

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 27th 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

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:
PEDRO "PETE" BENAVIDES

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 23, 1999, at 11:24 A.M.:

(4) IN THE MATTER OF THE PRESENTATION ON THE TEXAS ORGAN SHARING ALLIANCE BY MR. JOE GONZALEZ, COMMUNITY RELATIONS (NO ACTION TAKEN)

At this time, Mr. Joe Gonzalez, Texas Organ Sharing Alliance, highlighted the importance of organ donors and the low rate of donors in South Texas. He requested assistance from the County and suggested that information and donor cards be attached to the County employees= payroll checks.

Judge Hinojosa expressed his support for the program and suggested that Departmental Meetings be scheduled concerning the Texas Organ Sharing Alliance, in order to educate the County employees.

(7) PRESENTATION BY DELINQUENT TAX ATTORNEYS ON THE QUARTERLY DELINQUENT TAX COLLECTION REPORT AND THE PROCESS OF COLLECTING AN ADDITIONAL \$600,000.00, ON THE 1998 DELINQUENT TAXES BEFORE THE END OF THE FISCAL YEAR SEPTEMBER 30, 1999

At this time, Ms. Lucy Canales, Attorney at Law, briefly highlighted the overview of the Activity Report for Delinquent Tax Collections from October 1, 1998, through June 30, 1999, and the process taken to collect the additional amount of \$600,000.00, before the end of the Fiscal Year.

Mr. Mark Yates, County Auditor, stated that the County's goal was to achieve a ninety-five percent (95%) collection rate, noting that the collection rate of 94.5% had been budgeted.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the presentation by the Delinquent Tax Attorneys on the Quarterly Delinquent Tax Collection Report and the process of collecting an additional \$600,000.00 on the 1998 Delinquent Taxes before the end of the Fiscal Year September 30, 1999, was acknowledged.

The Report is as follows:

- (10) **APPROVAL OF THE REQUEST FOR PROPOSALS ON POST HURRICANE/DISASTER RECOVERY- PRE-POSITIONED CONTRACTS FOR DEBRIS MANAGEMENT, REMOVAL AND DISPOSAL AND TO ADVERTISE**
- (11) **APPROVAL OF THE REQUEST FOR PROPOSAL ON POST HURRICANE/DISASTER RECOVERY- PRE-POSITIONED CONTRACTS FOR COLLECTION, CHARACTERIZATION, PACKAGING, TRANSPORTATION AND DISPOSAL OF HAZARDOUS WASTE REMOVAL AND TO ADVERTISE**

At this time, Ms. Grace Salinas, Director of Management, highlighted the Request for Proposals process and noted that twelve (12) proposed temporary debris storage sites had been identified throughout the County. She reported that the Federal Emergency Management Agency (FEMA) had recommended to propose a ninety percent (90%) reimbursement, as opposed to the seventy-five percent (75%) reimbursement.

Commissioner Matz expressed concern as to identifying County and public property sites and as to participation by municipalities throughout the County.

Ms. Salinas stated that the recommendation had been made that public property should be identified as first priority sites and added that several cities in Cameron County had expressed interest in a cost sharing agreement.

Commissioner Cascos moved that the Request for Proposals on Post Hurricane/Disaster Recovery - Pre-Positioned Contracts for Debris Management, Removal and Disposal and the Contracts for collection, characterization, packaging, transportation and disposal of hazardous waste removal be advertised.

The motion was seconded by Commissioner Valencia and carried unanimously.

