

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 16th day of **NOVEMBER, 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 10:00 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 November 12, 1999, at 11:56 A.M., and the Supplemental Agenda posted on November 12, 1999, at 4:19 P.M.:

(14) AUTHORIZATION TO CLOSE GATEWAY INTERNATIONAL BRIDGE SOUTHBOUND LANES ON DECEMBER 2, 1999, FROM 6:00 P.M. TO 10:00 P.M. FOR THE CHAMBER OF COMMERCE'S ANNUAL CHRISTMAS FIESTA OF LIGHTS PARADE

Commissioner Cascos moved that the Gateway International Bridge southbound lanes be closed on December 2, 1999, from 6:00 P.M. to 10:00 P.M., for the Chamber of Commerce's Annual Christmas Fiesta of Lights Parade.

The motion was seconded by Commissioner Benavides and carried unanimously.

(1) APPROVAL OF COUNTY CLAIMS

At this time, Commissioner Cascos expressed concern as to Warrant No. 22909, payable to Multi Mini Storage, Warrant No. 22939, payable to Reserve Account for meter postage, and Mr. Rob Almon, Assistant County Auditor, noted that the items would be researched and reported back to the Court.

Commissioner Cascos expressed concern as to Warrant No. 23031, payable to Wackenhut Corporation and noted that the Contract would soon expire. He stated that it was his understanding that the Sheriff's Department was intending to pursue the possibility of providing security of the Courthouse Judicial Building and suggested that the matter be analyzed. Commissioner Cascos stated that the Auditor's Office should provide Affidavits concerning Conflict of Interest and noted that Judge Hinojosa would abstain from the warrant payable to Sweezy Construction.

Commissioner Matz moved that the County Claims be approved, as presented by the Assistant County Auditor.

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

AYE: Commissioners Benavides, Cascos, Matz and Valencia

NAY: None

ABSTAINED: Judge Hinojosa, as to Warrant No. 22998, payable to Sweezy Construction.

The Affidavit is as follows:

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

Commissioner Valencia moved that the 1999 Fiscal Year Budget Amendment No. 99-52, and the Salary Schedules for Pre-Trial Release, Fund No. 420-5760, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

(3) ADOPTION OF A PROCLAMATION DECLARING NOVEMBER 1999 AS A STOP TRAFFIC SIGN VANDALISM MONTH® IN CAMERON COUNTY, TEXAS, AND AUTHORIZATION TO INITIATE PUBLIC AWARENESS CAMERON COUNTY HIGH SCHOOLS AND JR. HIGH SCHOOLS

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, stated that the Public School Districts would be targeted, in order to get the Student Councils involved, as well as the teachers.

There was some discussion as to the rewards money and the suggestion was made that different entities be contacted for donations to be allocated for the rewards.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Proclamation declaring November 1999 as AStop Traffic Sign Vandalism Month® in Cameron County, Texas, was adopted, in order to initiate Public Awareness Campaign targeting Cameron County high schools and junior high schools.

The Proclamation is as follows:

(12) **AUTHORIZATION FOR THE DISTRICT CLERK-S OFFICE TO INCLUDE MONICA-S HOUSE ON THE LIST OF CHARITABLE ORGANIZATIONS FOR THE DONATION OF JUROR REIMBURSEMENTS**

Commissioner Cascos moved that the District Clerk-s Office include Monica-s House to the list of charitable organizations for the donation of juror reimbursements.

The motion was seconded by Commissioner Benavides and carried unanimously.

