

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 15th day of FEBRUARY, 2000, 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 APETE@ BENAVIDES
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD ATIVIE@ VALENCIA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Gilberto Hinojosa at 9:37 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 February 11, 2000, at 1:13 P.M.:

(23) **AUTHORIZATION FOR THE PARKS SYSTEM
DEPARTMENT TO UTILIZE COUNTY VANS AND
VEHICLES FOR TRAPS CONFERENCE TO BE
HELD AT SOUTH PADRE ISLAND**

At this time, Mr. Javier Mendez, Parks System Director, explained that the vans would be requested from the different County Departments to provide shuttle transportation for the individuals attending the conference.

Commissioner Cascos stated that the vans purchased through grant funds should be reviewed for limitations and restrictions as to the use of the vans and expressed concern as to the liability in the case of an accident.

Mr. Mendez responded that the County employees would be covered under the County's vehicle insurance and added that the limitations and restrictions as to the use of the grant funded vans would be discussed with the Department Heads.

Commissioner Matz moved that the Parks Department utilize County vans and vehicles for the TRAPS Conference to be held at South Padre Island, subject to any restrictions and/or limitations of the vehicles.

The motion was seconded by Commissioner Cascos and carried unanimously.

(1) **APPROVAL OF COUNTY CLAIMS**

At this time, Commissioner Matz expressed concern regarding the description coding as to Warrant No. 27836, payable to the Brownsville Herald and as to the definition of a Mean Streak concerning Warrant No. 27955, payable to Jones and Cook Stationers.

Mr. Mark Yates, County Auditor, noted that Warrant No. 27836 had been coded incorrectly and that Warrant No. 27955 would be researched.

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

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

AYE: Commissioners Benavides, Cascos, Matz and Valencia

NAY: None

ABSTAINED: Judge Hinojosa, as to Warrant No. 27966, payable to the Laguna Madre Water District.

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

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the 2000 Fiscal Year Budget Amendment No. 2000-16 was approved.

The Budget Amendment is as follows:

(3) APPROVAL OF MINUTES OF JANUARY 25, 2000

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Minutes of the meeting held January 25, 2000, at 9:30 A.M., were approved, subject to the minor corrections noted on Item No. 23.

**(4) ADOPTION OF A RESOLUTION ESTABLISHING
AN AUTOMOBILE THEFT PREVENTION
PROGRAM FOR HIGH SCHOOLS AND CIVIC
ORGANIZATIONS IN CAMERON COUNTY**

Commissioner Benavides moved that the Resolution establishing an Automobile Theft Prevention Program for high schools and civic organizations in Cameron County be adopted.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

- (5) **IN THE MATTER OF A RESOLUTION HONORING MS. SYLVIA PINAL AS MR. AMIGO 1999, FOR HER MANY ACCOMPLISHMENTS AND TRIUMPHS IN THE WORLD OF ENTERTAINMENT, CONFIRMATION OF STATUS OF HONORARY CITIZEN OF CAMERON COUNTY AND PROCLAIMING FEBRUARY 20-26, 2000, AS ASYLVA PINAL WEEK® (TABLED)**

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

- (6) **AUTHORIZATION TO INCLUDE TEXAS TOMORROW FUND INFORMATION IN COUNTY PAYROLL FOR DISTRIBUTION TO EMPLOYEES**

Commissioner Matz moved that the Texas Tomorrow Fund information be included in the County payroll for distribution to employees.

The motion was seconded by Commissioner Valencia and carried unanimously.

**NOT ON AGENDA
PRESENTATION BY MR. SERGIO ZARATE,
AMERICAN HEART ASSOCIATION**

At this time, Mr. Sergio Zarate, American Heart Association, presented the Automatic External Defibrillator to assist in cardiovascular attacks and noted that the American Heart Association's intent was to implement the defibrillator in public and government buildings, as well as in the law enforcement patrol cars. He noted that the defibrillator utilized a battery which did not require any maintenance for five years and added that the cost of the battery was \$195.00.

Mr. Arturo Rodriguez, Emergency Medical Services Director, and Mr. Jeff Johnson, Emergency Medical Assistant Director, briefly demonstrated the functions and operations of the Automatic External Defibrillator and noted that the defibrillator was ninety percent (90%) effective if used within two (2) minutes of an attack.