- [REDACTED]**
- (12) **APPOINTMENT OF A COMMITTEE TO EVALUATE THE REQUEST FOR PROPOSALS ON POST HURRICANE/DISASTER RECOVERY - PRE-POSITIONED CONTRACTS FOR DEBRIS MANAGEMENT, REMOVAL AND DISPOSAL AND HAZARDOUS WASTE REMOVAL**

Commissioner Matz moved that the following individuals be appointed to the Committee to evaluate the Request for Proposals on Post Hurricane/Disaster Recovery - Pre-positioned Contracts for Debris Management, Removal and Disposal and Hazardous Waste Removal:

Mr. Juan Bernal, County Engineer;

Mr. Ernest Hinojosa, County Public Works/Engineering;

Mr. Joseph Ardito, Property Management Coordinator;

Ms. Grace Salinas, Director of Management;
Mr. Desi Najera, Emergency Management Director;
Dylbia J. Vega, Commissioners- Court Legal Counsel;
Mr. Mike Forbes, Purchasing Agent;
Mr. Javier Mendez, Parks System Director; and
Mr. Ray Rodriguez, Environmental Health Director.

The motion was seconded by Commissioner Valencia and carried unanimously.

(26) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 10:08 A.M. to discuss the following matters:

- a) Confer with County Counsel regarding the possible litigation pertaining to default of Concession Agreement by S.R. Marine, Incorporated; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- b) Confer with County Counsel regarding the Real Property concerning conversions of Contract for Deeds; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2) and 551.072;
- c) Deliberation regarding the Real Property concerning possible land acquisition for a potential park site; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Deliberation regarding the Real Property concerning possible Concessions at the Free Trade Bridge at Los Indios; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- e) In the matter of the case styled Edward Alcala, et. al., vs. Alex Perez, et. al., Case No. B-96-203, United States District Court Southern District, Brownsville Division, to discuss status of case and proposed partial settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A)(B); **(TABLED)**
- f) Confer with County Counsel regarding possible Agreement with Southwestern Bell for Frame Relay Service for the Juvenile Probation Department; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- g) Confer with County Counsel regarding possible litigation regarding the claim by Mr. Gustavo CH. Garza, regarding Cause Nos. 95-Cr-1572-C, 95-Cr-1573-C and 95-Cr-1574-C; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A).

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:45 A.M.

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

- a) **Confer with County Counsel regarding the possible litigation pertaining to default of Concession Agreement by S.R. Marine, Incorporated.**

At this time, Mr. Brian Mantis, S.R. Marine, Incorporated, briefly highlighted the status and operations by S.R. Marine, Incorporated.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged regarding the possible litigation pertaining to default of Concession Agreement by S.R. Marine, Incorporated.

- b) **Confer with County Counsel regarding the Real Property concerning conversions of Contract for Deeds.**

Commissioner Matz moved that the changes in the policy concerning the conversions of Contracts for Deeds be accepted.

The motion was seconded by Commissioner Valencia and carried unanimously.

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

Commissioner Cascos moved that Mr. Ariel Chavez be hired to perform a survey on the land for a potential park site.

The motion was seconded by Commissioner Matz and carried unanimously.

- d) **Deliberation regarding the Real Property concerning possible Concessions at the Free Trade Bridge at Los Indios.**

Commissioner Matz moved that the Property Management Coordinator be directed to negotiate the possible lease of land at the Free Trade Bridge at Los Indios and that the negotiations be reviewed by the Bridge Systems Committee and the Bridge Systems Director.

The motion was seconded by Commissioner Valencia and carried unanimously.

- e) **In the matter the case styled Edward Alcala, et. al. vs. Alex Perez, et. al, Case No. B-96-203, United States District Court - Southern District, Brownsville Division, to discuss the status of the case and proposed partial settlement. (TABLED)**

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

- f) **Confer with County Counsel regarding the possible agreement with Southwestern Bell for Frame Relay Service for the Juvenile Probation Department.**

Commissioner Cascos moved that the Agreement with Southwestern Bell for Frame Relay Service for the Juvenile Probation Department be executed.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Agreement is as follows:

- g) **Confer with County Counsel regarding possible litigation regarding the claim by Mr. Gustavo CH. Garza, regarding Cause Nos. 95-Cr-1572-C, 95-Cr-1573-C and 95-Cr-1574-C.**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the County Auditor was directed to contact the District Judges and recommend the payment of the claim by Mr. Gustavo CH. Garza, regarding Cause Nos. 95-Cr-1572-C, 95-Cr-1573-C and 95-Cr-1574-C.

