

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 23rd 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 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 November 19, 1999, at 3:12 P.M., and the Supplemental Agenda posted on November 19, 1999, at 3:48 P.M.:

**(4) APPROVAL OF THE INTERLOCAL AGREEMENT
WITH DRAINAGE DISTRICT NO. 3, REGARDING
GREEN VALLEY FARMS DRAINAGE PROJECT**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Interlocal Agreement with Drainage District No. 3, regarding Green Valley Farms Drainage Project was approved.

The Agreement is as follows:

**(10) POSSIBLE ACTION REGARDING 1995 CAPRICE
#1G1BL52P15R145076**

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, explained that the Town of Combes had requested the wrecked Sheriff's vehicle, in order to utilize the parts to repair an old police vehicle.

Mr. Lee Lozano, Fleet Maintenance Director, stated that most of the parts of the vehicle had been utilized for other County vehicles and added that the remaining parts were no longer useful to the County.

Commissioner Valencia moved that the 1995 Caprice #1G1BL2P15R145076, be sold to the Town of Combes.

The motion was seconded by Commissioner Benavides.

At this time, Commissioner Matz questioned whether the transmission was useable and whether the vehicle had been offered to other communities.

Mr. Lozano responded that there were similar vehicles that were under repair, but noted that the vehicles were under the Investigator's Department.

Mr. Garza noted that the County Auditor's would normally notify other communities and explained that the request was for the Court to direct the Auditor's office to notify the communities.

Commissioners Cascos questioned whether the motion was to direct the County Auditor to notify the communities and Commissioner Valencia responded that his motion was to give the transmission to the Town of Combes, based on the recommendations by the Fleet Maintenance Director.

Commissioner Cascos noted that a similar situation had previously occurred concerning a backhoe and added that it was his understanding that the Court had agreed to contact the communities as to surplus equipment and/or property.

Judge Hinojosa stated that the decisions should be determined on a case by case basis as to notifying the communities and noted that the vehicle had not been used for three years.

Commissioner Matz stated that the County should follow the policy and suggested that the matter be deferred, in order to notify the communities.

Commissioner Valencia moved that the 1995 Caprice No. 1G1BL52P15R145076 be declared as surplus property with a value of \$150.00, as stated by the Fleet Maintenance Director, and that the vehicle be sold to the Town of Combes, noting that the Town of Combes would remove the vehicle from the County Barn.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: Commissioners Cascos and Matz.

[REDACTED]

(5) **AUTHORIZATION TO AMEND MICROFILMING CONTRACT TO INCLUDE IMAGING EQUIPMENT AS PER STATE OF TEXAS - GENERAL SERVICES COMMISSION - QUALIFIED INFORMATION SERVICES VENDOR (QISV) AGREEMENT FOR DISTRICT CLERK-S DEPARTMENT WITH OPTIONS FOR EXPANDED UTILIZATION TO OTHER COUNTY DEPARTMENTS**

Commissioner Valencia moved that the Microfilming Contract be amended to include imaging equipment, as per State of Texas - General Services Commission - Qualified Information Services Vendor (QISV) Agreement for District Clerk-s Department with options for expanded utilization to other County Departments.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Contract is as follows:

(24) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 9:55 A.M. to discuss the following matters:

- a) In the matter of 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, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); **(TABLED)**
- b) In the matter of the evaluation of Director of Public Works/County Engineer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074; **(TABLED)**
- c) In the matter of Economic Development negotiations regarding Magne Tek.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.086 (1)(2); **(TABLED)** and
- d) Confer with County Counsel regarding possible litigation pertaining to Sea Ranch Marina Concessionaire (S.R. Marine Center); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Sections 5510.71 (1)(A) and 551.071 (2).

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:37 A.M.



(25) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **In the matter of 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; (TABLED)**
- b) **In the matter of the evaluation of Director of Public Works/County Engineer; (TABLED) and**
- c) **In the matter of Economic Development negotiations regarding Magne Tek. (TABLED)**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, these Items were **TABLED**.

- d) **Confer with County Counsel regarding possible litigation pertaining to Sea Ranch Marina Concessionaire (S.R. Marine Center).**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged regarding the possible litigation pertaining to Sea Ranch Marina Concessionaire (S.R. Marine Center).

[REDACTED]

(6) **AUTHORIZATION FOR COUNTY JUDGE TO SIGN
TEXAS ASSOCIATION OF COUNTIES PROPERTY
AND CASUALTY SELF INSURANCE FUND
PROPERTY PROGRAM BUILDING AND
CONTENTS SCHEDULE AGREED AMOUNT
STATEMENT**

Commissioner Cascos moved that the County Judge sign the Texas Association of Counties Property and Casualty Self Insurance Fund Property Program Building and Contents Schedule Agreed Amount Statement.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Statement is as follows:

(7) **AUTHORIZATION TO NOMINATE VALLEY PROUD ENVIRONMENTAL COUNCIL TO APPLY FOR A GENERAL LAND OFFICE, COASTAL MANAGEMENT PROGRAM CYCLE 5 GRANT IN THE AMOUNT OF \$44,000.00, TO CONTINUE THE EDUCATIONAL CAMPAIGN OF ACAPTAIN CLEAN CRAB® BEACH CLEAN UP PROGRAM FOR THE SPRING AND SUMMER OF 2001**

Commissioner Valencia moved that the Valley Proud Environmental Council be nominated to apply for a General Land Office, Coastal Management Program Cycle 5 Grant, in the amount of \$44,000.00, to continue the educational campaign of ACaptain Clean Crab® Beach Clean Up Program for the Spring and Summer of 2001.

The motion was seconded by Commissioner Matz and carried unanimously.

(8) **AUTHORIZATION FOR JUSTICE OF THE PEACE PRECINCT NO. 2, PLACE NO. 2, TO CONDUCT JUSTICE OF THE PEACE COURT HEARINGS AT THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICTS**

Commissioner Valencia moved that Justice of the Peace Precinct No. 2, Place No. 2, conduct Justice of the Peace Court Hearings at the Brownsville Independent School Districts.

The motion was seconded by Commissioner Benavides and carried unanimously.

(11) **APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH MARIPOSA THERAPY CENTER, L.L.C., TO PROVIDE COUNSELING AND PSYCHOTHERAPY SERVICES TO JUVENILES**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Professional Services Agreement with Mariposa Therapy Center, L.L.C., was approved to provide Counseling and Psychotherapy Services to Juveniles.

(12) **APPROVAL A PROFESSIONAL SERVICES AGREEMENT WITH DEER OAKS MENTAL HEALTH ASSOCIATES TO PROVIDE COUNSELING AND PSYCHOTHERAPY SERVICES TO JUVENILES**

Commissioner Valencia moved that the Professional Services Agreement with Deer Oaks Mental Health Associates be approved to provide Counseling and Psychotherapy Services to juveniles.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (13) **APPROVAL TO RENEW THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY AND PROVIDENCE SERVICE CORPORATION OF TEXAS FOR INTENSIVE HOME BASED SERVICES OF JUVENILES AND THEIR FAMILIES**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Contract for Professional Services between Cameron County and Providence Service Corporation of Texas for Intensive Home Based Services of juveniles and their families was renewed.

- (14) **APPROVAL TO RENEW THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY AND THE SAN BENITO INDEPENDENT SCHOOL DISTRICT TO JOIN TOGETHER AND PROVIDE A JUVENILE PROBATION OFFICER TO WORK WITH STUDENTS ATTENDING THE SBISD AT THE ALTERNATIVE CENTER SCHOOLS**

- (15) **APPROVAL TO RENEW THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY AND THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT TO JOIN TOGETHER AND PROVIDE A JUVENILE PROBATION OFFICER TO WORK WITH STUDENTS ATTENDING THE BISD AT THE ALTERNATIVE CENTER SCHOOLS**

- (16) **APPROVAL TO RENEW THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY AND THE HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT TO JOIN TOGETHER AND PROVIDE A JUVENILE PROBATION OFFICER TO WORK WITH STUDENTS ATTENDING THE HCISD AT THE ALTERNATIVE CENTER SCHOOLS**

Commissioner Valencia moved that the Contracts for Professional Services be renewed between Cameron County and the San Benito Independent School District, the Brownsville Independent School District and the Harlingen Consolidated Independent School District, to join together and provide a Juvenile Probation Officer to work with students attending the SBISD, the BISD and the HCISD Alternative Center Schools.

The motion was seconded by Commissioner Benavides and carried unanimously.

(17) ADOPTION OF AMENDED RESOLUTION FOR THE PURCHASE OF JUVENILE ALTERNATIVE SERVICE (CRIMINAL JUSTICE DIVISION), TO ADD A NECESSARY STATEMENT

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Amended Resolution for the purchase of Juvenile Alternative Service (Criminal Justice Division), to add a necessary statement was adopted.

The Resolution is as follows:

(18) AUTHORIZATION FOR THE JANITORIAL SERVICES CONTRACT FOR FISCAL YEAR 1999-2000 FOR LA FERIA COUNTY BUILDING

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously the Janitorial Services Contract for Fiscal Year 1999-2000 for the La Feria County Building was approved.

The Contract 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:

