

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 8th day of JUNE, 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:

2:00 P.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 2:00 P.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 June 4, 1999, at 11:33 A.M., and the Supplemental Agenda posted and filed on June 4, 1999, at 3:35 P.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Commissioner Cascos expressed concern as to Warrant No. 14318, payable to Victor Rodriguez, in the amount of \$2000.00, and Warrant No. 14212, as to Mary Capistran, in the amount of \$25.00, for building Permits.

Mr. Mark Yates, County Auditor, stated that Warrants No. 14318 and No. 14212 would be researched, in order to clarify the Warrants to the Court.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos 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 Cascos moved that the 1999 Fiscal Year Budget Amendment No. 99-33, and the Salary Schedule for the Computer Center, Fund No. 110-4080, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Budget Amendments and the Salary Schedules are as follow:

**(3) APPROVAL OF MINUTES OF MAY 26, 1999,
REGULAR MEETING**

Commissioner Valencia moved that the Minutes of the meeting held May 26, 1999, at 9:30 A.M., be approved.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: None

ABSTAINED: Commissioner Matz.

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**(4) AUTHORIZATION TO PURCHASE INFIRMARY
EQUIPMENT TO INCLUDE TWO (2) EKG
MACHINES AND THREE (3) SPIROMETERS**

Commissioner Valencia moved that the purchase of infirmary equipment to include two (2) EKG machines and three (3) Spirometers be approved, said funding to be allocated from the Equipment List Fund No. 64-630.

The motion was seconded by Commissioner Cascos and carried unanimously.

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**(5) AUTHORIZATION TO PURCHASE TEN (10)
BERETTA 9MM SEMI AUTO PISTOLS, TEN (10) 12
GAUGE SHOTGUNS AND TEN (10) BERETTA 9MM
MAGAZINES**

At this time, Chief Gus Reyna, Sheriff's Department, explained that the purchase would allow the Sheriff's Department to utilize the weapons for backup to the existing weapons and noted the confiscated weapons awarded to the Sheriff's Department totaling \$9,000.00, would be utilized as trade-ins for said weapons.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the purchase of ten (10) Beretta 9MM Semi Auto Pistols, ten (10) Beretta 12 Gauge Shotguns and ten (10) Beretta 9MM Magazines were approved, noting that the funds be allocated from the Forfeiture Fund.

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(6) APPROVAL OF THE DISPATCH SERVICE AGREEMENT (RENEWAL) BETWEEN CAMERON COUNTY AND THE TOWN OF RANCHO VIEJO POLICE DEPARTMENT

At this time, Commissioner Cascos expressed concern as to the increase in cost for dispatching services in the last two (2) years and as to the Town of Rancho Viejo Police Department being billed at a higher cost.

Judge Hinojosa recommended that the Contract should be approved and that the increase in costs be analyzed in the following year-s Contract.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Renewal Dispatch Service Agreement between Cameron County and the Town of Rancho Viejo Police Department was approved.

The Agreement is as follows:

(7) **AUTHORIZATION FOR THE TAX ASSESSOR-COLLECTOR TO CLOSE THE DRIVE-UP WINDOW LANES IN BROWNSVILLE FROM JUNE 21-25, 1999, TO INSTALL NEW REMOTE TRANSACTION UNITS**

Commissioner Cascos moved that the Tax Assessor-Collector close the drive-up window lanes in Brownsville from June 21-25, 1999, to install new remote transaction units.

The motion was seconded by Commissioner Benavides and carried unanimously.

At this time, Commissioner Cascos suggested that the Maintenance Department should upgrade the area during the closing of the drive-up window lanes.

Mr. Tony Yzaguirre, Tax Assessor-Collector, stated that a request had been submitted to the Maintenance Department to paint the building at the drive-up window lanes area and that the asphalt contained potholes which needed to be repaired by the Public Works Department.

Mr. Mark Yates, County Auditor, stated that certain projects which were budgeted in the Building Maintenance Budget would not be completed in the current Fiscal Year and that the funds for the repairs at the drive-up window lanes area would be allocated from the Building Maintenance Fund.



