

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 24th day of AUGUST, 1999, there was reconvened an 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

Claudia L. Cabrera Deputy Clerk
COUNTY CLERK

ABSENT:

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the EMERGENCY MEETING of Sunday, August 22, 1999 was adjourned.

At this time, the meeting was called to order by Judge Hinojosa at 9:32 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 August 20, 1999, at 8:28 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Valencia moved that the County Claims be approved as presented by the County Auditor, excluding Warrant No. 18083.

The motion was seconded by Commissioner Benavides and carried unanimously.



(2) BUDGET AMENDMENT AND/OR SALARY SCHEDULES

Commissioner Cascos moved that the 1999 Fiscal Year Budget Amendment No. 99-41, and Salary Schedules for Local COPS Grant, Fund 190-5610 be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

- (3) **IN THE MATTER OF APPROVAL OF MINUTES OF AUGUST 10, 1999, AND AUGUST 17, 1999 (NO ACTION TAKEN)**



- (4) **AUTHORIZATION OF USE OF COUNTY EQUIPMENT FROM THE JUVENILE PROBATION DEPARTMENT FOR THE TEXAS PROBATION ASSOCIATION'S 1999 LEGISLATIVE ANNUAL CONFERENCE, TO BE HELD IN SOUTH PADRE ISLAND, TEXAS, ON AUGUST 21-25, 1999**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the use of the County Equipment from the Juvenile Probation Department was approved for the Texas Probation Association's 1999 Legislative Annual Conference to be held in South Padre Island, Texas, on August 21-25, 1999.



- (5) **APPROVAL OF A FIVE YEAR SOFTWARE APPLICATIONS MAINTENANCE AGREEMENT AND SOFTWARE APPLICATIONS UPGRADE WITH HAMER ENTERPRISES, AS SOLE SOURCE, FOR THE ADULT PROBATION DEPARTMENT**

Commissioner Cascos moved that a five (5) year Software Application Maintenance Agreement and Software Applications Upgrade with Hamer Enterprises, as sole source, be approved for the Adult Probation Department.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Agreement is as follows:

**(6) IN THE MATTER OF THE ACTION REGARDING
THE VALLE HERMOSO/VALLE ESCONDIDO
DRAINAGE PROJECTS (TABLED)**

Judge Hinojosa suggested that the item be tabled until the allocation for equipment was determined and the Drainage District officials were notified.

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



NOTE: COMMISSIONER CASCOS LEFT THE COURT ROOM.

**(7) AUTHORIZATION TO HOLD A PUBLIC HEARING
TO CLOSE A PORTION OF SCHMOKER ROAD**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Hearing to close a portion of Schmoker Road was opened for public comment.

At this time Mr. Juan Bernal, County Engineer, explained that Schmoker Road was abandoned and FM 509 from FM 1595 to FM 508 would be an alternate road.

Hearing and sensing no further comments, upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Public Hearing on the closing of a portion of Schmoker Road was closed.

The Petition is as follows:

(8) ADOPTION OF AN ORDER FOR THE CLOSING OF A PORTION OF SCHMOKER ROAD WITHIN PRECINCT NO. 3 AREA

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Order closing a portion of Schmoker Road within Precinct No. 3, was adopted.

NOTE: COMMISSIONER CASCOS JOINED THE MEETING.

(9) IN THE MATTER TO AWARD CONTRACT FOR THE EXTERIOR RESTORATION OF THE DANCY BUILDING (TABLED)

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

(10) IN THE MATTER TO AWARD CONTRACT TO MATA-VILLARREAL ARCHITECTS, INCORPORATED, FOR THE SAN BENITO ADULT PROBATION AND THE LA FERIA ANNEX BUILDING (TABLED)

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

(11) IN THE MATTER OF APPOINTMENTS OF INDIVIDUALS TO SERVE ON THE CAMERON COUNTY CENSUS 2000 COMPLETE COUNT COMMITTEE (TABLED)

