

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 9th day of FEBRUARY, 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 9:50 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 February 5, 1999, at 1:08 P.M.:

(1) APPROVAL OF COUNTY CLAIMS

Upon motion by Commissioner Matz, 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**

Commissioner Matz moved that the 1999 Fiscal Year Budget Amendment No. 99-17 be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Budget Amendments are as follow:

**(3) APPROVAL OF THE MINUTES OF JANUARY 19,
1999 - REGULAR**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Minutes of Regular Meeting held January 19, 1999, at 9:30 A.M., were approved.



**(6) ADOPTION OF A RESOLUTION GIVING
CONSENT TO A PROJECT FOR THE
HARLINGEN COMMUNITY EMERGENCY CARE
FOUNDATION, PURSUANT TO THE TEXAS
HEALTH AND SAFETY CODE CHAPTER 221**

At this time, Mr. Brendan Hall, Attorney at Law, explained that the Harlingen Emergency Services was purchasing a helicopter, an ambulance and additional necessary equipment from the Bell County Health Facilities Development Corporation. He stated that the City of Harlingen's and the County's consent was required, in order to purchase the items and noted that there would not be a financial obligation or liability to the County.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Resolution giving consent to a Project for the Harlingen Community Emergency Care Foundation, pursuant to the Texas Health and Safety Code, Chapter 221 was adopted.

The Resolution is as follows:

(4) ADOPTION OF A RESOLUTION HONORING MR. EDUARDO DOMINGUEZ FROM THE CAMERON-WILLACY COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT, ON THE OCCASION OF HIS RETIREMENT AND SERVICE TO THE PROBATION DEPARTMENT

Commissioner Cascos moved that the Resolution honoring Mr. Eduardo Dominguez from the Cameron-Willacy Counties Community Supervision and Corrections Department, on the occasion of his retirement and service to the Probation Department be adopted.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

(5) **ADOPTION OF A RESOLUTION
COMMEMORATING CAMERON COUNTY'S
150TH ANNIVERSARY**

Commissioner Matz moved that the Resolution commemorating Cameron County's 150th Anniversary be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Resolution is as follows:

(7) **ADOPTION OF NEW COUNTY TRAVEL
POLICIES AS PREPARED BY THE COUNTY
AUDITOR**

At this time, Commissioner Benavides expressed concern to a travel situation that occurred with the District Clerk's Office regarding the rental of two (2) hotel rooms combined by three (3) employees and added that the employees were being requested to reimburse the County.

At this time, Mr. Mark Yates, County Auditor, stated that similar instances would occur in the future and added that such situations should be reviewed and determined by the Court.

Judge Hinojosa stated that there should be some exceptions to the Policy for special situations which would be justified by the Department and reviewed by the Court.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the new County Travel Policies were adopted as prepared by the County Auditor.

The Policies are as follow:

(8) APPROVAL OF THE LEASE AGREEMENT BETWEEN CAMERON COUNTY AND JERRY SHIELDS FOR OFFICE SPACE FOR JUSTICE OF THE PEACE OSCAR DE LA FUENTE

(9) APPROVAL OF THE LEASE AGREEMENT BETWEEN CAMERON COUNTY AND ROMERO GARZA FOR OFFICE SPACE FOR JUSTICE OF THE PEACE DAVID GARZA

At this time, Commissioner Cascos expressed concern regarding County Officials leasing from relatives.

Mr. Doug Wright, Commissioners=Court Legal Counsel, stated that the issue had been allowed in the past and clarified that the Contractual Authority was the Commissioners= Court, as opposed to the County Official.

Judge Hinojosa stated that the Lease Agreements would be short term, due to the construction of County owned offices for the Justices of the Peace in San Benito.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, Lease Agreements between Cameron County and Mr. Jerry Shields for office space for Justice of the Peace Oscar De La Fuente and Mr. Romero Garza for office space for Justice of the Peace David Garza were approved.



(10) APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH MS. VERONICA FARIAS ERWIN, ATTORNEY AT LAW, TO PROVIDE REPRESENTATION TO INDIGENT DEFENDANTS IN THE COUNTY COURT AT LAW NO. 2

At this time, Judge Hinojosa stated that the matter of retaining a Public Defender's Office for all Courts should be considered and the County Auditor was requested to structure the costs and number of staff for the creation a public defender's office.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Professional Services Agreement with Ms. Veronica Farias Erwin, Attorney at Law, to provide representation to indigent defendants in the County Court at Law No. 2, was approved.

The Agreement is as follows:

- (11) **APPROVAL OF THE LEASE AGREEMENT BETWEEN CAMERON COUNTY AND LA FERIA CO-OP FOR OFFICE SPACE FOR JUSTICE OF THE PEACE ARTURO SALAS AND THE TAX ASSESSOR-COLLECTOR TONY YZAGUIRRE**
- (12) **APPROVAL OF THE LEASE AGREEMENT BETWEEN CAMERON COUNTY AND THE ESTATE OF ENRIQUE WEAVER FOR OFFICE SPACE FOR JUSTICE OF THE PEACE GUALBERTO WEAVER**

Commissioner Cascos moved that the Lease Agreements between Cameron County and La FERIA Co-Op for office space for Justice of the Peace Arturo Salas and the Tax Assessor-Collector and the Estate of Enrique Weaver for office space for Justice of the Peace Gualberto Weaver be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (13) **UTHORIZATION TO NEGOTIATE CONTRACT NO. 582-9-11906 BETWEEN CAMERON COUNTY AND THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION AND THE USDA RURAL DEVELOPMENT**

Commissioner Cascos moved that Contract No. 582-9-11906 between Cameron County and the Texas Natural Resource Conservation Commission (TNRCC) and the USDA Rural Development be negotiated.

The motion was seconded by Commissioner Valencia and carried unanimously.

- (14) **APPROVAL OF THE COOPERATIVE WORKING AGREEMENTS BETWEEN CAMERON COUNTY AND ALL CITIES IN WILLACY COUNTY THAT HAVE LAW ENFORCEMENT DEPARTMENTS FOR THE FISCAL YEAR 2000 CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE GRANT APPLICATION**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Cooperative Working Agreements between Cameron County and all cities in Willacy County that have Law Enforcement Departments for the Fiscal Year 2000 Cameron County Drug Enforcement Task Force Grant Application were approved.

**(15) AUTHORIZATION TO ADVERTISE FOR BIDS
FOR THE CONSTRUCTION OF THE ABELARDO
ROAD PAVING IMPROVEMENTS, PRECINCT
NO. 2, BROWNSVILLE, TEXAS**

Commissioner Cascos moved that the Bids for the construction of the Abelardo Road paving improvements, Precinct No. 2, Brownsville, Texas, be advertised.

The motion was seconded by Commissioner Benavides and carried unanimously.



(16) **AUTHORIZATION TO APPROVE CHANGE
ORDER NO. 7 FOR THE SOUTH TEXAS BOOT
CAMP**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, Change Order No. 7 for the South Texas Boot Camp was approved.

Mr. Mark Yates, County Auditor, stated that budget amendment would be submitted to the Court in order to allocate the funding source from the Fund Balance of prior federal jail reimbursements.

The Order is as follows:

(17) AUTHORIZATION TO ACCEPT CALLE ALEGRE ROAD, LOCATED IN VALLE ALEGRE SUBDIVISION, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM

Commissioner Benavides moved that Calle Alegre Road, located in Valle Alegre Subdivision, Precinct No. 3, be accepted into the County Road System.

The motion was seconded by Commissioner Valencia and carried unanimously.



(18) APPROVAL OF TWO RESERVE DEPUTIES, MR. JORGE J. MARQUEZ AND MR. LEOPOLDO MENCHACA, FOR CONSTABLE PRECINCT NO. 2

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, two (2) Reserve Deputies, Mr. Jorge J. Marquez and Mr. Leopoldo Menchaca, were approved for Constable Precinct No. 2.

The Bonds are as follow:

(19) **IN THE MATTER OF THE OFFICIAL
MARKINGS FOR CONSTABLES- PATROL
VEHICLES (TABLED)**

At this time, Constable Robert Lopez, Precinct No. 4, stated that most of the County Constables had agreed upon the colors and markings for the Constables=vehicles, but noted that Constable Guadalupe Gonzalez had objected to the official markings.

Judge Hinojosa suggested that the Constables should discuss the matter, in order to unanimously determine the colors and markings and added that all the vehicles should be uniform.

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



(20) APPROVAL OF THE MANAGEMENT CONTROL RENEWAL AGREEMENT BETWEEN THE DISTRICT ATTORNEY'S OFFICE OF CAMERON COUNTY AND THE CAMERON COUNTY CHIEF INFORMATION OFFICER FOR ACCESS OF THE TEXAS CRIME INFORMATION CENTER (TCIC) AND THE NATIONAL CRIME INFORMATION CENTER

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, Management Control Renewal Agreement between the District Attorney's Office of Cameron County and the Cameron County Chief Information Officer for access of the Texas Crime Information Center (TCIC) and the National Crime Information Center (NCIC) be approved.

The Agreement is as follows:

**(21) APPROVAL OF AMENDMENT NO. 1 TO HOME
CONTRACT NO. 537058, BETWEEN CAMERON
COUNTY AND THE TEXAS DEPARTMENT OF
HOUSING AND COMMUNITY AFFAIRS**

Commissioner Valencia moved that Amendment No. 1 to the Home Contract No. 537058, between Cameron County and the Texas Department of Housing and Community Affairs be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

(22) AUTHORIZATION TO USE THE AREA IN FRONT OF THE COURTHOUSE/PORION OF HARRISON STREET FOR RALLY TO LAUNCH ACHOOSE TO VOTE® VOTER REGISTRATION CAMPAIGN ON WEDNESDAY, FEBRUARY 24, 1999

Commissioner Matz moved that the area in front of the Courthouse and/or portion of Harrison Street be utilized for a rally to launch AChoose To Vote® Voter Registration Campaign, on Wednesday, February 24, 1999.

The motion was seconded by Commissioner Valencia and carried unanimously.

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 Matz, seconded by Commissioner Valencia and carried unanimously, the AConsent® Agenda Items were approved as follow:

- (23) TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET AND ALL APPLICABLE COUNTY POLICIES:**
 - a) Emergency Management Coordinator to attend the ATexas Safety Association Defensive Driving Instructor IDC® in Austin, Texas, on February 16-19, 1999;
 - b) Elections Administrator and employee to attend the AElection Center-s 1999 Special Workshop on Voter File Integrity® in Charlotte, North Carolina, on February 20-23, 1999;
 - c) County Child Welfare Homemaker to attend the AHST/CSA Conference® in Corpus Christi, Texas, on February 17-18, 1999
 - d) Health Department employee to attend a A1999 NE and BF Workshop® in Austin, Texas, on March 9-11, 1999;
 - e) Two (2) Unified Narcotics Intelligence Task-Force Staff to attend a ACriminal Intelligence Analysis Training® in McAllen, Texas, on February 1-12, 1999;
 - f) Two (2) Health Department employees to attend the ACertified Euthanasia Technician Workshop sponsored by the Texas Animal Control Association® in Brownsville, Texas, on April 14-16, 1999;
 - g) Health Department employee to attend the ALocal Health Department Directors-Meeting® in Falfurrias, Texas, on March 4, 1999;
 - h) County Court at Law No. 2 Judge to attend the ARegional Conference® in Austin, Texas, on February 28, 1999, through March 3, 1999;

- I) Chief Juvenile Probation Officer to attend a ATexas Juvenile Probation Commission Update@ in Austin, Texas, on February 11-12, 1999;
- j) Health Department employee to attend the AInformation Task Force Meeting@ in Weslaco, Texas, on February 17, 1999;
- k) Health Department employee to attend the ADisease Reporting and Surveillance in Texas@ on Austin, Texas, on February 3-4, 1999;
- l) Program Development and Management employee to attend the ALower Rio Grande Valley Development Council Professional Advisory Review Panel@ in Weslaco, Texas, on February 10, 1999; and
- m) Constable Precinct No. 6, Constable Precinct No. 4 and Deputy to attend the AMandatory Civil Process School@ in San Antonio, Texas, on February 21-24, 1999.



(24) OPEN REQUEST FOR QUALIFICATIONS

- a) **REQUEST FOR QUALIFICATION NO. 99-01-01 JAIL FACILITY ARCHITECT/ENGINEERING SERVICES; AND**
- b) **REQUEST FOR QUALIFICATION NO. 99-01-02 JAIL FACILITY DESIGN BUILD SERVICES - PHASE I.**



(25) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 10:37 A.M. to discuss the following matters::

- a) In the matter of the evaluation of Personnel Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (1); **(TABLED)**
- b) Deliberation regarding the Real Property concerning the possible land acquisition in San Benito, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property concerning the possible land acquisition in Brownsville, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Deliberation regarding the Real Property concerning the possible land acquisition in La Feria, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- e) Confer with County Counsel regarding the potential litigation concerning Boca Chica Public Beach; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1);
- f) 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; and
- g) Confer with County Counsel regarding the Medical Services at the County Jail Infirmary; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2) and 551.074 (1).

Upon motion by Commissioner Matz, seconded by Commissioner Cascos a carried unanimously, the Court reconvened in Regular Session at 12:00 P.M.



(26) ACTION RELATIVE TO EXECUTIVE SESSION

a) In the matter of the evaluation of the Personnel Director. (TABLED)

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

b) Deliberation regarding the Real Property concerning the possible land acquisition in San Benito, Texas.

Commissioner Matz moved that the Property Management Coordinator be authorized to negotiate the land acquisition in San Benito, Texas.

The motion was seconded by Commissioner Valencia and carried unanimously.

c) Deliberation regarding the Real Property concerning the possible land acquisition in Brownsville, Texas.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the possible land acquisition in Brownsville, Texas.

d) Deliberation regarding the Real Property concerning the possible land acquisition in La Feria, Texas.

Commissioner Matz moved that the negotiations be continued for the possible land acquisition in La Feria, Texas.

The motion was seconded by Commissioner Valencia and carried unanimously.

e) Confer with County Counsel regarding the potential litigation concerning Boca Chica Public Beach.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the litigation concerning public safety on Boca Chica Public Beach was approved.

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

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

- g) **Confer with County Counsel regarding the Medical Services at the County Jail Infirmary.**

Commissioner Matz moved that the Jail Doctor position be advertised and that Ms. Yvette Salinas, Health Administrator, be authorized to negotiate with a physician on a temporary basis until the Slot is filled, for purposes of ensuring that the medical services continue to be provided.

The motion was seconded by Commissioner Valencia and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the meeting was **ADJOURNED** at 12:05 P.M.

APPROVED this **16th** day of **March, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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