(4) **ADOPTION OF THE RESOLUTION AUTHORIZING THE CAMERON COUNTY DISTRICT ATTORNEY-S DEPARTMENT TO SUBMIT A SECOND YEAR GRANT APPLICATION TO THE GOVERNOR-S OFFICE CRIMINAL JUSTICE DIVISION FOR THE VICTIM ASSISTANCE PROGRAM AND DESIGNATION OF REQUIRED MATCH**

Commissioner Valencia moved that the Resolution be adopted authorizing the Cameron County District Attorney-s Department to submit a second year Grant Application to the Governor-s Office Criminal Justice Division for the Victim Assistance Program and that the required match be allocated from the District Attorney-s Forfeiture Fund and the County General Fund, in the amount of \$12,500 each.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Resolution is as follows:

(5) ADOPTION OF THE REVISED 2000 CAMERON COUNTY CRIMINAL JUSTICE COMMUNITY PLAN, PURSUANT TO GRANT FUNDING REQUIREMENTS OF THE CRIMINAL JUSTICE DIVISION

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the revised 2000 Cameron County Criminal Justice Community Plan, pursuant to grant funding requirements of the Criminal Justice Division was adopted.

The Plan is as follows:

**(6) ADOPTION OF THE AMENDED RESOLUTION
FINDING THE IMPROVEMENTS FOR
ANAQUITOS DRIVE AND ANAQUA DRIVE
NECESSARY**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the amended Resolution, finding the improvements for Anaquitos Drive and Anaqua Drive necessary, was adopted.

The Resolution is as follows:

(7) **APPROVAL OF THE COUNTY ENGINEER-S
REPORT REGARDING THE COST
IMPROVEMENTS FOR ANAQUITOS ESTATES**

At this time, Commissioner Cascos questioned whether the funds had been budgeted and expressed concern as to whether some projects would be delayed.

Mr. Juan Bernal, County Engineer, noted that the funds were not budgeted and added that the priority projects list would be altered to prioritize the project in Anaquitos Estates, noting that the Projects in Precinct No. 3 would be delayed.

Commissioner Cascos questioned who would monitor the installment payments by the Anaquitos Estates property owners and Ms. Dylbia Jefferies-Vega, Commissioners= Court Legal Counsel, responded that the payments would be made to the County Auditor-s Office.

Ms. Vega explained that a public hearing would be held, in order to allow the property owners to voice their opinions regarding the project and added that the Court would then decide to proceed with the project.

At this time, Judge Hinojosa stated that a commitment was being set up without it being figured into the County-s long range plan and added that allocation of the resources should be set at the beginning of the Fiscal Years and not at the time a project needs to be improved at the mid-Fiscal Year.

Commissioner Matz stated the Anaquitos Project had been placed on the priority list for Precinct No. 3 based upon a consensus from the property owners as to the cost sharing of the project.

Commissioner Matz moved that the County Engineer-s Report regarding the cost improvements for Anaquitos Estates be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Report is as follows:

**(8) ADOPTION OF A RESOLUTION SETTING A DATE
FOR A PUBLIC HEARING ON THE ASSESSMENT
PLAN FOR ANAQUITOS ESTATES**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Resolution setting a date for a Public Hearing on the Assessment Plan for Anaquitos Estates was adopted.

The Resolution is as follows:

**(9) POSSIBLE ACTION REGARDING THE
SUBCONTRACT BETWEEN TEXAS A&M
UNIVERSITY AND CAMERON COUNTY**

Commissioner Benavides moved that the Subcontract between Texas A&M University and Cameron County be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

**(10) APPROVAL TO RELEASE FOUR SECURITIES, IN
THE AMOUNT OF \$6,350,000.00, AT PAR, IN
COLLATERAL, TO FIRST NATIONAL BANK**

**(11) AUTHORIZATION TO RELEASE AN ADDITIONAL
TWO SECURITIES, IN THE AMOUNT OF
\$2,910,000.00, AT PAR, IN COLLATERAL, TO
FIRST NATIONAL BANK**

Commissioner Cascos moved that the release of four securities, in the amount of \$6,350,000.00, at par, in collateral, and that two securities, in the amount of \$2,910,000.00, at par, in collateral, be released to First National Bank.

The motion was seconded by Commissioner Benavides and carried unanimously.

**(13) APPOINTMENT OF MR. BILL ASTON, TO THE
CAMERON COUNTY EMERGENCY
COMMUNICATION DISTRICT BOARD**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the appointment of Mr. Bill Aston, to the Cameron County Emergency Communications District Board was approved.