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

(12) APPROVAL OF COMMITTEE MEMBERS TO REVIEW ENGINEERING PROPOSALS FOR THE LAGUNA HEIGHTS DRAINAGE IMPROVEMENT PROJECT

Commissioner Cascos moved that the following individuals be appointed to the Committee to review the Engineering Proposals for the Laguna Heights Drainage Improvement Project:

Commissioner Matz, Precinct 3;

Mr. Juan Bernal, County Engineer;

Mr. Frank Bejarano, Project, Development, and Management Director;

Mr. Remi Garza, County Judge's Office;

Mr. Mike Forbes, Purchasing;

Mr. Eddie Campirano, Empowerment Subzone; and

a member from the Neighborhood to be named at a later date.

The motion was seconded by Commissioner Valencia and carried unanimously.

(13) AUTHORIZATION TO PURCHASE COMPUTERS SEVENTY (70) AND RELATED EQUIPMENT ON BEHALF OF THE ADULT PROBATION DEPARTMENT

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the purchase of seventy (70) computers and related equipment, on behalf of the Adult Probation Department was approved.

(14) AUTHORIZATION TO PURCHASE FRAME RELAY EQUIPMENT FOR JUVENILE PROBATION, BOOT CAMP, RESTITUTION CENTER, ADULT PROBATION-WILLACY COUNTY THROUGH STATE OF TEXAS-GENERAL SERVICES COMMISSIONER QUALIFIED INFORMATION SYSTEMS VENDOR-CATALOG PURCHASING PROGRAM

Commissioner Cascos moved that the purchase of a frame relay equipment for the Juvenile Probation, Boot Camp, Restitution Center, and Adult Probation-Willacy County be approved, through the State of Texas General Services Commissioner Qualified Information Systems Vendor-Catalog Purchasing Program.

The motion was seconded by Commissioner Valencia and carried unanimously.

(15) AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT WITH FLEET MANAGEMENT FOR CONSTRUCTION MANAGER AND STAFF OFFICE SPACE

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Lease Agreement with Fleet Management for Construction Manager and Staff Office Space was authorized was given subject to the changes noted.

The Agreement is as follows:

**(16) AUTHORIZATION FOR THE DISTRICT CLERK
TO RENEW THE COURT COSTS AGREEMENT
WITH THE OFFICE OF THE TEXAS ATTORNEY
GENERAL WHICH EXPIRES ON AUGUST 31, 1999**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the renewal of the District Clerk's Court Costs Agreement with the Office of the Texas Attorney General was approved, which expires on August 31, 1999.

The Agreement is as follows:

**(17) AUTHORIZATION FOR THE PARK SYSTEM TO
ENTER IN A BEACH CLEANING AND
MAINTENANCE AGREEMENT WITH THE TEXAS
GENERAL LAND OFFICE**

Commissioner Cascos moved that the Parks System Department execute a Beach Cleaning and Maintenance Agreement with the Texas General Land Office.

The motion was seconded by Commissioner Matz and carried unanimously.

The Agreement 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 Benavides, seconded by Commissioner Valencia and carried unanimously, the

AConsent® Agenda Items were approved as follow, with the exception of Item 18 Ab® which was **TABLED**:

