

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 12th day of OCTOBER, 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 9:40 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 October 8, 1999, at 10:44 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, recommended that the amount of \$58,157.00, be paid for the non-exempt employees who had worked over time during Hurricane Bret and noted that the exempt personnel would not be reimbursed the seventy-five percent (75%) by the Federal Emergency Management Association (FEMA)

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

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

At this time, Judge Hinojosa requested that the salary increases for the Reproduction Director and the Fleet Maintenance Director be supplemented from the savings identified in the Auditor's Office Budget, noting that positive evaluations had been performed, but noted that the annual salaries, in the amount of \$31,000.00, had not been implemented.

Commissioner Matz expressed concern as to the Budget Officer and Research Assistant positions being created in the County Judge's Office.

Mr. Remi Garza, Executive Assistant to the County Judge, stated that the Research Assistant position was being upgraded from a half-time slot to a full-time slot and added that the Research Assistant position would be converted to the Census Coordinator.

Judge Hinojosa explained that the Census Coordinator would provide technical assistant to many of the smaller communities throughout the County and would work with Census Representatives.

Commissioner Valencia moved that the Departmental Salary Schedules be approved.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: Commissioner Matz.

The Salary Schedules are as follow:

(3) ADOPTION OF A RESOLUTION HONORING MR. LOUIS G. BREWSTER, CHIEF UNITED STATES PROBATION OFFICER, ON THE OCCASION OF HIS RETIREMENT

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Resolution honoring Mr. Louis G. Brewster, Chief United States Probation Officer, on the occasion of his retirement, was adopted.

(4) ADOPTION OF A PROCLAMATION DECLARING OCTOBER 1999, AS THE ANATIONAL DOMESTIC VIOLENCE AWARENESS MONTH@IN CAMERON COUNTY, TEXAS

Commissioner Cascos moved that the Proclamation declaring October 1999, as the ANational Domestic Violence Awareness Month@ in Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Proclamation is as follows:

(5) **PRESENTATION BY TURNER COLLIE AND BRADEN, INCORPORATED, OF THE FINAL DRAFT OF THE CAMERON COUNTY COMPREHENSIVE COLONIA PLAN AND ACKNOWLEDGMENT OF THE DOCUMENTS REVIEW AND COMMENT SCHEDULE**

At this time, Mr. Frank Bejarano, Program Development and Management Director, presented the Comprehensive Colonia Plan final draft and noted that the completion date for the project was set for November 15, 1999. He noted that funding was needed for additional copies of the plan, in order to distribute the plan to the different entities.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the presentation by Turner Collie and Braden, Incorporated, of the final draft of the Cameron County Comprehensive Colonia Plan and the documents review and comment schedule, were acknowledged.

(6) **IN THE MATTER OF THE PRESENTATION BY MR. GARY HENRY ON SCHLITTERBAHN WATER PARK AT SOUTH PADRE ISLAND, TEXAS (TABLED)**

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

(7) **POSSIBLE ACTION ON THE SELECTION OF A DESIGN/BUILD FIRM FOR THE NEW COUNTY JAIL PROJECT**

At this time, Commissioner Cascos suggested that the item be tabled, in order to further review the proposals or that the top two (2) firms be selected and negotiated.

Mr. Mark Yates, County Auditor, noted that questionnaires had been sent to the firms for a list of the different items being provided by the firms.

Judge Hinojosa suggested that one (1) firm be selected and that the project be negotiated with the selected firm. He stated that the second firm be selected if the negotiations were not successful with the first firm and recommended that Landmark be selected based on the firm's experience.

Judge Hinojosa moved that Landmark be selected as the Design/Build Firm and that the Contract for the new County Jail be negotiated.

At this time, Commissioner Valencia expressed his support as to the selection of the Design/Build Firm, but noted that the firm should utilize and hire local businesses and individuals.

Commissioner Benavides expressed his support for the selection of the firm and questioned whether changes or additions would also be negotiated.

