law, which would be funded from County Court at Law No. 1's Budget and explained that the funds had been allocated from the Court Appointed Attorney-s Line Item.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the 1999 Fiscal Year Budget Amendment No. 99-11, and the following Salary Schedules were approved:

Maintenance and Operation Courthouse, Fund No. 100-5140;

County Court at Law No. 1, Fund No. 100-4260;

County Court at Law No. 2, Fund No. 100-4270; and

County Court at Law No. 3, Fund No. 100-4280.

The Budget Amendments and/or Salary Schedules are as follow:

(1) **APPROVAL OF COUNTY CLAIMS**

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



(3) **ADOPTION OF A RESOLUTION HONORING
FORMER COUNTY COMMISSIONER HECTOR
PEÑA**

At this time, Commissioner Valencia expressed concern as to whether there was a County Policy regarding the transfer of assets and inventory of equipment following the end of a term for an Elected Official. He stated that certain items were missing from the office and that the new staff was unable to operate due to the lack of computers and equipment that was not functional.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Resolution honoring former County Commissioner Hector Peña was adopted.

The Resolution is as follows:

(4) **DESIGNATION OF THE TIME OF DAY AND DAY OF THE WEEK OF THE COMMISSIONERS-COURT REGULAR MEETING**

Commissioner Matz moved that Tuesdays at 9:30 A.M., be designated as the time of day and the day of the week for the Commissioners- Court Meetings.

The motion was seconded by Commissioner Benavides and carried unanimously.



(5) **APPOINTMENT OF THE COUNTY JUDGE PRO-TEM**

Commissioner Benavides moved that Commissioner Carlos H. Cascos, C.P.A., Precinct No. 2, be appointed as the County Judge Pro-tem.

The motion was seconded by Commissioner Matz and carried unanimously.



(6) **IN THE MATTER OF THE ANNUAL REPORT BY THE CAMERON COUNTY HISTORICAL COMMISSION (TABLED)**

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



(7) **PRESENTATION AND ACKNOWLEDGMENT OF THE QUARTERLY REPORT ENDING SEPTEMBER 30, 1998, ON INVESTMENTS OF COUNTY FUNDS, PURSUANT TO GOVERNMENT CODE SECTION 2256, THE PUBLIC FUNDS INVESTMENT ACT**

At this time, Mr. Eddie Gonzalez, County Treasurer, briefly highlighted the Quarterly Report ending September 30, 1998, on the investments of County Funds.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the presentation of the Quarterly Report ending September 30, 1998, on investments of County Funds; pursuant to Government Code Section 2256, the Public Funds Investment Act, was acknowledged.

The Reports are as follow:

(8) AUTHORIZATION TO OPEN NEW ACCOUNTS

Commissioner Cascos moved that the following new accounts be opened:

- a) Oscar Tullos, Cameron County Justice of the Peace, Precinct No. 2, Place No. 2; and
- b) Santiago A. Saldaña, Jr., Cameron County Justice of the Peace, Precinct No. 4.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

(9) **PRESENTATION AND ACKNOWLEDGMENT OF THE SUMMARY OF MONTHLY REPORTS FOR THE FOURTH QUARTER OF THE FISCAL YEAR ENDED SEPTEMBER 30, 1998, AS REQUIRED BY LOCAL GOVERNMENT CODE, SECTION 114.026**

At this time, Mr. Eddie A. Gonzalez, County Treasurer, highlighted the Monthly Reports for the Fourth Quarter of the Fiscal Year ended September 20, 1998.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the presentation of the Monthly Reports for the Fourth Quarter of the Fiscal Year ending September 30, 1998, as required by Local Government Code, Section 114.026, was acknowledged.

The Reports are as follow:

(10) APPROVAL OF CHANGES TO SLOTS NO. 100-4030-04, -05-16, -19, RECLASSIFICATION OF JOB TITLES, RESPONSIBILITIES AND SALARIES

At this time, Mr. Joe G. Rivera, County Clerk, explained that four (4) slots in the County Clerk's Office were being reclassified as a result of an employee who retired and added that the slots corresponded to the Salary Matrix.

Commissioner Benavides moved that the changes to Slots Nos. 100-4030-04, -05-16 and -19, reclassification of job titles, responsibilities and salaries, be approved.

The motion was seconded by Commissioner Matz.

At this time, Commissioner Cascos stated that a Committee had been created in order to evaluate changes in Salary Schedules twice a year and expressed concern as to the Elected Officials submitting the changes in slots on a case by case basis.

Judge Hinojosa stated that the Evaluation Committee process would continue as proposed and added that Mr. Rivera's request to adjust the slots was necessary to comply with the Salary Matrix.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the changes to Slots Nos. 100-4030-04, -05-16 and -19, reclassification of job titles, responsibilities and salaries were approved.