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

- a) Health Department employee to attend the ASeafood HACCP at Retail Training Course® in Houston, Texas, on September 15-17, 1999;
- b) In the matter of Engineering Building Inspector to attend a ABasic Water Works Operations Unit I Water Course® in Pearland, Texas, on August 23-26, 1999 **(TABLED)**;
- c) Unified Narcotics Intelligence Task (UNIT) Director and Unit Assistant Director, to attend the Operation ACobija Planning Meeting and Intel Meeting® in San Antonio, Texas, on September 27-29, 1999;
- d) Five (5) County Extension Agents to attend the ACareer Ladder Training® in Weslaco, Texas, on September 9, 1999;
- e) Three (3) Sheriff-s Officers to attend ALocal Law Enforcement Block Grants Program Training® in Corpus Christi, Texas, on August 19, 1999;
- f) Health Department Employee to attend the ATobacco Free Valley Coalition Meeting® in Edinburg, Texas, on August, 26, 1999;
- g) Health Department Employee to attend the ATALWD Annual Meeting® in Dallas, Texas, on October 3-6, 1999;
- h) District Attorney to attend the ATexas Association of Counties Policy Analysis Group Meeting® in Bastrop, Texas, on August 30-31, 1999;
- i) Tax Assessor Collector, Chief Deputy, and Chief Civil Counsel to attend the A13th Annual Legal Seminar on Ad Valorem Taxation® in San Antonio, Texas, on August 31-October 3, 1999;
- j) Juvenile Probation Employee to attend the ATexas Probation Association Legislative Annual Conference® in South Padre Island, Texas, on August 21-25, 1999;
- k) County Extension Agent to attend the ANational Extension Association of Family and Consumer Sciences Annual Session® in Greensboro, North Carolina, on October 31-November 4, 1999, and
- l) Two (2) County Extension Agents to attend the ASTACI Site Supervisor Meeting® in Weslaco, Texas, on August 12, 1999.

(19) **AUTHORIZATION TO OPEN BIDS FOR TARPON FIELD SUBDIVISION STREET, DRAINAGE, WATER AND WASTEWATER IMPROVEMENTS**

(20) **APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER**

a) **BREEDEN ART GALLERY-\$430.00-COUNTY COMMISSIONERS**

(21) **AUTHORIZATION FOR PRELIMINARY APPROVAL**

a) **Precinct No. 2**

Los Olmos Subdivision-being the North 36.19 acres of block No. 7, SW An-Nelson Subdivision.

(22) **AUTHORIZATION TO OPEN BID/PROPOSALS FOR ADDITIONAL OFFICE SPACE FOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT**

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

(23) **EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 10:45A.M. to discuss the following matters:

- a) Confer with Commissioners= Court Legal Counsel regarding personnel matters: regarding duties of Center Director of Centro Cultural de Cameron Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Section 551.074;
- b) Deliberation regarding real property: concerning Centro Cultural Cameron Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with Commissioners= Court Legal Counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and confer on matters relating to the water park, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of the State Bar of Texas, conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A) and Section 551.071(2);and
- d) Deliberation regarding the Real Property concerning possible lease for Juvenile Department/Juvenile Justice Alternative Education Program; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 11:00A.M.

NOTE: JUDGE HINOJOSA LEFT THE COURTROOM.



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

- a) **Confer with Commissioners= Court Legal Counsel regarding personnel matters: regarding duties of Center Director of Centro Cultural de Cameron Park.**

Commissioner Valencia moved that Mr. Javier Mendez, Parks System Director, be directed to inform the Center Director of Centro Cultural de Cameron Park of the authority delegated to her and inform her she will be under the Supervision of Ms. Norma Jimenez, University of Texas A&M Representative.

The motion was seconded by Commissioner Benavides and carried unanimously.

- b) **Deliberation regarding real property: concerning Centro Cultural Cameron Park**

Commissioner Benavides moved that Mr. Javier Mendez, Parks System Director, be authorized to determine the location of the WIC Building.

The motion was seconded by Valencia and carried unanimously.

- c) **Confer with Commissioners= Court Legal Counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and confer on matters relating to the water park, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of the State Bar of Texas, conflicts with the Open Meetings Act.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the litigation involving Schlitterbahn Water Park at South Padre Island was acknowledged.

NOTE: JUDGE HINOJOSA RETURNED TO THE COURTROOM.

- d) **In the matter of Deliberation regarding the Real Property concerning possible lease for Juvenile Department/Juvenile Justice Alternative Education Program. (REJECTED)**

Commissioner Matz moved that the possible lease for the Juvenile Department/Juvenile Justice Alternative Education Program be rejected.

The motion was seconded by Commissioner Valencia and carried unanimously.

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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 11:14A.M.

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APPROVED this 7th day of **September, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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