**(15) APPROVAL OF THE PARKS SYSTEM CAPITAL
IMPROVEMENTS PROJECTS AND FUND
BALANCE DISTRIBUTION FOR FISCAL YEAR
1999-2000**

At this time, Mr. Javier Mendez, Parks System Director, stated that the Capital Improvements, in the amount of \$170,000.00, had not been included during the preparation of the Parks System Budget.

Commissioner Matz expressed concern as to the different amounts listed on the Capital Improvement Projects for Fiscal Year 1999-2000 Report and questioned whether the amounts marked with asterisks would be deferred.

Mr. Mendez noted that the items were a part of the Parks Master Plan and were based upon the decision by the Court whether to place a walking trail at the Santa Rosa Park or a basketball court at the El Ranchito Park.

Judge Hinojosa expressed his support for the basketball court at the El Ranchito Community Park, but noted that swimming pools were a necessity for the parks during the summer season for the children in the area.

Commissioner Cascos questioned why the auto allowance was placed under the Administration section of the Report as part of a capital improvement and Mr. Mendez replied that the item was left out of the budget, but was a distribution of fund balance.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Parks System Capital Improvements Projects and Fund Balance distribution for Fiscal Year 1999-2000, were approved, as recommended by the Assistant County Auditor.

[REDACTED]

(16) **AUTHORIZATION FOR THE COUNTY PARKS SYSTEM TO SUBMIT A GRANT APPLICATION TO THE TEXAS GENERAL LAND OFFICE FOR GRANT CYCLE 5 OF THE COASTAL MANAGEMENT PROGRAM**

Commissioner Matz moved that the County Parks System submit a grant application to the Texas General Land Office for Grant Cycle 5 of the Coastal Management Program.

The motion was seconded by Commissioner Valencia and carried unanimously.

[REDACTED]

(1) **ADOPTION OF A RESOLUTION APPOINTING CAMERON COUNTY'S REPRESENTATIVE ON THE BOARD OF DIRECTORS OF THE CAMERON APPRAISAL DISTRICT**

Commissioner Matz moved that the Resolution be adopted appointing Commissioner Cascos as Cameron County's Representative on the Board of Directors of the Cameron Appraisal District.

The motion died for the lack of a second.

Commissioner Valencia moved that the Resolution appointing Commissioner Benavides as the Cameron County's Representative on the Board of Directors of the Cameron Appraisal District be adopted.

The motion was seconded by Judge Hinojosa and carried unanimously.

[REDACTED]

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:

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

- a) Commissioners= Court Legal Counsel to attend a ASeminar on Litigation and Trial Tactics® sponsored by the University of Houston Law Foundation, in San Antonio, Texas, on December 9-10, 1999;
- b) Records Management Supervisor to meet with representative of Racom Information Systems regarding Records Management for the District Clerk-s Office in Austin, Texas, on December 3-7, 1999;
- c) District Clerk and Deputy to attend the A1999 Vital Statistics Conference® in Austin, Texas, on December 3-7, 1999;
- d) International Bridge Systems Director to tour an Industrial Park in Laredo, Texas, on October 27-28, 1999;
- e) Juvenile Public Defender to attend the ASeminar on Litigation and Trial Tactics® in Houston, Texas, on December 2-3, 1999;
- f) Assistant Chief Juvenile Probation Officer to attend a AMeeting to discuss the Award of Funds for Drug Abuse Treatment® in McAllen, Texas, on November 10, 1999;
- g) Personnel/Safety Risk Coordinator attend the AFundamentals of Personnel Law for Managers and Supervisors Seminar® in McAllen, Texas, on November 19, 1999; and
- h) Three (3) County Agents to attend the AFall District Training Meeting® in Weslaco, Texas, on November 16-18, 1999.