Dr. Kalim Habet, Cardiologist, stated that heart disease was the number one killer in the country and that one out of four persons did not make it to the hospital. He noted that time was imperative to a cardiac arrest patient and added that accessibility of the defibrillator would have a huge impact on morbidity and mortality rates.

Mr. Hector Irrachete, University of Texas at Brownsville, expressed his support for the automatic external defibrillator and stated that the University of Texas provided a training program, at no cost to the County.

At this time, Mr. Pete Harris, Cellular One General Manager and Director of Sales, explained that an EKG system was available which would transmit the patient's EKG to the hospital, in order to prepare the treatment of the

patient in anticipation of the patient's arrival and added that the Cellular One would provide the services necessary to implement the defibrillator.

Mr. Zarate explained that the Emergency Medical Services would maintain a log for the accountability and locations of the defibrillators and added that funds were available through the Texas Department of Health, whereas, the purchaser would possibly receive a reimbursement of fifty to seventy-five percent.

Judge Hinojosa suggested that the issue be reviewed by the Director of Management, the Health Administrator, the Sheriff's Department and the Personnel/Safety Risk Director, in order to determine the funding and the number of devices needed.

(7) **ACTION ON THE RECOMMENDATION OF THE
COMMITTEE FOR THE SELECTION OF THE
WATER AND WASTEWATER UTILITY COMPANY
FOR THE NEW COUNTY JAIL**

At this time, Mr. Ernest Hinojosa, Engineering Department, stated that the committee had met to discuss the merits of each entity and stated that the Public Utilities Board (PUB) had been recommended to provide the water and wastewater services for the new County Jail, based on the financial strength, capabilities and experience. He added that there was a difference between the two entities in usage rate of \$700.00 per month and clarified that Olmito Water Supply Corporation could deliver the services at \$700.00 a month less than PUB for the facility. Mr. Hinojosa noted the differences in completion dates for both entities and stated that PUB was able to provide the water lines by November, 2000, and Olmito Water Supply Corporation would complete the lines by June, 2001, noting that time was of the essence for said project.

Commissioner Cascos questioned the opening date of the facility and Mr. Mark Yates, County Auditor, responded that the occupancy date was set for July 25, 2001.

Commissioner Cascos noted that the completion time submitted by Olmito Water Supply Corporation would be too close to the opening date of the facility and expressed concern as to who had provided the completion dates.

Mr. James Elium, Olmito Water Supply Corporation, stated that a schedule had been provided by Landmark, Incorporated, and added that the Olmito Water Supply Corporation had complied with the schedule.

Commissioner Cascos questioned whether the Olmito Water Supply Corporation would meet the completion date if it were earlier than June, 2001, and Mr. Elium responded that it would be difficult to lay the lines for a year before the opening date of the facility without revenues.

Commissioner Cascos expressed concern as to the water provided during the construction phase and Mr. Elium replied that the water was currently available for the construction phase.

Mr. Michael Meyers, Public Utilities Board, stated that a water line was not available at the current time, but noted that a water truck would be provided during the construction phase.

Mr. Hinojosa stated that temporary water services were necessary during the construction phase and added that a temporary construction meter for water supply would be requested from the Olmito Water Supply Corporation, since the corporation had an on-site temporary water supply.

Commissioner Cascos stated that the weaknesses outlined in a letter dated February 3, 2000, for Olmito Water Supply Corporation included the water pressure, the construction financing and start date, but noted that the start date had been based on the availability of funds. He stated that a second letter dated February 14, 2000, reflected that PUB scored high, based on the availability of installing the lines to provide the service and added that the only obstacle for the Olmito Water Supply Corporation was the financial situation.

Commissioner Matz expressed concern as to the members of the evaluation committee and the criteria utilized for the recommendation of the entity.

