

**THE STATE OF TEXAS**

**COUNTY OF CAMERON**

**BE IT REMEMBERED** on the 28<sup>th</sup> day of **SEPTEMBER, 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**

**Claudia L. Cabrera Deputy**  
**COUNTY CLERK**

**ABSENT:**

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The meeting was called to order by Judge Hinojosa at 9:36 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 September 24, 1999, at 2:15 P.M. and the Supplemental Agenda on September 24, 1999 at 3:45 P.M.:

**(4) ADOPTION OF A RESOLUTION HONORING MR. MARTIN BANDA, ON BEING SELECTED THE NATIONAL YOUTH OF THE YEAR, BY THE BOYS AND GIRLS CLUBS OF AMERICA**

At this time, Mr. Gerald Gathrite, Boys and Girls Clubs of America Executive Director, introduced Mr. Martin Banda, Harlingen, Texas, a member of the Boys and Girls Clubs of America, and who was selected as the National Youth of the Year. He briefly highlighted Mr. Banda's accomplishments throughout his eleven (11) years of service to the Boys and Girls Club of America and expressed his gratitude to the Court for honoring Mr. Banda.

Mr. Banda expressed his gratitude to the Court for their support and stated that a great effort would be made as a representative of the County throughout the nation.

Judge Hinojosa stated that youths like Mr. Banda were great role models for the youths of the County and presented the Resolution honoring Martin Banda for his selection as National Youth of the Year by the Boys and Girls Clubs of America.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Resolution in honor of Mr. Martin Banda was adopted.

At this time, Commissioner Matz stated that Mr. Banda was a remarkable role model for the County and expressed his gratitude to Mr. Banda for his efforts and service to the community.

**(9) ADOPTION OF THE INTERNATIONAL BRIDGE SYSTEM SCHEDULE OF TOLL RATES TO BE EFFECTIVE OCTOBER 1, 1999**

At this time, Commissioner Cascos stated that the vehicle toll rate increase to the amount of \$1.40, had been included in the County's Budget and added that discussions had been held to increase the toll rate by an additional \$0.10, to be allocated for Historical Preservation Countywide. He noted that the City of Brownsville had expressed their support for the increase, to the amount of \$1.50, and emphasized the importance of generating revenues for historical preservation.

Commissioner Matz expressed his support for the increase to be allocated for historical preservation, but noted the different independent governing bodies would have the discretion as to the allocation of their funds.

At this time, Mr. Carlos Rubinstein, Brownsville City Manager, noted that the response to the increase had been very favorable concerning the allocation of revenues to historical preservation.

Commissioner Benavides suggested that one percent (1%) of the increase should be allocated to veterans for assistance in health and transportation.

Judge Hinojosa expressed his opposition as to the \$0.10 increase to the toll rates, noting that the increase would adversely affect traffic and the budget. He stated that the County did not have a mechanism as to historical preservation and noted that the preservation would be limited to the Dancy Building, noting that the increase should be delayed.

Commissioner Valencia stated that he had received many responses opposing the increase and concurred that the increase should be delayed.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Bridge Systems Schedule of Toll Rates were approved, effective October 1, 1999.

**The Rates are as follow:**

**(1) APPROVAL OF COUNTY CLAIMS**

At this time, there was a lengthy discussion as to the type of work that could be performed at the County Reproduction Center and the services that needed to be performed by outside printing vendors.

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



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

Commissioner Cascos moved that the 1999 Fiscal Year Budget Amendment No. 99-46, be approved, with the exclusion of Justice of the Peace Precinct No. 5-1.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Budget Amendments are as follow:**

**(3) IN THE MATTER OF THE MINUTES FOR THE MEETING OF AUGUST 31, 1999, REGULAR MEETING (TABLED)**

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

**(5) ADOPTION OF A RESOLUTION AUTHORIZING THE CAMERON COUNTY COMMISSIONERS-COURT ACCEPTANCE OF \$290,000 TO FUND THE AUNIDOS PODEMOS-BROWNSVILLE COMPREHENSIVE STRATEGY FOR YOUTH AND FAMILIES® PROVIDED BY THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION INNOVATIVE LOCAL LAW ENFORCEMENT AND COMMUNITY POLICING PROGRAM FOR THE PERIOD ENDING AUGUST 31, 2000**