(18) OPEN BIDS AND/OR REQUEST FOR PROPOSALS

- a) ANNUAL BID NO. 1998 TIRES: OFF ROAD (TRACTOR, GRADER, BACKHOE AND HEAVY TRUCK);
- b) VANS - JAIL/D.P.;
- c) PICK-UP - FARM AND HOME;
- d) AUTOS - OPEN COMMISSIONER PRECINCTS NO. 3 AND NO. 4 AND AWARD FOR JUDGE-S ASSISTANT FOR IMMEDIATE DELIVERY;
- e) ANNUAL REQUEST FOR PROPOSAL NO. 1475-990803-1 LABORATORY DIAGNOSTIC SERVICES - INFIRMARY;
- f) ANNUAL REQUEST OF PROPOSAL NO. 1690-990804-1 RADIOLOGICAL DIAGNOSTIC SERVICES - INFIRMARY; AND
- g) REQUEST FOR PROPOSAL NO. 990903 VOTER REGISTRATION SOFTWARE AND APPROVAL OF THE FOLLOWING EVALUATION COMMITTEE:

- a) Mr. Robert Mendoza, Elections Administrator;
- b) Mr. Rudy Juarez, Chief Information Officer;
- c) Mr. Tony Yzaguirre, Tax Assessor-Collector;
- d) Mr. Joe G. Rivera, County Clerk; and
- e) Mr. Mike Forbes, Purchasing Agent.

The Bids received and opened are as follow:

(19) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Pablo Gonzalez Subdivision - being 7.07 acres out of the North 10 acres of Block No. 11, Dougherty - Paillet Subdivision;

b) **Precinct No. 3**

De La Fuente - Silva Subdivision - being a tract containing 2.127 acres of land situated out of the West 10.00 acres of Block No. 89 of the Wilson Tract Subdivision; and

c) **Precinct No. 3**

Cuates Amigos Joint Venture Subdivision - being a 10.5 acres subdivision comprised of 4.93 acres out of Lot No. 17 and all of Lot No. 16 (5.67 AC), out of the Cuates Amigos Subdivision.



(20) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 10:40 A.M. to discuss the following matters:

- a) Confer with County Counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and 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 (2);
- b) Deliberation regarding the Real Property concerning Cameron County owned property, located at 102 Kilgore Drive, San Benito, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) Deliberation regarding the Real Property concerning Cameron County owned land, known as Abstract No. 10 - La Feria Grant, 1.5 acres out of Block No. 50, Minn-Tex Subdivision, La Feria, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:13 A.M.



(21) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Confer with County Counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and 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 Title Commitment Policy was obtained from Southern Texas Title Company, concerning the possible litigation involving

Schlitterbahn Water Park at South Padre Island and 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.



(18) AWARD BIDS

d) AUTO FOR JUDGE-S ASSISTANT FOR IMMEDIATE DELIVERY

At this time, Mr. Mike Forbes, Purchasing Agent, reported that the lowest bid, in the amount of \$19,532.00, was received from Triangle Chevrolet, for the purchase of a vehicle for the Executive Assistant to the County Judge.

Commissioner Valencia moved that the Bid for the auto for the Judge-s Assistant for immediate delivery, in the amount of \$19,532.00, be awarded to Triangle Chevrolet.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: Commissioner Matz.



(21) ACTION RELATIVE TO EXECUTIVE SESSION

b) Deliberation regarding the Real Property concerning Cameron County owned property, located at 102 Kilgore Drive, San Benito, Texas.

Commissioner Benavides moved that the notice terminating the Lease regarding the Cameron County owned property, located at 102 Kilgore Drive, San Benito, Texas, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

c) Deliberation regarding the Real Property concerning Cameron County owned land, known as Abstract No. 10 - La Feria Grant, 1.5 acres out of Block No. 50, Minn-Tex Subdivision, La Feria, Cameron County, Texas.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Cameron County land, known as Abstract No. 10 - La Feria Grant, 1.5 acres out of Block No. 50, Minn-Tex Subdivision, La Feria, Cameron County, Texas.



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 **11:16 A.M.**

APPROVED this **28th** day of **December, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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