(8) **AUTHORIZATION TO SOLICIT A REQUEST FOR INFORMATION REGARDING THE UPGRADING OF AS/400 510 COMPUTER**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Request for Information was solicited regarding the upgrading of AS/400 510 Computer.



(9) **AUTHORIZATION TO SUBMIT PROPOSALS FOR FUNDING FROM THE COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS OFFICE OF COLONIA INITIATIVES FOR THE 1999-2001 CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP CENTER PROGRAM**

Commissioner Cascos moved that proposals be submitted for funding from the Community Development Corporation of Brownsville to the Texas Department of Housing and Community Affairs Office of Colonia Initiatives for the 1999-2001 Cameron and Willacy Counties Colonia Self-Help Center Program.

The motion was seconded by Commissioner Benavides and carried unanimously.



**(10) APPROVAL OF THE CONTRACT (RENEWAL)
WITH CAMERON COUNTY AND INTERFACE
EAP, INCORPORATED, FOR MANAGEMENT
MENTAL HEALTH PLUS, SUPPORTED BY AN
EMPLOYEE ASSISTANCE PROGRAM**

At this time, Mr. Manuel Villarreal, Personnel/Safety Risk Director, briefly highlighted the twenty-four hour service provided to County employees and their families by Interface EAP, Incorporated.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Contract (Renewal) with Cameron County and Interface EAP, Incorporated, for Management Mental Health Plus, supported by an Employee Assistance Program was approved.

At this time, Judge Hinojosa questioned whether arbitration clauses were included in the Contracts and Mr. Mark Yates, County Auditor, responded that the Court had directed Legal Counsel to eliminate arbitration clauses and set the venue in Cameron County.

The Contract is as follows:

(11) AUTHORIZATION TO REQUEST BIDS FOR THE CASEWORKER SERVER UPGRADE FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Bids for the caseworker server upgrade for the Cameron County Juvenile Probation Department were advertised.

(12) ACCEPTANCE OF COACH CIRCLE, MOBILE HOME BOULEVARD, ANCHOR DRIVE, CAMPER DRIVE, TRAILER DRIVE, LOCATED IN VERMILLION ESTATES MOBILE HOME SUBDIVISION, PRECINCT NO. 2, INTO THE COUNTY ROAD SYSTEM

(13) ACCEPTANCE OF CALLE RANCHO GRANDE WEST, CALLE SAN JUAN, CALLE SAN MATEO, CALLE PALOMA, CALLE SAN LUCAS, CALLE SAN JEREMIAS, LOCATED IN THE RANCHO GRANDE SOUTH SUBDIVISION, SECTION VI, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM

(14) ACCEPTANCE OF FLORES AVENUE, LOCATED IN MYERWOOD SUBDIVISION NO. 2, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the following roads were accepted into the County Road System:

- Coach Circle, Vermillion Estates Mobile Home Subdivision, Precinct No. 2,
- Mobile Home Boulevard, Vermillion Estates Mobile Home Subdivision, Precinct No. 2,
- Anchor Drive, Vermillion Estates Mobile Home Subdivision, Precinct No. 2,
- Camper Drive, Vermillion Estates Mobile Home Subdivision, Precinct No. 2,
- Trailer Drive, Vermillion Estates Mobile Home Subdivision, Precinct No. 2,
- Calle Rancho Grande West, Rancho Grande South Subdivision, Section VI, Precinct No. 4,
- Calle San Juan, Rancho Grande South Subdivision, Section VI, Precinct No. 4,
- Calle San Mateo, Rancho Grande South Subdivision, Section VI, Precinct No. 4,
- Calle Paloma, Rancho Grande South Subdivision, Section VI, Precinct No. 4,
- Calle San Lucas, Rancho Grande South Subdivision, Section VI, Precinct No. 4,
- Calle San Jeremias, Rancho Grande South Subdivision, Section VI, Precinct No. 4, and
- Flores Avenue, Myerwood Subdivision No. 2, Precinct No. 3.