Mr. Yates stated that the committee consisted of the County Auditor, Legal Counsel and the County Engineer and added that the criteria reviewed included the treatment of the wastewater, the overall costs and the financial capability. He stated that PUB would provide a sixteen inch direct line to the location which would be created into a loop, noting that there would be one single source of water via the direct line. Mr. Yates stated that the Olmito Water Supply Corporation had an existing six inch line ready for construction and that they had proposed to build a sixteen inch line along with an on-site water tower, noting that the loop system would be in place and that the tower would supply approximately three days of water. He reported that PUB had proposed to provide sixty to sixty-five pounds of static and residual pressure and noted that the Olmito Water Supply utilized fifty-five pounds of the pressure. Mr. Yates stated that the sixty-five pounds of the pressure was necessary for the sprinkler system and the bathroom facilities and added that if the sixty-five pounds were not available, an outside pump was necessary, which would cost two to three thousand dollars. He stated that if the Olmito Water Supply would increase the pressure, it would cause problems with the plumbing in the residential areas and added that the Court would need to determine whether an outside storage with a loop system was necessary or based the decision on the company's gross sales experience. Mr. Yates reported that the treatment of the kitchen water had also been considered, but noted that there had been no response to the issue. He stated that there was a unanimous decision as to the recommendation, based on the County Engineer's overwhelming confidence in PUB, but added that it was in the best interest to have three sources of water supply and the loop system with the on-site water tower, regardless of price, noting that Olmito Water Supply was proposing the on-site water storage.

Commissioner Cascos noted that the weaknesses of PUB included the lack of the on-site elevated water tank and water reserve.

Commissioner Matz expressed concern as to the Olmito Water Supply providing the sixty-five pounds of water pressure to satisfy the sprinkler system requirements.

Mr. Elium stated that the water pressure could be added for an additional amount of \$10,000 and added that the Olmito Water Supply would provide the required amount of pressure at no additional cost to the County.

Commissioner Matz expressed concern as to the scores given to both entities and Mr. Yates responded that the scores had been provided by the consultant based on the consultant's assessment.

Mr. Yates stated that the decision should be based on the recommendations by the three engineers hired by the County, that being the County Engineer, S&B Engineers and the Landmark Engineers.

Commissioner Valencia moved that the recommendation of the Engineer for the Brownsville Public Utilities Board as the Water and Wastewater Utility Company for the new County Jail be approved.

The motion was seconded by Judge Hinojosa.

At this time, Ms. Juanita Brodecky, Rio Hondo resident, suggested that additional engineers should examine the matter regarding the loop system and noted that the additional pump to be placed for the extra pressure on the lines would create problems for the surrounding residential areas. She stated that the Court should determine the ultimate decision and that the matter should be consulted with an adequate number of engineers.

Commissioner Benavides expressed his opposition as to the recommendation by the engineer and noted that the Olmito Water Supply had an existing line and was willing to increase the pressure at no cost to the County.

Judge Hinojosa stated that several engineers had reviewed the matter and added that the engineers had expressed concern as to the delivery of the service to the facility within the time lines. He stated that the engineers had recommended PUB based on the size of the project and the time constraints concerning delivery of the project, noting that PUB had guaranteed the timely delivery of service.

Commissioner Benavides clarified that Olmito Water Supply was requested to follow Landmark's schedule and added that the entity had not been requested to provide an earlier completion date.

Judge Hinojosa stated that Olmito Water Supply had been informed about the County's time lines, but noted that prices quoted by the Olmito Water Supply had always been lower.

Commissioner Matz questioned whether the commitment by First National Bank regarding the million dollar line of credit would be a guarantee as to the delivery of service by Olmito Water Supply and Mr. Elium responded in the affirmative.

Commissioner Benavides questioned whether PUB was willing to build an on-site water tower and Mr. Bruciak replied that the water tower was not necessary, due to the number of facilities and employees who could repair the lines if damages occurred. He stated that PUB had two water plants that contained twenty million gallons of water each and added that one of the main sources of water was contained in a canal that ran from the river to Olmito.

Ms. Lucy Hernandez, Public Utilities Board, stated that PUB had proposed to loop the system within two years, which would occur in the second phase of the County Jail Project and confirmed that PUB contained two water plants that could treat the water. She reiterated that the on-site water tower was not necessary and that there was a water tower on Alton Gloor Road which would provide the water for the facility.

Mr. Juan Mejia, Olmito Water Supply, stated that Olmito Water Supply had a water supply from different sources, including Rio Hondo, Los Fresnos and Rancho Viejo and noted that the PUB water tower was five miles from the County Jail site.

Commissioner Valencia noted that the appropriate steps had been taken to determine the supplier of water and wastewater and suggested that the recommendations of the engineer should be accepted, due to the time constraints.