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented an additional late claim as to Warrant No. 16861, payable to the State Comptroller's Office, in the amount of \$13,196.85.

Commissioner Cascos expressed concern as to Warrant No. 16693, payable to Bert Ogden Motors and Mr. Yates responded that the payment included two (2) different vehicles.

Commissioner Cascos questioned Warrant No. 16703, payable to Vernon Parker, in the amount of \$10,001.17, and Mr. Yates replied that the Warrant consisted of the monthly salary of a High Intensity Drug Trafficking Areas (HIDTA) Task-Force contractual employee.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the late claim as Warrant No. 16861, in the amount of \$13,196.85.

The Budget Officer's Comments Report is as follows:

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

Commissioner Valencia moved that the 1999 Fiscal Year Budget Amendment No. 99-37, and the Salary Schedules for Crime Victims Assistance, Fund No. 210-4740 and Crime Victims Assistance, Fund No. 210-4750, be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

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

(3) APPROVAL OF MINUTES OF JULY 20, 1999

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Regular Meeting held July 20, 1999, at 9:30 A.M., were approved, subject to the correction noted on Item No. 5.

(5) AUTHORIZATION TO INSTALL A BUS SHELTER AT THE NEW NORTHWEST PARKING LOT ON THE CORNER OF 7TH AND HARRISON STREET, BROWNSVILLE, TEXAS

At this time, Ms. Norma Zamora, Brownsville Urban System (BUS) Director, requested the Court's consideration to install a bus shelter at the new Northwest Parking lot on the corner of 7th Street and Harrison Street. She stated that the current bus stop located in front of the Boys and Girls Club would be relocated to the new Northwest Parking Lot and noted that the bus shelter would be placed between the sidewalk and the parking lot which would not take up any parking spaces.

Commissioner Cascos expressed concern as to whether a curb cut would be placed for the buses to load and unload without stalling traffic on 7th Street.

Ms. Zamora stated that a curb cut would not be placed for the bus stop, but noted that the traffic would be signaled by the bus each time it made a stop.

Judge Hinojosa suggested that the matter be discussed with the United States Marshals=Office, noting that the parking lot was primarily constructed to meet the needs of the Federal Courthouse.

Commissioner Valencia moved that a bus shelter be installed at the new Northwest Parking Lot on the corner of 7th and Harrison Street, Brownsville, Texas, subject to approval by the United States Marshals= Office.

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

AYE: Commissioners Cascos, Valencia and Judge Hinojosa

NAY: Commissioner Matz.

(6) IN THE MATTER OF DESIGNATING TAXI PARKING SPACES FOR THE FEDERAL BUILDING AND THE CAMERON COUNTY COURTHOUSE (TABLED)

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

(8) ACCEPTANCE OF THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY GRANT, EFFECTIVE SEPTEMBER 1, 1999, AND RATIFICATION OF AUTO THEFT PREVENTION AUTHORITY BUDGET

Commissioner Cascos moved that the Texas Automobile Theft Prevention Authority Grant, be accepted, effective September 1, 1999, and that the Auto Theft Prevention Authority Budget be ratified.

The motion was seconded by Commissioner Valencia and carried unanimously.

(9) AUTHORIZATION TO REFUND TAXES

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the following taxes were refunded:

- a) Victoriano Ortega, No. 74-2150-0010-0520-00, in the amount of \$775.15, Remove improvement;
- b) Secretary of HUD, No. 75-3640-0060-0190-00, in the amount of \$818.86, Absolute exemption;
- c) Cindy Coudlocke, Chapter 13 Trustee, No. 00-0100-01069-5100-00, in the amount of \$1,451.99, Erroneous payment;
- d) Elizondo Properties LC, No. 67-6400-0850-0110-00, in the amount of \$506.35, Change value;
- e) Rollins Leasing, No. 01-2600-0030-0129-00, in the amount of \$710.68, Absolute Exemption;
- f) Secretary of HUD, No. 75-3640-0060-0190-00, in the amount of \$552.65, Absolute Exemption; and
- g) Teng-Po-Wei, No. 79-1900-0490-2126-00, in the amount of \$724.49, Add AG-Use value.