The Salary Schedules are as follow:

- (11) **APPROVAL OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR THE CAMERON COUNTY UNIFIED NARCOTICS INTELLIGENCE TASK-FORCE**
- (12) **APPROVAL OF THE CONTINUING APPLICATION AND GRANT AWARD FOR THE SOUTH TEXAS HIDTA DIRECTOR-S ADMINISTRATIVE SUPPORT ELEMENT**
- (13) **APPROVAL OF THE CONTINUING GRANT APPLICATION AND GRANT AWARD FOR THE SOUTHWEST BORDER-SOUTH TEXAS MULTI-AGENCY DRUG RELATED PUBLIC CORRUPTION TASK FORCE**

Commissioner Matz moved that the Continuing Grant Applications and Grant Awards for the Cameron County Unified Narcotics Intelligence Task-Force, the South Texas HIDTA Director-s Administrative Support Element and the Southwest Border-South Texas Multi-Agency Drug Related Public Corruption Task Force be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Agreements are as follow:

(14) APPROVAL OF THE CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND CONTRACT PHARMACY SERVICES, INCORPORATED, REGARDING INFIRMARY PHARMACIST SERVICES AND PHARMACEUTICALS

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Contract between the Cameron County Health Department and Contract Pharmacy Services, Incorporated, regarding Infirmary Pharmacist Services and Pharmaceuticals was approved.

The Contract is as follows:

(15) AUTHORIZATION OF THE EXTENSION OF THE CONTRACT TIME FOR THE LOS TOMATES BORDER STATION, PAVING, DRAINAGE, AND UTILITIES PROJECT

Commissioner Matz moved that the extension of Contract time for the Los Tomates Border Station, Paving, Drainage and Utilities Project be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(16) APPROVAL OF A RESERVE DEPUTY FOR CONSTABLE PRECINCT NO. 2

At this time, Mr. Manuel Villarreal, Personnel/Safety Risk Director, expressed concern as to the background checks being conducted for the Reserve Deputies, and requested guidance as to the time frames to consider.

Commissioner Cascos stated that a Policy should be created regarding the process of the background checks as to the time frame considered and the seriousness of the offenses.

Judge Hinojosa suggested that if an individual possessed a criminal record, the matter should be presented as an Executive Session Item, in order to determine the seriousness of the offense until a Policy was developed.

At this time, Mr. Doug Wright, Commissioners=Court Legal Counsel, stated that the names of the individuals being considered should be specified on the Agenda Item.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, Mr. Jeffery Vancise was approved as a Reserve Deputy for Constable Precinct No. 2.

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- (17) **IN THE MATTER OF SACRAMENTO RIVER DRIVE, ARKANSAS RIVER DRIVE AND YUKON RIVER DRIVE, ALL LOCATED IN RIO BRAVO SUBDIVISION, SECTION NO. 7, PRECINCT NO. 2, INTO THE COUNTY ROAD SYSTEM (TABLED)**
- (18) **ACCEPTANCE OF HARA COURT, LOCATED IN LA HARA ESTATES, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM**
- (19) **ACCEPTANCE OF CALLE CENTRAL, JACARANDA COURT NORTH, JACARANDA COURT SOUTH, ALL LOCATED IN MI TIERRA SUBDIVISION, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, Hara Court, located in La Hara Estates, Precinct No. 4, and Calle Central, Jacaranda Court North and Jacaranda Court South, all located in Mi Tierra Subdivision, Precinct No. 3, were accepted into the County Road System, and Item No. 17 was **Tabled**.

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:

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the AConsent® Agenda Items were approved as follow:

- (20) **TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET AND ALL APPLICABLE COUNTY POLICIES:**
 - a) Two (2) Health Department employees to attend a ANutrition Risk Codes/Health Histories Training® in Austin, Texas, on January 12, 1999;
 - b) Constable Precinct No. 6 and two (2) Deputies to attend a ADeath Investigation Training® in Corpus Christi, Texas, on January 18-19, 1999;
 - c) Constable Precinct No. 4 to attend a ADeath Investigation Training® in Corpus Christi, Texas, on January 18-19, 1999;
 - d) Justice of the Peace Precinct No. 2, Place No. 2, to attend a AMandatory Training® in Austin, Texas, on January 10-15, 1999; and
 - e) Health Department employee to attend a ATALWD Leadership Planning Conference® in Austin, Texas, on January 13-15, 1999.

(21) **PRELIMINARY APPROVAL**

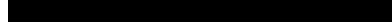
a) **Precinct No. 3**

Pelican Pointe Subdivision, being a 7.4218 acre tract of land, more or less, out of a 307.125 acre tract of land being a portion of Share No. 22, Espiritu Santo Grant.

(22) **FINAL APPROVAL**

a) Precinct No. 1

Granado Subdivision - being 4.406 acres of land, more or less, situated in Lot No. 4, Block No. 102, El Jardin Resubdivision of Share No. 29, Espiritu Santo Grant.

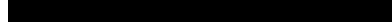


(23) **EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 10:47 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning 14.9 acres adjacent to Isla Blanca Park, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

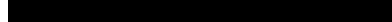
Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:16 A.M.



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

- a) Deliberation regarding the Real Property concerning 14.9 acres adjacent to Isla Blanca Park.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the 14.9 acres adjacent to Isla Blanca Park.



There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 11:17 A.M.



APPROVED this **26th** day of **January, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS.