

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 26th day of MAY, 1999, there was conducted a SPECIAL 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:

10:30 A.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.
COMMISSIONER, PRECINCT NO. 2

COMMISSIONER, PRECINCT NO. 3

NATIVIDAD "TIVIE" VALENCIA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:
JAMES R. MATZ

The meeting was called to order by Judge Gilberto Hinojosa at 9:35 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 May 21, 1999, at 1:48 P.M., and the Supplemental Agenda posted and filed on May 21, 1999, at 3:10 P.M.:

(4) ADOPTION OF A RESOLUTION HONORING MR. JUAN JOSE SAENZ FROM THE CAMERON-WILLACY COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT AND PROCLAIMING MAY 25, 1999, AS AJUAN JOSE SAENZ DAY® IN CAMERON COUNTY

At this time, Judge Hinojosa presented the Resolution to Mr. Juan Jose Saenz, on the occasion of his retirement and expressed his gratitude for his years of service to the County.

Commissioner Cascos moved that Resolution honoring Mr. Juan Jose Saenz from the Cameron-Willacy Counties Community Supervision and Corrections Department, on the occasion of his retirement and service to the Probation Department be adopted and that May 25, 1999, be proclaimed as AJuan Jose Saenz Day® in Cameron County.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

(1) **APPROVAL OF COUNTY CLAIMS**

NOTE: JUDGE HINOJOSA LEFT THE COURTROOM.

At this time, Mr. Mark Yates, County Auditor, informed the Court that House Bill 1341, had passed through the State Senate and the House of Representatives, which would provide grant funds for Historic Courthouse Renovations and noted that the County might be able to qualify for the funding to renovate the Dancy Building. Mr. Yates presented the following additional late claims for approval:

- Warrant No. 13820, as to Los Tomates Construction Fund, in the amount of \$12,500.00;
- Warrant No. 13821, as to Project Road Map Fund, in the amount of \$40,000.00;
- Warrant No. 13822, as to Sheriff Local Law Enforcement Block Grant, in the amount of \$7,000.00;
- Warrant No. 13823, as to Sunny Skies Colonia Fund, in the amount of \$27,800.00;
- Warrant No. 13825, as to Valle Escondido/Valle Hermoso, in the amount of \$16,100.00;
- Warrant No. 13826, as to Clean Beach Media Campaign, in the amount of \$19,200.00;
- Warrant No. 13827, as to Tuberculosis Grants, in the amount of \$4,000.00;
- Warrant No. 13828, as to Cobbleheads, in the amount of \$4,805.37; and
- Warrant No. 13829, as to Supreme Court Clerk, in the amount of \$4,308.00.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the County Claims were approved, as presented by the County Auditor, inclusive of the following late claims:

- Warrant No. 13820, in the amount of \$12,500.00;
- Warrant No. 13821, in the amount of \$40,000.00;
- Warrant No. 13822, in the amount of \$7,000.00;
- Warrant No. 13823, in the amount of \$27,800.00;
- Warrant No. 13825, in the amount of \$16,100.00;
- Warrant No. 13826, in the amount of \$19,200.00;
- Warrant No. 13827, in the amount of \$4,000.00;
- Warrant No. 13828, in the amount of \$4,805.37; and
- Warrant No. 13829, in the amount of \$4,308.00.

The Budget Officer-s Comments Report is as follows:

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

Commissioner Benavides moved that the 1999 Fiscal Year Budget Amendment No. 99-31, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Budget Amendments are as follow:

(3) **APPROVAL OF MINUTES OF MAY 4, 1999, AND MAY 11, 1999**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Minutes of the meetings held May 4, 1999, at 9:30 A.M., and May 11, 1999, at 9:30 A.M., were approved.

(7) **ADOPTION OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY-S OFFICE TO APPLY TO THE BUREAU OF JUSTICE ASSISTANCE FOR A COMMUNITY PROSECUTION GRANT AND DESIGNATION OF SOURCE FOR THE REQUIRED MATCH**

At this time, Mr. Mark Yates, County Auditor, stated that the District Attorney had requested that the required match for the Bureau of Justice Assistance for a Community Prosecution Grant be allocated from Fund No. 90 and Fund No. 10.

Ms. Yolanda de Leon, District Attorney, reported that the Project was currently being funded by a Grant under the Brownsville Independent School District (BISD), and added that a District Attorney-s Office Prosecutor was currently assigned to the Juvenile Section which was fully paid from the Grant. She noted that the Grant was valid for one (1) year and requested that the required match be funded through the General Fund and the Grant.

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Resolution authorizing the District Attorney-s Office to apply to the Bureau of Justice Assistance for a Community Prosecution Grant was adopted, noting that half of the required match be allocated from General Fund.

NOTE: JUDGE HINOJOSA RETURNED TO THE COURTROOM.

(5) **PRESENTATION AND ACKNOWLEDGMENT OF THE QUARTERLY REPORT FOR THE QUARTER ENDING MARCH 31, 1999, ON INVESTMENTS OF COUNTY FUNDS, IN ACCORDANCE WITH PROVISIONS OF V.T.C.A. GOVERNMENT CODE, CHAPTER 2256**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Quarterly Report for the quarter ending March 31, 1999, on Investments of County Funds, in accordance with Provisions of V.T.C.A. Government Code, Chapter 2256, was acknowledged.

The Report is as follows:

**(6) ACKNOWLEDGMENT OF THE COMPLETION OF
THE COUNTY INVESTMENT OFFICER-S
EDUCATION REQUIREMENTS FOR 1998**

Commissioner Cascos moved that the completion of the County Investment Officer-s education requirements for 1998, be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Certificate is as follows:

(9) APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND DANIEL WALKER, EFFECTIVE JUNE 1, 1999, THROUGH DECEMBER 31, 1999

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Professional Services Agreement between Cameron County and Mr. Daniel Walker, effective June 1, 1999, through December 31, 1999, was approved.

The Agreement is as follows:

(10) AUTHORIZATION TO PURCHASE A MOBILE PHONE FOR THE COMPUTER MAINTENANCE TECHNICIAN FOR THE INTERNATIONAL BRIDGE SYSTEMS

Commissioner Benavides moved that a mobile phone be purchased for the International Bridge Systems Computer Maintenance Technician.

The motion was seconded by Commissioner Valencia and carried unanimously.

(11) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO SUBMIT A CONSOLIDATED HOMELESS ASSISTANCE GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A SUPPORTIVE HOUSING PROGRAM

At this time, Judge Hinojosa stated that he had been informed by Mr. Saul Ramirez, Housing and Urban Development (HUD) Deputy Secretary, of new programs being created which would provide funding for the Colonias in Cameron County and directed the Program Development and Management Director to review the matter.

Commissioner Cascos moved that the Program Development and Management Department submit a Consolidated Homeless Assistance Grant Application to the United States Department of Housing and Urban Development for a Supportive Housing Program.

The motion was seconded by Commissioner Benavides and carried unanimously.

(12) APPROVAL OF RESERVE DEPUTY CONSTABLE WALTER R. KRINN, FOR CONSTABLE PRECINCT NO. 6

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, Reserve Deputy Constable Walter R. Krinn, for Constable Precinct No. 6 was approved.

The Bond is as follows:

**(13) IN THE MATTER OF THE OFF SYSTEM BRIDGE
AT COUNTY ROAD 725 AND RESACA DE LOS
FRESNOS TO TURNER ROAD AND RESACA DE
LOS FRESNOS (TABLED)**

At this time, Mr. Juan Bernal, County Engineer, stated that the City of San Benito and the Texas Department of Transportation (TxDOT) had requested that the Off System Bridge be relocated and added that the cost of the construction would be funded by the City of San Benito and the County, noting that the Bridge would be a part of the City of San Benito.

Commissioner Cascos suggested that the County Engineer should confer with Commissioner Matz concerning the Off System Bridge relocation, which was located in Precinct No. 3, in order to avoid any confusion among the residents in the area.

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

At this time, Commissioner Valencia questioned the status of the two (2) bridges in the La Feria area and Mr. Bernal responded that the bridges would be replaced within the next two (2) years, as per the Texas Department of Transportation (TxDOT).

Judge Hinojosa questioned the status of the Jail Proposals and Mr. Bernal replied that the Request for Proposals would be sent out within the next week.

**(14) APPROVAL TO ALLOCATE \$1,450.00 FOR
ADDITIONAL FUNDING FOR MATERIAL DESIGN,
PURSUANT TO THE VALLE ESCONDIDO/VALLE
HERMOSO DRAINAGE IMPROVEMENT
PROJECT**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the amount of \$1,450.00, was allocated for additional funding for material design, pursuant to the Valle Escondido/Valle Hermoso Drainage Improvement Project.

(15) APPROVAL OF THE CONTRACT WITH DR. VICTOR M. GONZALEZ, JR., TO ACT AS THE CAMERON COUNTY HEALTH AUTHORITY

Commissioner Benavides moved that the Contract with Dr. Victor M. Gonzalez, Jr., as the Cameron County Health Authority, be approved.

The motion was seconded by Commissioner Valencia.

At this time, Ms. Yvette Salinas, Health Administrator, stated that the annual salary, in the amount of \$40,000.00, for Dr. Victor M. Gonzalez, Jr., was based on the duties and responsibilities as outlined by the County.

Commissioner Cascos requested that Dr. Gonzalez should present a Status Report to the Court every three (3) months and that the Health Authority should provide a more active role in the County.

Upon motion duly made by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Contract with Dr. Victor M. Gonzalez, Jr., as the Cameron County Health Authority was approved.

The Contract is as follows:

SUPPLEMENTAL AGENDA

(1) APPROVAL OF ONE (1) FULL-TIME AND TWO (2) PART-TIME PERMANENT POSITIONS TO BE ADDED TO THE DEPARTMENT OF ELECTIONS AND VOTER REGISTRATION, EFFECTIVE JUNE 1, 1999

At this time, Mr. Robert Mendoza, Elections Administrator, stated that the full-time position was expected to be implemented at the beginning of the next Fiscal Year, but requested that the full-time be created effective June 1, 1999, in order for the employee to experience the upcoming election and to attend the training in August at the Secretary of State's Office in Austin.

Mr. Mark Yates, County Auditor, briefly highlighted the Compensation Costs for the Requested Positions Report and suggested that the full-time position would be less expensive, as opposed to creating two (2) part-time positions.

Judge Hinojosa suggested that the one (1) full-time position be created and that it be pro-rated from the Lapsed Salaries Fund until October 1, 1999. He stated that the matter be reviewed in the next Fiscal Year's Budget and added that the two (2) current part-time positions be retained until after the upcoming Election.

Commissioner Cascos moved that the full-time position be created and funded through the Lapsed Salaries until October 1, 1999, and that the two (2) part-time positions be deferred until the end of the Budget Year.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Report 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:

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the

AConsent® Agenda Items were approved as follow:

(16) TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET AND ALL APPLICABLE COUNTY POLICIES:

- a) Three (3) Information Service Department employees to attend the AVoice-Over Technologies and Solutions Data and Video Seminar® in McAllen, Texas, on May 20, 1999;
- b) Personnel/Safety Risk Coordinator to attend a ARecord Compliance Workshop® in San Antonio, Texas, on June 2, 1999;
- c) Three (3) Constable Precinct No. 6 Deputies to attend the ACivil Process Training Course® in Corpus Christi, Texas, on May 17-19, 1999;
- d) UNIT Systems Manager to attend the AHypertext Markup Language Course® in Corpus Christi, Texas, on June 6-10, 1999;
- e) HIDTA Director to attend a ASouth Texas HIDTA Executive Committee Meeting® in San Antonio, Texas, on May 31, 1999, through June 2, 1999;
- f) 107th District Court Coordinator to attend the AP.D.P. Trial Court Coordinator Course® in Huntsville, Texas, on June 14-18, 1999;
- g) Two (2) Juvenile Probation employees to attend the ATitle IV-E Placement Conference® in South Padre Island, Texas, on May 24-28, 1999;
- h) Health Department employee to attend the AAnnual WIC Director-s Meeting® in Austin, Texas, on June 7-8, 1999;
- I) Two (2) Health Department employees to attend the AStrategic Planning/Performance Measurement Meeting® in Austin, Texas, on May 31, 1999, through June 2, 1999; and
- j) Two (2) Assistant District Attorneys to present an oral argument at the Criminal Court of Appeals in Austin, Texas, on May 18-19, 1999.

(17) OPEN BIDS

- a) DIETARY SUPPLIES NO. 2050-3;
- b) FOOD: CANNED AND DRIED NO. 2110-3;
- c) FOOD: FROZEN NO. 2165-3;
- d) FOOD: MEATS NO. 2170-3;
- e) FOOD: SPICES NO. 2210-3;
- f) PHARMACEUTICALS: OVER THE COUNTER NO. 2296;
- g) FIRE EXTINGUISHER MAINTENANCE NO. 1430;
- h) NEWSPAPER ADVERTISING NO. 1150;
- i) VEHICLE LEASE NO. 1480; AND
- j) HV/AC UNITS QUANTITY: (3 EACH - 15TH), (1 EACH - 10TN), (1 EACH - 5TN).

The Bids opened and received are as follow:

(18) EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the

Court met in Executive Session at 11:15 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning the possible acquisition for a potential park site; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding the Real Property concerning the possible authorization to enter into a long term Concession Agreement with NB Development, doing business as, Schlitterbahn Waterpark at South Padre Island; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property concerning discussion on property acquisition for drainage right-of-way; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Deliberation regarding the Real Property concerning Cameron County owned property, known as Block No. 61, Brownsville Original Townsite, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Confer with County Counsel concerning the possible litigation with the University of Texas Medical Branch at Galveston, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- f) Confer with County Counsel concerning the possible litigation with Boots and Coots Special Services; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- g) In the matter of the Contract for Post-Hurricane Recovery Operation with Shiner Moseley and Associates, Incorporated; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); **(TABLED)** and
- h) In the matter of the Real Property concerning Cameron County Airport; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072. **(TABLED)**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the

Court reconvened in Regular Session at 12:40 A.M.



(19) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Deliberation regarding the Real Property concerning the possible acquisition for a potential park site;
- b) Deliberation regarding the Real Property concerning the possible authorization to enter into a long term Concession Agreement with NB Development, doing business as, Schlitterbahn Waterpark at South Padre Island;
- c) Deliberation regarding the Real Property concerning discussion on property acquisition for drainage right-of-way;

- d) Deliberation regarding the Real Property concerning Cameron County owned property, known as Block No. 61, Brownsville Original Townsite, Cameron County, Texas;
- e) Confer with County Counsel concerning the possible litigation with the University of Texas Medical Branch at Galveston; and
- f) Confer with County Counsel concerning the possible litigation with Boots and Coots Special Services.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Status Reports for Item No. 19 Aa@ through Af@ by the Property Management Coordinator, County Counsel and the Program Development and Management Director were acknowledged.

- g) **In the matter of the Contract for Post-Hurricane Recovery Operation with Shiner Moseley and Associates, Incorporated. (TABLED)**

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

- h) **In the matter of the Real Property concerning Cameron County Airport. (TABLED)**

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



- (8) **IN THE MATTER OF THE CONTRACT FOR POST-HURRICANE RECOVERY OPERATIONS WITH ORIGINAL SCOPE OF SERVICES FROM THE PROPOSAL OF SHINER MOSELEY AND ASSOCIATES, INCORPORATED (TABLED)**

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



There 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 **12:43 P.M.**

APPROVED this **8th** day of **June, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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