Judge Hinojosa explained that the County's needs and the design of the County Jail would be discussed with the selected firm and the appropriate County Officials and reiterated that a second firm would be considered if the selected firm could not accommodate the County's needs.

Commissioner Cascos expressed his opposition to the selected firm and noted that the firm of Hale Mills was the only firm that spent a considerable amount of time discussing the Sheriff's needs.

Commissioner Matz noted that the proposals should be thoroughly reviewed, in order to determine the best proposal and suggested that the Sheriff should express his concept regarding said matter.

Sheriff Omar Lucio, County Sheriff, noted that the Contract should be negotiated with both the firms and that the selected firm should meet the needs of the Sheriff's Department.

Judge Hinojosa moved that the Contract for the new County Jail be negotiated with the selected Design/Build Firm of Landmark.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: Commissioners Cascos and Matz.

Judge Hinojosa recommended that the following individuals and/or their representatives be designated to negotiate the Contract within six (6) weeks:

Sheriff Omar Lucio, County Sheriff;

Mr. Mark Yates, County Auditor;

Mr. Mike Forbes, Purchasing Agent;

Mr. Doug Wright, Commissioners= Court Legal Counsel;

Judge Gilberto Hinojosa, County Judge;

Mr. Juan Bernal, County Engineer;

Mr. Roger Ortiz, Building Maintenance Supervisor;

Mr. Rudy Juarez, Computer Center Director; and

Dr. Paul A. Lenz, Health Department Jail Physician.



(8) APPROVAL OF THE CONTRACT BETWEEN THE OFFICE OF COURT ADMINISTRATION AND CAMERON COUNTY

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Contract between the Office of Court Administration and Cameron County was approved.

(9) APPROVAL OF THE EQUIPMENT LIST FOR FISCAL YEAR 1999 - 2000

At this time, Commissioner Cascos questioned why the County Judge's Office was purchasing a vehicle and Judge Hinojosa replied that the vehicle was being purchased for the Executive Assistant to the County Judge, who did not receive an auto allowance.

Commissioner Valencia noted that the vehicles for Precincts No. 3 and No. 4 were four (4) years old and that the vehicles should be replaced. He suggested that one of the vehicles should be transferred to the County Judge's Office, as opposed to trading in the vehicle.

Judge Hinojosa stated that the Commissioners traveled long distances throughout the County, and therefore, the vehicles assigned to the Commissioners contained numerous miles, which would not be beneficial to retain the vehicle.

Commissioner Cascos suggested that the Executive Assistant to the County Judge should submit a mileage statement, in order to receive a reimbursement for the mileage.

Judge Hinojosa moved that the Equipment List for Fiscal Year 1999 - 2000 be approved, inclusive of the amendment submitted by the County Judge's Office.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: Commissioners Cascos and Matz.

The List is as follows:

**(10) APPROVAL OF THE RENEWAL CONTRACT
BETWEEN CAMERON COUNTY AND ALBERT
GARCIA TO PROVIDE LEGAL SERVICES FOR
THE COUNTY COURT AT LAW NO. 3**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Renewal Contract between Cameron County and Mr. Albert Garcia, Attorney at Law, to provide Legal Services for County Court at Law No. 3, was approved.

The Contract is as follows:

(11) APPROVAL OF THE RENEWAL COOPERATIVE AGREEMENT BETWEEN THE OFFICE OF THE ATTORNEY GENERAL AND THE CAMERON COUNTY DISTRICT CLERK-S OFFICE (CONTRACT NO. 00-03516) FOR THE REIMBURSEMENT OF CHILD SUPPORT PAYMENT PROCESS

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Renewal Cooperative Agreement between the Office of the Attorney General and the Cameron County District Clerk-s Office, that being Contract No. 00-03516, for the reimbursement of Child Support Payment Process, was approved.