(15) **IN THE MATTER OF THE AGREEMENT BETWEEN CAMERON COUNTY AND THE HARLINGEN IRRIGATION DISTRICT NO. 1, REGARDING THE REPLACEMENT OF THE THIEME ROAD BRIDGE (TABLED)**

At this time, Juan Bernal, County Engineer, explained that placement of the Thieme Road Bridge had been performed incorrectly and added that the Harlingen Irrigation District No. 1 had requested that an inspection be conducted on the area.

Commissioner Cascos expressed concern as to the Agreement which reflected that the County would reimburse any Areasonable out of pocket expenses.®

Mr. Bernal stated that the Harlingen Irrigation District No. 1 had agreed to notify the County of any problems that should arise and the expenses to be made.

Commissioner Cascos suggested that the Item be Tabled in order to include the proper language into the Contract regarding the reimbursement of expenses by the County.

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



(16) **AUTHORIZATION TO PURCHASE AND INSTALL ADDITIONAL TILE AT THE ARMORY BOOT CAMP FACILITY**

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, explained that a classroom at the Armory Boot Camp Facility contained a concrete floor which did not compliment the classroom and added that a layer of tile would prevent the accumulation of dust and would be easier to maintain.

Commissioner Cascos suggested that the floor be painted, as opposed to placing the tile and would be less expensive.

Judge Hinojosa stated that the County should create an environment at the Armory Boot Camp Facility which would have a positive affect on the juveniles attending the camp.

Judge Hinojosa moved that the purchase and installation of additional tile at the Armory Boot Camp Facility be approved.

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

AYE: Judge Hinojosa, Commissioners Benavides and Valencia

NAY: Commissioners Matz and Cascos.



(20) AUTHORIZATION TO RELOCATE OFF SYSTEM BRIDGE AT COUNTY ROAD 725 AND RESACA DE LOS FRESNOS TO TURNER ROAD AND RESACA DE LOS FRESNOS

Commissioner Matz moved that the Off System Bridge at County Road 725 and Resaca De Los Fresnos be relocated to Turner Road and Resaca De Los Fresnos.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(17) AUTHORIZATION TO HIRE ROBINSON AND DUFFY TO APPRAISE PROPERTY BEING TRANSFERRED TO THE UNITED STATES FISH AND WILDLIFE CONCERNING THE VETERANS MEMORIAL BRIDGE PROJECT

Commissioner Cascos moved that the Firm of Robinson and Duffy, Real Estate Appraisers and Consultants, be hired to appraise property being transferred to the United States Fish and Wildlife concerning the Veterans Memorial Bridge Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

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(18) APPROVAL OF A MONTH TO MONTH LEASE AGREEMENT BETWEEN CAMERON COUNTY AND SOUTHWIND AIRLINES, INCORPORATED, FOR SPACE AT THE CAMERON COUNTY AIRPORT

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the month-to-month Lease Agreement between Cameron County and Southwind Airlines, Incorporated, for space at the Cameron County Airport was approved.

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(19) APPROVAL OF THE CONTRACT BETWEEN CAMERON COUNTY AND SHINER MOSELEY AND ASSOCIATES, INCORPORATED, FOR POST HURRICANE RECOVERY OPERATIONS

Commissioner Cascos moved that the Contract between Cameron County and Shiner Mosely and Associates, Incorporated, for Post Hurricane Recovery Operations be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

At this time, Mr. Mark Yates, County Auditor, recommended that fifty percent (50%) of the funding for said project should be allocated from the Road and Bridge Fund and added that a time line for completion should be included in the Contract.

The Contract is as follows:

**(21) APPROVAL OF THE CONTRACT BETWEEN
CAMERON COUNTY AND UETA OF TEXAS,
INCORPORATED**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Contract between Cameron County and UETA of Texas, Incorporated, was approved.

