

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 6th day of JULY, 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 9:30 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 July 2, 1999, at 1:04 P.M.:

(7) **IN THE MATTER OF THE REFUGE REVENUE SHARING CHECK BY MR. STEVE LABUDA OF THE UNITED STATES FISH AND WILDLIFE SERVICE (NO ACTION TAKEN)**

At this time, Mr. Steve Labuda, United States Fish and Wildlife Service, presented a check, in the amount of \$131,741.00, which represented the United States Fish and Wildlife Service payment, in lieu of taxes, under the authority of the Refuge Revenue Sharing Act.

(31) **EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 9:39 A.M. to discuss the following matters:

- a) Confer with County Counsel concerning the Agreement for Architectural Services on the exterior portion of the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- b) Confer with County Counsel on the Depository Agreement with the International Bank of Commerce; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- c) Deliberation regarding the Real Property concerning 174 N. Sam Houston and 400 N. Travis Street, San Benito, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- d) In the matter of the Real Property concerning the Concession Agreement with Alfonso Salazar, doing business as Sea Ranch Grocery and Bait Stand; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072. **(TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 10:55 A.M.

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

- a) **Confer with County Counsel concerning the Agreement for Architectural Services on the exterior portion of the Dancy Building.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Agreement for Architectural Services on the exterior portion of the Dancy Building.

b) Confer with County Counsel on the Depository Agreement with International Bank of Commerce.

Commissioner Matz moved that Mr. Chris Boswell, Attorney at Law, be directed to file suit against International Bank of Commerce, noting that Judge Hinojosa was not present during the discussion.

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

AYE: Commissioner Benavides, Cascos, Matz and Valencia

NAY: None

ABSTAINED: Judge Hinojosa.

The Affidavit is as follows:

c) Deliberation regarding the Real Property concerning 174 N. Sam Houston and 400 N. Travis Street, San Benito, Texas.

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 174 N. Sam Houston and 400 N. Travis Street, San Benito, Texas.

d) In the matter of the Real Property concerning the Concession Agreement with Alfonso Salazar, doing business as Sea Ranch Grocery and Bait Stand. (TABLED)

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

(1) APPROVAL OF COUNTY CLAIMS

NOTE: JUDGE HINOJOSA LEFT THE COURTROOM.

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

(2) IN THE MATTER OF THE BUDGET AMENDMENTS AND/OR SALARY SCHEDULES (TABLED)

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

(3) APPROVAL OF MINUTES OF JUNE 8, 1999, JUNE 15, 1999, AND JUNE 22, 1999

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Minutes of the Regular Meetings held June 8, 1999, June 15, 1999, and June 22, 1999, at 9:30 A.M., were approved, subject to the correction noted in the Minutes of June 8, 1999.

(4) ADOPTION OF A RESOLUTION HONORING MR. PRAXEDIS ORIVE, JR, ON HIS POSTHUMOUS SELECTION AS THE MARY YTURRIA AWARD RECIPIENT AND THE DECLARATION OF JULY 4, 1999, AS APRAXEDIS ORIVE DAY® IN CAMERON COUNTY, TEXAS

Commissioner Benavides moved that Resolution honoring Mr. Praxedis Orive, Jr., on his posthumous selection as the Mary Yturria Award Recipient be adopted and that July 4, 1999, be declared as APraxedis Orive Day® in Cameron County, Texas.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

(5) **RATIFICATION OF A PROCLAMATION HONORING MARIA FRANCISCA APAQUITA@ CHAVEZ, ON THE OCCASION OF HER BEING NAMED THE LOCAL ACTIVE WOMEN-S AOUTSTANDING WOMAN OF THE YEAR 1999-2000" AND FURTHER DECLARING JUNE 22, 1999, AS AMARIA APAQUITA@ CHAVEZ DAY@ IN CAMERON COUNTY, TEXAS**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Proclamation honoring Maria Francisca APaquita@Chavez, on the occasion of being named the Local Active Women-s AOutstanding Woman of the Year 1999-2000" was ratified and June 22, 1999, was declared as AMaria APaquita@Chavez Day@ in Cameron County, Texas.