The Agreement is as follows:

(12) APPROVAL OF THE CONTRACT SERVICE AGREEMENT WITH UNIVERSAL WEATHER AND AVIATION, INCORPORATED, (IMPACT WEATHER-WEB SITE)

Commissioner Cascos moved that the Contract Service Agreement with Universal Weather and Aviation, Incorporated, (Impact Weather-Web site), be approved, subject to Legal review.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: Commissioner Matz.

The Contract is as follows:

**(13) ACTION ON THE LIST OF FIRMS AND
NEGOTIATION OF THE CONTRACT FOR
DAMAGE ASSESSMENT SERVICES - HURRICANE
RECOVERY PRE-POSITIONED CONTRACTS**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the List of Firms and negotiation of the Contracts for Damage Assessment Services - Hurricane Recovery Pre-Positioned Contracts were approved.

The List is as follows:

(14) APPROVAL OF TRANSFER OF COUNTY VEHICLE FROM PRECINCT NO. 1 TO COUNTY JUDGE-S OFFICE

Commissioner Benavides moved that the County vehicle be transferred from Precinct No. 1 to the County Judge-s Office.

The motion was seconded by Commissioner Valencia and carried unanimously.



(15) APPROVAL OF THE MEMORANDUM OF UNDERSTANDING WITH CAMERON COUNTY AND THE TEN (10) SCHOOL DISTRICTS IN CAMERON COUNTY TO DELINEATE AREAS OF RESPONSIBILITY BETWEEN THE SCHOOL DISTRICT AND THE CAMERON COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Memorandum of Understanding with Cameron County and the ten (10) School Districts in Cameron County was approved, in order to delineate areas of responsibility between the School District and the Cameron County Juvenile Justice Alternative Education Program.

The Memorandum of Understanding is as follows:

(16) AUTHORIZATION TO ADVERTISE A REQUEST FOR INFORMATION TO PROVIDE ON-SITE TRAINING FOR SELECT COMPUTER SOFTWARE

Commissioner Matz moved that a Request for Information be advertised to provide on-site training for select computer software.

The motion was seconded by Commissioner Valencia and carried unanimously.

(17) APPROVAL OF THE ENGINEERING SERVICES CONTRACT WITH CRUZ-HOGAN CONSULTANTS, INCORPORATED, FOR THE LOMAX-MEYERS AND GRAN TESORO SECTION III, SANITARY SEWER PROJECT (TCDP CONTRACT NO. 718045)

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Engineering Services Contract with Cruz-Hogan Consultants, Incorporated, was approved for the Lomax-Meyers and Gran Tesoro Section III, Sanitary Sewer Project, that being the Texas Community Development Program Contract No. 718045.

The Contract is as follows:

(18) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO ACQUIRE RIGHT-OF-WAY FOR THE STRAIGHTENING OF THE CURVES ON STATE HIGHWAY 48

Commissioner Cascos moved that the Agreement with the Texas Department of Transportation be approved to acquire Right-of-Way for the straightening of the curves on State Highway 48.

The motion by Commissioner Benavides and carried unanimously.

The Agreement is as follows:

(19) POSSIBLE ACTION ON THE VALLE HERMOSO/VALLE ESCONDIDO DRAINAGE DITCH FROM FM/1419 TO THE MAIN DRAINAGE DITCH PROJECT

At this time, Mr. Juan Bernal, County Engineer, explained that the Drainage District would provide a letter to the County specifying the connection to the main drainage ditch and noted that the acquisition of Right-of-Way was no longer necessary to complete the project.

Judge Hinojosa suggested that the project be performed in-house and that the funding, in the amount of \$35,00.00, be allocated from the Tobacco Fund, noting that said funds be reimbursed if the funds were available in Lapsed Salaries.

Commissioner Matz expressed his opposition as to the project and stated that the Drainage and Irrigation District and the City of Brownsville should participate with the funding.

Commissioner Cascos expressed his concerns as to the projects that would be delayed throughout the County, as a results of performing the Drainage Ditch Project.