(13) APPROVAL OF PURCHASE (FINANCE) FOR CAD SYSTEM (COMPUTER AUTOMATED DISPATCH), RECORDS MANAGEMENT, PAWN SHOP MODULE, TRAFFIC TICKET COMPONENT AND TRAINING FOR SHERIFF-S DEPARTMENT

At this time, Mr. Mark Yates, County Auditor, noted that the purchase would complete the Sheriff-s Department Jail System and added that the system would be a cost sharing project with other County Departments benefitting from the program.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the purchase (finance) of Computer Automated Dispatch (CAD) System, Records Management, Pawn Shop Module, Traffic Ticket Component and System for the Sheriff-s Department was approved.

**(14) APPROVAL OF THE CONTRACT BETWEEN
CAMERON COUNTY HEALTH DEPARTMENT
WIC PROGRAM AND VALLEY BAPTIST
MEDICAL CENTER TO PROVIDE BREAST-
FEEDING SUPPORT SERVICES**

Commissioner Matz moved that the Contract between the Cameron County Health Department WIC Program and Valley Baptist Medical Center to provide Breast-Feeding Support Services be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Contract is as follows:

- (15) **GRANTING OF A 20' X 20' EASEMENT ON THE FORMER RAILROAD RIGHT-OF-WAY (JIMENEZ ROAD) SOUTH OF BLOCK NO. 69 OF THE F.Z. BISHOP SUBDIVISION, CAMERON COUNTY, AS SHOWN ON MAP OF RECORDS VOLUME NO. 4, PAGES NOS. 13 AND 14, IN THE CAMERON COUNTY, TEXAS MAP RECORDS, TO THE MILITARY HIGHWAY WATER SUPPLY CORPORATION, TO USE AS A LIFT STATION SITE**

Commissioner Cascos moved that a 20' x 20' easement on the former Railroad Right-of-Way (Jimenez Road), South of Block No. 69, of the F.Z. Bishop Subdivision, Cameron County, as shown on Map of Records Volume No. 4, Pages Nos. 13 and 14, in the Cameron County, Texas Map Records, be granted to the Military Highway Water Supply Corporation to use as a lift station site.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Agreement is as follows:

(16) APPROVAL OF AUGUST 31, 1999, AS THE CUT OFF DATE FOR ALL PURCHASE ORDER REQUESTS, WITH EXCEPTION OF EMERGENCY SITUATIONS

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, August 31, 1999, was designated as the cut off date for all Purchase Order Requests, with the exception of emergency situations.

(17) AUTHORIZATION TO CONTINUE PARTICIPATION IN THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS INTER-LOCAL AGREEMENT FOR COOPERATIVE PURCHASING FOR FISCAL YEAR 1999-2000

(18) AUTHORIZATION TO CONTINUE PARTICIPATION IN THE STATE OF TEXAS-DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL AGREEMENT FOR COOPERATIVE PURCHASING FOR FISCAL YEAR 1999-2000

(19) AUTHORIZATION TO CONTINUE PARTICIPATION FOR FISCAL YEAR 1999-2000 IN THE STATE OF TEXAS - GENERAL SERVICES COMMISSION

Commissioner Cascos moved that the participation for cooperative purchasing for Fiscal Year 1999-2000 in the Houston Galveston Area Council of Governments Inter-Local Agreement, the State of Texas - Department of Information Resources Inter-Local Agreement and the following State of Texas - General Services Commission be continued:

- a) Cooperative State Purchasing Program;
- b) Qualified Information Systems Vendor Catalog Purchasing Program; and
- c) Texas AN 2000 - Telecommunication Purchasing Program.

The motion was seconded by Commissioner Matz and carried unanimously.