Commissioner Cascos moved that the Resolution be adopted authorizing the Cameron County Commissioners-Court's acceptance of \$290,000, for the funding of AUnidos Podemos-Brownsville Comprehensive Strategy for Youth and Families® provided by the Office of the Governor, Criminal Justice Division Innovative Local Law Enforcement and Community Policing Program for the period ending August 31, 2000.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Resolution is as follows:**

**(6) ADOPTION OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A CHRISTMAS COMPOST/DON'T BAG IT PROGRAM, AND CONTINUING CAMERON COUNTY'S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL BY CONTRACTING WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL TO ADMINISTER THE PROGRAM**

Commissioner Matz moved that the Resolution be adopted authorizing Cameron County to apply to the Lower Rio Grande Valley Development Council for a Christmas Compost/Don't Bag It Program, and to continue Cameron County's partnership with the Valley Proud Environmental Council by contracting with the Valley Proud Environmental Council to administer the program.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Resolution is as follows:**

- (7) **ADOPTION OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT, AND CONTINUING CAMERON COUNTY-S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL BY CONTRACTING WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL TO ADMINISTER THIS PROJECT**

## **SUPPLEMENTAL AGENDA**

- (1) **ADOPTION OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ALL VALLEY RECYCLING/BUY RECYCLED TRAINING AND EDUCATION PROJECT, AND CONTINUING CAMERON COUNTY-S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL BY CONTRACTING WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL TO ADMINISTER THIS PROJECT**

Commissioner Cascos moved that the Resolutions be adopted authorizing Cameron County to apply to the Lower Rio Grande Valley Development Council for an Illegal Dumping Education and Training Project and an All Valley Recycling/Buy Recycled Training and Education Project, and continuing Cameron County-s partnership with the Valley Proud Environmental Council.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Resolutions are as follow:**

**(8) ADOPTION OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE SOLID WASTE LOCAL ENFORCEMENT PROGRAM**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Resolution was adopted authorizing Cameron County to submit a Continuation Grant Application to the Lower Rio Grande Valley Development Council for the Solid Waste Local Enforcement Program.

**The Resolution is as follows:**



**(10) AUTHORIZATION OF APPOINTMENT OF JUAN JOSE MARTINEZ AS ASSOCIATE JUDGE FOR FAMILY CASES AND CONFIRMATION THAT HE SHALL HAVE ALL THE POWERS OF ASSOCIATE JUDGE SET FORTH IN SECTION 201.007 OF THE FAMILY CODE**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the appointment of Mr. Juan Jose Martinez as Associate Judge for Family Cases was approved, with all the powers of an Associate Judge as set forth in Section 201.007 of the Family Code.

**The Order is as follows:**

**(11) APPOINTMENT OF MEMBER TO THE CAMERON  
COUNTY CENSUS 2000 COMMITTEE**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the following individuals were appointed to the Cameron County Census 2000 Committee:

(12) **IN THE MATTER OF THE CAMERON COUNTY COMMISSIONERS- COURT TO ADOPT THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT-S POLICY FOR NAMING OR CHANGING THE NAME OF A PUBLIC BUILDING (TABLED)**

At this time, Commissioner Matz suggested that a Policy should be implemented in Cameron County, in order for the County to follow the correct procedures in naming or changing the names of public buildings.

Judge Hinojosa stated that the policy reflected that County buildings could not be named after individuals employed with the County and noted that many buildings were currently named after individuals employed with the County. He stated that the current system of naming or changing names of public buildings should be retained.

Commissioner Cascos expressed his support for implementing a written policy on naming or changing a name of public buildings, in order to avoid any friction within the County.