The Resolution is as follows:

**(6) ADOPTION OF A RESOLUTION SUPPORTING
THE NAMING OF MILE 3 ROAD IN CAMERON
COUNTY IN HONOR OF MR. CARLOS DE LA
FUENTE**

Commissioner Valencia moved that the Resolution supporting the naming of Mile 3 Road in Cameron County in honor of Mr. Carlos De La Fuente be adopted.

The motion was seconded by Commissioner Benavides and carried unanimously.

At this time, Judge Pro-tem Cascos explained that the Resolution would allow the County Engineer to begin the process of changing the name of the road.

The Resolution is as follows:

**(8) APPROVAL TO RELEASE \$2,538,200.56, AT PAR IN
COLLATERAL TO THE INTERNATIONAL BANK
OF COMMERCE**

Commissioner Benavides moved that the amount of \$2,538,200.56, at par in collateral be released to the International Bank of Commerce.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

(9) APPROVAL OF AMENDMENT NO. 2 TO THE TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 715165 BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, Amendment No. 2 to the Texas Community Development Program Contract No. 715165 between Cameron County and the Texas Department of Housing and Community Affairs was approved.

The Contract is as follows:

(10) APPROVAL OF A GRANT CONTRACT BETWEEN CAMERON COUNTY AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING PUBLIC SERVICE ANNOUNCEMENTS(S) PROJECT

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Grant Contract between Cameron County and the Lower Rio Grande Valley Development Council for an Illegal Dumping Public Service Announcement(s) Project was approved.

The Contract is as follows:

**(11) APPROVAL OF THE CONTRACT BETWEEN
CAMERON COUNTY AND THE VALLEY PROUD
ENVIRONMENTAL COUNCIL FOR AN ILLEGAL
DUMPING PUBLIC SERVICE
ANNOUNCEMENTS(S) PROJECT**

Commissioner Benavides moved that the Contract between Cameron County and the Valley Proud Environmental Council for an Illegal Dumping Public Service Announcements(s) Project be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Contract is as follows:

(12) APPROVAL OF AMENDMENT NO. 1 TO THE AIRPORT PROJECT PARTICIPATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT PROJECT 9721PTISB)

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, Amendment No. 1 to the Airport Project Participation Agreement between Cameron County and the Texas Department of Transportation (TxDOT Project 9721PTISB) was approved.

The Agreement is as follows:

**(13) AUTHORIZATION TO ENTER INTO CONTRACT
NEGOTIATIONS WITH THE ENGINEERING FIRM
TO DEVELOP COUNTY PARK MASTER PLAN**

Commissioner Matz moved that the Contract be negotiated with the Engineering Firm of Carter and Burgess to develop the County Park Master Plan.

The motion was seconded by Commissioner Benavides and carried unanimously.

**(14) APPROVAL OF A LICENSE AGREEMENT
BETWEEN THE CAMERON COUNTY PARKS
SYSTEM AND THE VALLEY FEDERAL CREDIT
UNION TO ESTABLISH A MOBILE SERVICE
BRANCH®**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the License Agreement between the Cameron County Parks System and Valley Federal Credit Union was approved, in order to establish a Mobile Service Branch.®

NOTE: JUDGE HINOJOSA RETURNED TO THE COURTROOM.

At this time, Commissioner Matz expressed concern as to the costs for the County Park Master Plan Project and Mr. Remi Garza, Executive Assistant to the County Judge, responded that the figures were not available at the current time, noting that the development of the plan would be submitted, in order to receive Grant Funds.

Judge Hinojosa suggested that a Reimbursement Resolution should be adopted for the Project, since the matching amount would be allocated from Bond Funds.

The Agreement is as follows:

**(15) APPROVAL OF THE SALARY SCHEDULE
CHANGE FOR BUDGET NO. 83-669, SLOT NO. 01,
TO INCLUDE AUTO ALLOWANCE FOR THE
PARKS SYSTEM DIRECTOR**

Commissioner Cascos moved that the Salary Schedule change for Budget No. 83-669, Slot No. 01, to include auto allowance for the Parks System Director be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Salary Schedule is as follows:

(16) APPROVAL OF RESERVE DEPUTY CONSTABLE CHRISTOPHER JAMES KOWALSKI, FOR CONSTABLE PRECINCT NO. 5 AND RESERVE DEPUTY CONSTABLES LOUIS DAVILA AND ARNULFO HUERTA, FOR CONSTABLE PRECINCT NO. 4

At this time, Judge Hinojosa noted that the Texas Legislature had passed a law concerning the use of guns off-duty, which affected the Reserve Deputies and stated that the County should retain a copy of said law, in order to remain in compliance.