Commissioner Matz expressed concern as to the design of the building and Mr. Joseph Ardito, Property Management Director, responded that the architect was working closely with the City of Brownsville concerning a two-story building and the landscaping issues.

The Contract 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 Matz, seconded by Commissioner Valencia and carried unanimously, the

AConsent® Agenda Items were approved as follow:

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

- a) Two (2) Personnel/Benefits Specialists to attend an AADA/FMLA and Workers Compensation Seminar® in McAllen, Texas, on June 24, 1999;
- b) UNIT Director and UNIT Tactical Intelligence Agent to attend the AFall Conference of the Air Smuggling Investigators Association (ASIA)® in Norfolk, Virginia, on August 28, 1999, through September 3, 1999;
- c) UNIT Assistant Director to trade in a County leased vehicle in San Antonio, Texas, on June 6-7, 1999;
- d) UNIT Intelligence Research Specialist to attend the AAnalytical Investigative Techniques Course® in San Antonio, Texas, on June 20-26, 1999;
- e) Health Department employee to attend the AWIC Community Outreach Services Meeting® in Mission, Texas, on June 9, 1999;
- f) Four (4) Courthouse Security employees to attend a ABombs and Explosive Devices Seminar® in Dallas, Texas, on June 6-11, 1999;
- g) JJAEP Administrator to attend a ASummit for a Drug-Free Texas Conference® in Austin, Texas, on June 21-22, 1999;
- h) Chief Juvenile Probation Officer to attend the AWest Texas Juvenile Chiefs Association 3rd Annual Training Workshop® in Ruidoso, New Mexico, on June June 19-23, 1999, and the A76th Texas Post-Legislative Conference Affecting the Juvenile Justice System® in Austin, Texas, on June 23-25, 1999;
- I) Public Works Receptionist to attend a AHow to Handle People with Tact and Skill Seminar® in McAllen, Texas, on June 24, 1999;
- j) Juvenile Probation Officer to attend a AMeeting sponsored by the Texas Commission on Alcohol and Drug Abuse® in Austin, Texas, on June 2-3, 1999;
- k) Parks System Director to meet with the Texas Recreation and Parks Society - TRAP 2000 Conference Planning Committee® in Austin, Texas, on June 8, 1999; and
- l) 197th District Judge to attend the ANational Center for State Courts United States/Mexico Judicial Exchange Program Border Conference® in San Antonio, Texas, on June 16-19, 1999.

(23) EXECUTIVE SESSION

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

Court met in Executive Session at 2:55 P.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning the possible land 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 Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Block No. 1, Lot No. 2; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property concerning the 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; and

SUPPLEMENTAL AGENDA

(1) EXECUTIVE SESSION

- a) Confer with County Counsel regarding the possible litigation on the distribution of excess funds from the sale of the Marchan property; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (A).

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

Court reconvened in Regular Session at 3:18 A.M.

SUPPLEMENTAL AGENDA

(2) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Confer with County Counsel regarding the possible litigation on the distribution of excess funds from the sale of the Marchan property.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to prepare a response letter to Mr. Ted Marchan, owner, regarding the possible litigation on the distribution of excess funds from the sale of the Marchan property.

(24) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Deliberation regarding the Real Property concerning the possible land acquisition for a potential park site.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Real Property concerning the possible land acquisition for a potential park site.

b) Deliberation regarding the Real Property concerning Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Block No. 1, Lot No. 2.

Commissioner Benavides moved that the Property Management Coordinator be directed to negotiate an installment plan and prepare a Contract for Deed concerning the Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Block No. 1, Lot No. 2.

The motion was seconded by Commissioner Valencia and carried unanimously.

c) Deliberation regarding the Real Property concerning the Cameron County owned property, known as Block No. 61, Brownsville Original Townsite, Cameron County, Texas.

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the removal of encroachments from the Cameron County owned property, known as Block No. 61, Brownsville Original Townsite, Cameron County, Texas, was approved.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the meeting was **ADJOURNED** at 3:20 P.M.

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APPROVED this 6th of July, 1999.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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