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

- a) Juvenile Boot Camp and Detention Center Nurse to obtain certification at El Ranchito, Texas, on August 3-5, 1999, South Padre Island, Texas, on August 11, 1999, Weslaco, Texas, on August 12-13, 1999, and Brownsville, Texas, on August 14, 1999;
- b) Three (3) Engineering employees to attend the AMicrosoft Office Seminar® in McAllen, Texas, on December 16, 1999;
- c) Two (2) Assistant County Auditors to attend aAGovernmental Accounting Seminar® in Austin, Texas, on December 5-7, 1999;
- d) Sheriff, Major and Assistant County Administrator to meet with Texas Commission of Jail Standards and Landmark regarding the new jail facility in Austin, Texas, on November 16-19, 1999;
- e) Juvenile Probation Officer to attend the ACommunity Management Team Monthly Meeting® in Edinburg, Texas, on October 12, 1999;
- f) UNIT Director to attend the AHIDTA Executive Committee Meeting® in San Antonio, Texas, on December 6-8, 1999;
- g) UNIT Tactical Intelligence Agent to exchange vehicles in San Antonio, Texas, on November 4-5, 1999;
- h) Juvenile Training Officer, Program Specialist and Victims Coordinator to attend the AMeeting with the Lower Rio Grande Valley Council® in Weslaco, Texas, on November 23, 1999;
- i) Juvenile Budget Specialist to attend the ACriminal Justice Advisory Committee Meeting® in Weslaco, Texas, on November 16, 1999; and
- j) International Bridge Systems Director to meet with Free Trade INS Port Director in Progreso, Texas, on November 19, 1999.

(20) FINAL APPROVAL

- a) Precinct No. 3

Centerline Road Subdivision - being 10.242 acres, comprised of all of Block No. 32, Bayside Gardens of the Box Ranch, out of the Northwest corner of the Santa Isabel Grant.

(21) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Hope Subdivision - is a 1.14 acres, more or less, Subdivision, out of Block No. 24,
Rancho De Santa Maria Subdivision.

(22) OPEN BIDS AND/OR REQUEST FOR PROPOSALS

- a) JANITORIAL SUPPLIES: PAPER AND LINCERS - ANNUAL BID NO. 2300-2;
- b) TIRES: VEHICLES AND PATROL - ANNUAL BID NO. 1997; AND
- c) PICK-UPS - BUILDING MAINTENANCE/GIS (GIS OPEN AND AWARD - IN STOCK FOR IMMEDIATE DELIVERY

TIPTON MOTORS - Brownsville, Texas
Pick-up Truck Total \$18, 236.00

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

(23) RENEW BIDS

a) ANNUAL BID NO. 1520 MICROFILMING FOR TWO (2) ADDITIONAL YEARS

LASON - San Antonio, Texas

Estimate Total for three (3) years - \$13,066.00

b) UTILIZE STATE OF TEXAS - GENERAL SERVICE COMMISSION CONTRACT - PAGERS B#1586 FOR ONE (1) ADDITIONAL YEAR

SUPPLEMENTAL AGENDA

(2) ACTION REGARDING THE PRE-APPLICATION TO THE EMPOWERMENT ZONE REGARDING EL NORTE SUBDIVISION ROAD IMPROVEMENTS PROJECT

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Pre-Application to the Empowerment Zone regarding El Norte Subdivision Road Improvements Project was approved.

(1) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH J.W.H. AND ASSOCIATES, INCORPORATED, TO OBTAIN PROFESSIONAL ENGINEERING SERVICES FOR THE CAMERON COUNTY INTERNATIONAL BRIDGE SYSTEM

At this time, Mr. Pete Sepulveda, Bridge Systems Director, stated that the Professional Engineering Services would assist in creating a contingency plan in the case of any major disasters or emergencies. He stated that the firm would analyze the capability of the existing bridges to recommend expansions and added that a twenty (20) year revenue projection would also be determined. Mr. Sepulveda stated that a study would be conducted within a six (6) month period.

Commissioner Matz expressed concern as to Article No. 6 of the Contract and Mr. John W. Hudson, J.W.H. and Associates, Incorporated, noted that the matter did not apply to Cameron County, noting that one set of plans was utilized to build all the bridges and roads.

Mr. Sepulveda stated that Article No. 9 should reflect that the AOwner has the right to increase or decrease the scope of services at any given time.@

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Agreement with J.W.H. and Associates, Incorporated, to obtain Professional Engineering Services for the Cameron County International Bridge Systems was approved, with the exclusion of Article No. 6, the addition of Article No. 9 to

reflect AOwner has the right to increase or decrease the scope of services at any given time®and the addition of the six (6) month time period of the Contract.

The Contract is as follows:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, noted that the description for Warrant No. 23535, payable to the United States Postmaster, should reflect postage, as opposed to dues and memberships.

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



(2) BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Commissioner Valencia moved that the Fiscal Year 2000 Budget Amendment No. 2000-06, be approved.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: Commissioner Matz.

The Budget Amendments are as follow:

(3) IN THE MATTER OF MINUTES OF NOVEMBER 2, 1999, AND NOVEMBER 8, 1999 (TABLED)

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, this Item was **TABL**

(9) IN THE MATTER OF THE DISCUSSION FOR INSTALLING SIGNS FOR ADVERTISEMENTS IN THE ISLA BLANCA PARK (TABLED)

At this time, Mr. Javier Mendez, Parks System Director, explained that two signs were placed in front of the Marina on Tract 1. He stated that the signs were in violation of the Concession Agreement.

Mr. Doug Wright, Commissioners-Court Legal Counsel, recommended that the concessionaires be notified as to the discussion of the concessionaires.

Mr. Mendez reported that the concessionaires had been notified to remove the signs and that a copy of the sign policy had been provided.

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

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court **ADJOURNED** at 12:00 P.M.

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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.