Commissioner Benavides moved that Reserve Deputy Constable Christopher James Kowalski, for Constable Precinct No. 5 and Reserve Deputy Constables Louis Davila and Arnulfo Huerta, for Constable Precinct No. 4, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Bonds are as follow:

**(17) AUTHORIZATION TO PURCHASE ELEVEN (11)
HP VECTRA COMPUTERS FOR THE CAMERON
COUNTY HEALTH DEPARTMENT**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the purchase of eleven (11) HP Vectra computers was approved for the Cameron County Health Department.

**(18) AUTHORIZATION TO PURCHASE A CARGO VAN
FROM THE HOUSTON GALVESTON AREA
COUNCIL OF GOVERNMENT INTERLOCAL
PURCHASE AGREEMENT**

Commissioner Valencia moved that a cargo van be purchased from the Houston Galveston Area Council of Government Interlocal Purchase Agreement.

The motion was seconded by Commissioner Benavides and carried unanimously.

**(19) ACCEPTANCE OF COUNTY ROADS INTO THE
COUNTY ROAD SYSTEM**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the following County Roads were accepted into the County Road System, as recommended by the County Engineer:

- a) Precinct No. 2 Abel Longoria Street, located in Abel and Lidia Longoria Subdivision;
- b) Precinct No. 4 Luz Avenue East, Luz Avenue West and Manuel Avenue, located in Luz Del Cielo Subdivision, Section III, Phase I;
- c) Precinct No. 3 Morning Glory Court, located in Morning Dawn Estates Phase I; and
- d) Precinct No. 3 Hamaca Lane, located in Siesta Acres, Section II Subdivision.

**(20) APPROVAL OF CHANGE ORDER NO. 1 FOR
COUNTY COURTHOUSE NORTHWEST PARKING
LOT PROJECT**

At this time, Judge Hinojosa stated that the use of the parking lot by the Federal employees would be monitored, in order for the County to receive a monthly check as per the Agreement with the Federal Courthouse, until the toll equipment was ordered and placed at the parking lot.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, Change Order No. 1 for the County Courthouse Northwest Parking Lot Project was approved.

The Order is as follows:

(21) IN THE MATTER OF THE PURCHASE OF A PICK-UP TRUCK FOR THE PLANNING AND INSPECTION DEPARTMENT (TABLED)

At this time, there was some discussion as to the lack of information concerning the funding source, the cost of the vehicle with or without a trade and the suggestion was made that this Item be Tabled.

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

(22) AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS FOR THE REPLACEMENT OF THE ROOFS ON THE COUNTY JUDICIAL BUILDING, THE COUNTY JAIL BUILDING AND THE SAN BENITO COUNTY HEALTH BUILDING ON TRAVIS STREET

At this time, Mr. Roger Ortiz, Maintenance Superintendent, noted that the Agenda Item should read: AAdvertisement of Bids,@ as opposed to Request for Proposals.

Commissioner Benavides moved that the Bids be advertised for the replacement of the roofs on the County Judicial Building, the County Jail Building and the San Benito County Health Building on Travis Street.

The motion was seconded by Commissioner Matz and carried unanimously.

(23) APPROVAL OF AMENDMENT TO THE CONTRACT BETWEEN CAMERON COUNTY AND A&V LOPEZ SUPERMARKET TO INCLUDE A&V SUPERMARKET, LOCATED AT 719 HIGHWAY 100, LOS FRESNOS, TEXAS, FOR ISSUANCE OF AUTOMOBILE RENEWAL LICENSE STICKERS IN CAMERON COUNTY, TEXAS

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the amendment to the Contract between Cameron County and A&V Lopez Supermarket to include A&V Lopez Supermarket, located at 719 Hwy 100, Los Fresnos, Texas, for issuance of Automobile Renewal License Stickers in Cameron County, Texas, was approved.