(20) AUTHORIZATION TO SELL ONE USED DASH MOUNTED STROBE LIGHT (REMOVED FROM CONSTABLE-S VEHICLE) TO INDIAN LAKE CHIEF OF POLICE

Commissioner Cascos moved that one used dash mounted strobe light (removed from Constable-s vehicle) be sold to the Indian Lake Chief of Police.

The motion was seconded by Commissioner Matz 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:

At this time, Commissioner Cascos stated that the Commissioners- Court members be included to attend the ATexas Association of Counties 1999 Post Legislative Conference® in San Antonio, Texas, on August 18-20, 1999.

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

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

- a) Assistant County Auditor to take an Informix Test and visit the Nueces County Auditor-s Office in Corpus Christi, Texas, on August 2, 1999;
- b) District Clerk and Deputy Clerk to attend the ATexas Association of Counties 1999 Post Legislative Conference® in Austin, Texas, on August 18-21, 1999;
- c) County Clerk to attend the ATexas Association of Counties 1999 Post Legislative Conference® in Austin, Texas, on August 17-20, 1999;
- d) County Clerk and two (2) Deputies to attend the AAttorney General-s Regional Conference on Open Government® in Corpus Christi, Texas, on November 5, 1999;
- e) Assistant County Auditor to attend a ACPE Seminar® in Austin, Texas, on September 29-30, 1999;
- f) Elections Administrator to attend the AElection Center-s 15th Annual National Conference® in Orlando, Florida, on August 24-28, 1999;
- g) Elections Administrator to attend the AElection Center-s Professional Education Program Special Summer Session® in Riverside, California, on July 26-31, 1999;
- h) Three (3) Health Department employees to participate in a CASA (AFIX) Assessment for Sebastian Clinic in Sebastian, Texas, on August 3, 1999;
- I) Three (3) Cameron County Health Department employees to attend a AWIC 25th Anniversary State Meeting® in Austin, Texas, on August 9-11, 1999;
- j) Two (2) Computer Department employees to attend a ACISCO System Seminar® in McAllen, Texas, on July 28, 1999; and
- k) Computer Department employee to attend a ASkillpath Seminar® in Corpus Christi, Texas, on August 25-26, 1999.

(22) FINAL APPROVAL

a) Precinct No. 3

R & S Farms Subdivision, a 77.237 acre tract of land, more or less, being 21.543 acres out of Block No. 45, 21.453 acres out of Block No. 46, 21.323 acres out of Block No. 47 and 12.918 acres out of Block No. 48, Kempners Citrus Grove Subdivision; and

b) Precinct No. 4

Las Bougainvilleas Subdivision, a replat of the West 10.0 acres of land out of the East 20.0 acres of Block No. 4, Lee Minner Subdivision.

(23) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

La Cantera Estates, being 10.305 acres, comprised of all Lot No. 384, Adams Gardens Subdivision AC@, and

b) Precinct No. 4

Partida Subdivision, being 2.00 acres of land out of Block No. 41, Survey 40, Stuart Place Subdivision.

(24) RENEW THE AWARD OF THE FOLLOWING BID(S) FOR ONE (1) ADDITIONAL YEAR

a) ANNUAL BID NO. 2420 MEDICAL SUPPLIES - INFIRMARY

QWENS AND MINOR - Harlingen, Texas

Description	Cost
Alcohol - pint	\$0.51
Betadine - bottle	\$1.95
Cotton Balls - carton	\$13.50
Face Masks - box	\$18.25
Laceration Tray - cs	\$151.85
Staple Removal Kit - kit	\$1.50

b) ANNUAL BID NO. 2060 DIETARY SOUP/CLEANER DISHES

ECO LAB - St. Paul, Minnesota

Total \$5,586.14

c) ANNUAL BID NO. 2280 FUEL

DISCOUNT OILS - Pharr, Texas

Description	Cost
Unleaded 89 Octane - all locations	OPUS + Tax + .0240 commission
Diesel - all locations	OPUS + Tax + .0240 commission

d) ANNUAL BID NO. 2440 OFFICE SUPPLIES