Judge Hinojosa moved that the Valle Hermoso/Valle Escondido Drainage Ditch from FM/1419 to the Main Drainage Ditch Project be approved, said funding to be allocated from the Tobacco Fund and reimbursed from the Lapsed Salaries Fund, subject to the availability of funds.

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

AYE: Commissioner Benavides, Cascos and Valencia

NAY: Commissioner Matz.

(20) DESIGNATION OF CENTRAL COUNTING STATION FOR THE NOVEMBER 2, 1999, GENERAL ELECTION AND APPOINTMENT OF PRESIDING JUDGE AND COUNTING STATION MANAGER

Commissioner Cascos moved that the Central Counting Station for the November 2, 1999, General Election and the following appointments be approved:

Mr. James Love, Presiding Judge; and

Ms. Norma Carrillo, Counting Station Manager.

The motion was seconded by Commissioner Valencia and carried unanimously.

(21) APPROVAL OF THE REQUEST FOR PROPOSAL FOR VOTER REGISTRATION SOFTWARE AND AUTHORIZATION TO ADVERTISE FOR PROPOSALS

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the advertisement of Request for Proposal for Voter Registration Software was approved.

(23) APPROVAL OF RESERVE DEPUTY CONSTABLE SERGIO J. VASQUEZ, FOR CONSTABLE PRECINCT NO. 2, BUSTER WAYNE JONES, FOR CONSTABLE PRECINCT NO. 4 AND LUIS CESAR WEAVER, FOR CONSTABLE PRECINCT NO. 5

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the following Reserve Deputy Constables were approved:

Mr. Sergio J. Vasquez, Precinct No. 2,

Mr. Buster Wayne Jones, Precinct No. 4, and

Mr. Luis Cesar Weaver, Precinct No. 5.

The Bonds are as follow:

(22) APPOINTMENT OF THE PRESIDING JUDGE FOR THE EARLY VOTING BALLOT BOARD FOR THE NOVEMBER 1999 GENERAL ELECTION

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, Ms. Ellen Farrar, Brownsville, Texas, was appointed as the Presiding Judge for the Early Voting Ballot Board for the November 1999 General Election.

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 Valencia and carried unanimously, the AConsent® Agenda Items were approved as follow:

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

- a) County Auditor to attend an AInformix Training Program® in Chicago, Illinois, on October 24-28, 1999;
- b) Commissioner Precinct No. 4, Building Superintendent, Maintenance employee and three (3) Auditor-s Office employees to meet with Bexar County Officials to review the Building Alarm and Security System in San Antonio, Texas, on October 14-15, 1999;
- c) UNIT Tactical Intelligence Agent to attend the ASpanish Language Immersion Course® in Corpus Christi, Texas, on November 28, 1999, through December 11, 1999;
- d) UNIT Tactical Intelligence Agent to attend the ATLETS/NLETS Basic Telecommunication TCIC/NCIC Procedures School® in Kerrville, Texas, on November 7-13, 1999;
- e) Four (4) District Attorney-s Secretaries to attend the A1999 TDCAA Key Personnel Seminar® in Fort Worth, Texas, on November 3-5, 1999;
- f) Assistant District Attorney, Secretary, Crime Victim Coordinator and Advocate, to attend the A13th Annual Texas Crime Victim Clearinghouse Conference® in South Padre Island, Texas, on November 7-11, 1999;
- g) Assistant District Attorney to attend the AAppellate Advocacy Course® in Columbia, South Carolina, on December 6-12, 1999;
- h) County Drug Enforcement Task Force Commander and Administrative Assistant to attend the ATNCP Grant Management Workshop® in Austin, Texas, on October 25-26, 1999;
- I) District Clerk and nine (9) Deputies to attend the AArea 8 County and District Clerk-s Meeting® in Brownsville, Texas, on October 5-7, 1999;
- j) County Extension Agent to attend the ASale-Leadership Extension Class IV® in Corpus Christi, Texas, on November 16-18, 1999;

APPROVED this 9th day of November, 1999.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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