The Contract is as follows:

(24) ACTION ON ADDENDUM NO. 1 TO THE COUNTY JAIL DESIGN/BUILD REQUEST FOR PROPOSALS

At this time, Judge Hinojosa recommended that the construction of the County Sheriff's Department, which would be adjacent to the new County Jail, be included in the Request for Proposals for the County Jail, in order to have the Sheriff's Department building constructed at a lower cost. He noted that the costs would be lower, since one contractor would perform all the work and added that the use of space would be better coordinated. Judge Hinojosa stated that Sheriff Omar Lucio, County Sheriff, had requested fifty thousand square feet for the Sheriff's Department, but noted that the County Engineer had been directed to narrow down the request to twenty-five thousand square feet, which was an adequate size facility. He stated that there would be empty land space left for future expansion and added that including the Sheriff's Department in the Proposal would prevent doubling the functions of the architectural work.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, Addendum No. 1 to the County Jail Design/Build Request for Proposals was approved.



(25) APPROVAL TO HAVE HIDTA UNIT PURCHASE TEN (10) COMPUTERS WITH ACCESSORIES THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES INTERLOCAL PURCHASING AGREEMENT

Commissioner Cascos moved that the High Intensity Drug Trafficking Areas (HIDTA) Unified Narcotics Intelligence Task-Force (UNIT) purchase ten (10) computers with accessories through the Texas Department of Information Resources Interlocal Purchasing Agreement.

The motion was seconded by Commissioner Benavides and carried unanimously.



(26) APPROVAL ON AMENDMENT NO. 1 TO THE TNRCC ADMINISTRATIVE RELIEF GRANT

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, Amendment No. 1 to the TNRCC Administrative Relief Grant was approved.



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:

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

- a) Five (5) Assistant District Attorneys to attend the ATDCAA Prosecutor Trial Skills Course® in Austin, Texas, on July 25-30, 1999;
- b) Two (2) Health Department employees to attend the ATexas A&M Award Ceremony® in Weslaco, Texas, on June 24, 1999;
- c) Two (2) Juvenile Probation Officers, volunteer and four (4) youths to attend a ADrug Education for Youth (DEFY) Leadership Camp® in Austin, Texas, on July 5-9, 1999;
- d) Five (5) County Extension Agents to attend the ATAEX State Faculty Conference® in College Station, Texas, on July 14-16, 1999;
- e) Four (4) County Extension Agents to attend the A1999 4-H District Record Book Judging® in Freer, Texas, on July 20, 1999;
- f) Public Works Building Inspector to take the Residential Electrical Exam in Corpus Christi, Texas, on July 10, 1999;
- g) Health Department employee to attend the AExecutive Board Meeting® in Austin, Texas, on July 14-15, 1999;
- h) UNIT Tactical Intelligence Agent to attend the AHIDTA Spanish Language Immersion Course® in Houston, Texas, on August 22, 1999, through September 4, 1999;
- I) HIDTA Director to attend a ASouth Texas HIDTA Executive Committee Meeting® in San Antonio, Texas, on August 2-4, 1999;
- j) Two (2) Assistant County (Criminal District) Attorneys to attend the A1999 Crimes Against Children Conference® in Dallas, Texas, on August 1-5, 1999;
- k) Justice of the Peace Precinct No. 5-1 to attend the AAnnual JPCA Convention® in College Station, Texas, on July 14-18, 1999; and
- l) Justice of the Peace Precinct No. 1 to attend the AAnnual JPCA Convention® in College Station, Texas, on July 14-18, 1999.

(28) PRELIMINARY APPROVAL

a) Precinct No. 3

Perezville Subdivision - 5.207 acres out of the Southwest 1/4 Block No. 33, San Benito Land and Water Company; and

b) Precinct No. 3

Selena Subdivision - being a subdivision of 3.002 acres and being all of Lot No. 8, Lot No. 1, of Laguna Escondida Heights Subdivision.

PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 3

Grantt Subdivision - a 4.997 acre tract of land, being 4.379 acres out of Block No. 143 and 0.618 acres of Block No. 144, McLeod Hood Properties No. 1.

(30) OPEN BIDS AND/OR REQUEST FOR PROPOSALS

- a) Building supplies: paint and miscellaneous no. 2008;
- b) Paper: computer and print shop no. 2460;
- c) Transportation of inmates request for proposal no. 1890-99-06-01; and
- d) Two (2) pick-up trucks in stock for immediate delivery.

The Bids and/or Request for Proposals received and opened are as follow:

There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the meeting was **ADJOURNED** at 11:40 A.M.

APPROVED this 20th day 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.