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



(13) **APPROVAL OF AMENDMENT TO THE AGREEMENT WITH SOUTHWEST KEY, INCORPORATED, TO PROVIDE EDUCATIONAL SERVICES TO CAMERON COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM**

Commissioner Benavides moved that the amendment to the Agreement with Southwest Key, Incorporated, be approved, in order to provide Educational Services to Cameron County Juvenile Justice Alternative Education Program.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Agreement is as follows:**

**(14) APPROVAL OF A MOBILE VENDOR-S PERMIT NO. V10 TO VIOLA BAZAN, DOING BUSINESS AS, STRAWBERRIES AND CREAM**

Commissioner Benavides moved that the Mobile Vendor-s Permit No. V10 be approved for Ms. Viola Bazan, doing business as, Strawberries and Cream.

The motion was seconded by Commissioner Valencia and carried unanimously.

**(15) AUTHORIZATION TO NEGOTIATE ENGINEERING SERVICES CONTRACT WITH CEC CONSULTING ENGINEERS, INCORPORATED, FOR THE LAGUNA HEIGHTS DRAINAGE PROJECT**

Commissioner Benavides moved that the Engineering Services Contract be negotiated with CEC Consulting Engineers, Incorporated, for the Laguna Heights Drainage Project.

The motion was seconded by Commissioner Valencia and carried unanimously.

**(16) IN THE MATTER OF RESERVE DEPUTY RAYMOND SHEARS FOR CONSTABLE PRECINCT NO. 1 AND RESERVE DEPUTY SERGIO VASQUEZ FOR CONSTABLE PRECINCT NO. 2 (TABLED)**

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

At this time, Mr. Doug Wright, Commissioners-Court Legal Counsel, informed the Court that the yearly bonds purchased by the Reserve Deputies did not comply with State Statutes and that the Reserve Deputies were required to obtain bonds consistent with the appointing Elected Official.

**(17) AUTHORIZATION TO ACCEPT JESSICA LANE AND ASHLEY COURT, LOCATED I COUNTRY MANOR ESTATES UNIT NO. 2 SUBDIVISION, PRECINCT NO. 4, INTO THE COUNTY ROAD SYSTEM**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, Jessica Lane and Ashley Court, located in Country Manor Estates, Unit No. 2 Subdivision, Precinct No. 4, were accepted into the County Road System.

**(18) ADOPTION OF A RESOLUTION ACCEPTING ANAQUA DRIVE AND ANAQUITOS DRIVE WITHIN ANAQUITOS ESTATES, UNITS NO. I AND NO. II, INTO THE COUNTY ROAD SYSTEM**

Commissioner Matz moved that Anaqua Drive and Anaquitos Drive, located within Anaquitos Estates, Units No. I and No. II, be accepted into the County Road System.

The motion was seconded by Benavides and carried unanimously.

**The Resolution is as follows:**

**(19) AUTHORIZATION TO ACCEPT LA BRECHA DRIVE, LOCATED IN LA BRECHA SUBDIVISION, PHASE NO. II, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM**

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, La Brecha Drive, located in La Brecha Subdivision, Phase No. II, Precinct No. 3, was accepted into the County Road System.



**(20) APPROVAL OF FURNITURE AND EQUIPMENT LIST FOR THE CONSTRUCTION DIVISION OF THE PUBLIC WORKS DEPARTMENT, AUTHORIZE ACQUISITION THEREOF**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the furniture and equipment list for the Construction Division of the Public Works Department was approved.

**The List is as follows:**

**(21) APPROVAL OF THE NOVEMBER 2, 1999,  
GENERAL ELECTION POLLING PLACES**

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, stated that there were concerns raised by the public regarding the reduction of polling places and added that the Elections Administrator recommended that due to the size of the election, reducing the polling places would allow the resources to be utilized more effectively. He stated that a concerned citizen had noted that the County would be reimbursed for the election and that the people should be allowed to vote at their customary polling places.

Judge Hinojosa recommended that the existing polling places should be retained since there would not be additional costs, in order to avoid any confusion for the voters as to the polling places.

Commissioner Matz suggested that the County Building in Harlingen should be utilized for Precinct No. 4 and that the Port Isabel location be used for Precinct No. 3, for Early Voting.

Mr. Eliseo Muñoz, Brownsville resident, noted that many of the polling places were not public buildings and added that the County was required by law to make a good faith effort to locate public buildings as polling places.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the November 2, 1999, General Election Polling Places were approved.

**CONSENT AGENDA ITEM**

**THE FOLLOWING ITEMS WERE RECOMMENDED FOR A CONSENT 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 A Consent 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) Justice of the Peace Precinct No. 5, Place No. 1, to attend the A Annual South Texas JPCA Training Conference in Laredo, Texas, on September 23-26, 1999;
- b) UNIT Director to attend the A South Texas HIDTA Executive Committee Meeting in San Antonio, Texas, on September 29, 1999, through October 1, 1999;
- c) Health Department employee to attend a A WIC Immunization Meeting in Austin, Texas, on September 29, 1999;
- d) Health Department employee to attend the A Children's Health Insurance Program Meeting in McAllen, Texas, on September 29, 1999;
- e) County Clerk and two (2) Deputies to attend the A 45<sup>th</sup> Annual conference on Vital Statistics in Austin, Texas, on December 5-7, 1999;

- f) Commissioners-Court Legal Counsel to interview witness in Elmira Corning, New York, on October 7-8, 1999;
- g) County Attorney (Criminal District) to attend the AConference on Gun Violence Reduction@ in Austin, Texas, on September 21, 1999;
- h) County Clerk and four (4) Deputies to attend the ADistrict and County Clerks Area Conference@ in Brownsville, Texas, on October 5-7, 1999;
- i) Two (2) District Clerk Deputies to attend the AJudicial System, Incorporate Third Annual Jury Administration System User-s Conference@ in Memphis, Tennessee, on October 8-10, 1999;
- j) Three (3) Health Department employees to attend the AChildren-s Health Insurance Program@ in McAllen, Texas, on September 29, 1999;
- k) Commissioner Precinct No. 3 to attend the AAttorney General Regional Conference@ in Corpus Christi, Texas, on September 5, 1999;
- l) County Treasurer to attend the AContinuing Education CIO Credits@ in Houston, Texas, on September 4-6, 1999;
- m) International Bridge Systems Director to attend the ABTA Meeting on Energy and Infrastructure-A Border Challenge for the New Millennium@ in South Padre Island, Texas, on October 3-5, 1999; and
- n) Elections Administrator to attend the AElection Center-s Professional Education Program Special Summer Session@ in Riverside, California, on July 24-31, 1999.



**(23) ADVERTISE FOR REQUEST FOR PROPOSALS FOR INMATE PAY PHONE LONG DISTANCE SERVICE COMMISSION**

**(24) OPEN BIDS AND/OR REQUEST FOR PROPOSALS FOR ANNUAL RFP NO. 1040-990901 BULLET PROOF VESTS**





(25) **AWARD BIDS AND/OR REQUEST FOR PROPOSALS FOR ANNUAL BID NO. 1885 TOWER RENTAL-SHERIFFS RADIO SYSTEM**

**MOBILE RELAYS INCORPORATED/RIO RADIO - McAllen, Texas**  
**Rental for both towers at Los Fresnos/Business 83 & 2556 - \$1,667.50**

(26) **PRELIMINARY AND FINAL APPROVAL**

a) **Precinct No. 3**

Bill Adams Subdivision - being 2.69 acres of land situated out of Block No. 87, of the Wilson Tract Subdivision.

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(27) **EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 11:28 A.M. to discuss the following matters:

- a) 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) and Section 551.071(2);
- 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 possible sale of Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot 23, Block No. 15; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072; and
- d) In the matter of new Government Complex, located on FM/511 and Old Alice Road; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2). **(NO ACTION TAKEN)**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:28 A.M.

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(29) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **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 Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the possible litigation involving Schlitterbahn Water Park at South Padre Island and 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.

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

Commissioner Matz moved that the Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Block No. 1, Lot No. 2, be sold to the highest bidder.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **Deliberation regarding the Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot 23, Block No. 15.**

Commissioner Matz moved that the sale of the Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot No. 2, Block No. 15, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

- d) **In the matter of the new Government Complex, located on FM/511 and Old Aalice Road. (NO ACTION TAKEN)**



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 11:49 A.M.

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**APPROVED** this **2nd** day of **November, 1999**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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