Commissioner Cascos noted that Olmito Water Supply Corporation's weakness included the time lines which was related to the financing, but added that Olmito Water Supply Corporation had obtained a letter of commitment for the financing.

Judge Hinojosa expressed his uncertainty as to the June time line submitted by Olmito Water Supply, noting that the completion date by Olmito Water Supply was too close to the opening date of the County Jail.

Mr. Elium explained that the million dollar line of credit would provide for the construction of the tank, the line, the lift station for the wastewater, and the acquisition of the required water rights and clarified that Olmito Water Supply had been requested to submit a completion date for said issues by the opening date. He stated that the construction would be completed within sufficient time before the occupancy date and added that the Landmark Engineer did not provide an adequate evaluation of the company.

Commissioner Valencia suggested that the matter be Tabled, in order to resolve the issues and that the Item be placed on the Agenda for a final decision in two (2) weeks.

Judge Hinojosa expressed his opposition to tabling the matter and emphasized that there would be time constraints if the matter were deferred. He noted that Olmito Water Supply Corporation's system had been upgraded throughout the past years and added that the entity had a very favorable reputation for providing the services.

Upon motion by duly made, Commissioner Valencia moved that the recommendation of the Engineer for the Brownsville Public Utilities Board as the Water and Wastewater Utility Company for the new County Jail be approved.

The motion was seconded by Judge Hinojosa and the vote is as follows:

AYE: Commissioner Valencia and Judge Hinojosa

NAY: Commissioners Benavides, Cascos and Matz.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Water and Wastewater Services were awarded to the Olmito Water Supply Corporation for the new County Jail, noting that a time line be submitted as to the completion date by the Olmito Water Supply Corporation.

At this time, Commissioner Matz stated that his support for the Olmito Water Supply Corporation to provide the services for the new County Jail were based on the elevated storage and loop system, the guaranteed service delivery date, lower service costs, and the commitment to provide the pressure pump at no cost to the County.

(8) **PRESENTATION AND ACKNOWLEDGMENT OF
THE QUARTERLY REPORT FOR THE QUARTER
ENDING DECEMBER 31, 1999, ON INVESTMENTS
OF COUNTY FUNDS**

Commissioner Matz moved that the Presentation of the Quarterly Report for the quarter ending December 31, 1999, on Investments of County Funds be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Reports are as follow:

(9) PRESENTATION AND ACKNOWLEDGMENT OF THE SUMMARY OF FINANCIAL STATEMENT MONTHLY REPORTS FOR THE MONTHS OF OCTOBER THROUGH DECEMBER OF 1999, BY THE COUNTY TREASURER

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Presentation of the summary of the Financial Statement Monthly Reports for the Months of October through December 1999, by the County Treasurer, was acknowledged.

The Reports are as follow:

(10) ADOPTION OF A RESOLUTION IN SUPPORT OF A FIRST-TIME HOME BUYERS- GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS BY THE CAMERON COUNTY HOUSING FINANCE CORPORATION

Commissioner Benavides moved that the Resolution in support of a First-Time Home Buyers-Grant Application to the Texas Department of Housing and Community Affairs by the Cameron County Housing Finance Corporation be adopted.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

(11) AUTHORIZATION FOR THE PD&M DEPARTMENT TO SUBMIT A FINAL GRANT APPLICATION FOR THE EL NORTE SUBDIVISION TO THE RGV RURAL EMPOWERMENT ZONE CORPORATION

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the preliminary application for the amount of \$200,000, consisted of paving improvements and explained that the residents and the Engineering Department had recommended that the drainage also be improved prior to the paving improvements. He stated that the total cost for the paving and drainage improvements was \$552,000, and added that the Empowerment Zone had committed to allocating \$300,000. He stated that the County Engineering Department would allocate \$128,000, from their Force Account, and noted that there was a shortfall, in the amount of \$124,000. Mr. Bejarano stated that the County could either allocate the difference or that the County could submit an application to the Empowerment Zone, for the full amount, including the shortfall.

Judge Hinojosa stated that the application to the Empowerment Zone should be submitted for the full amount and added that the matter be addressed upon response from the Empowerment Zone. He stated that the Empowerment Zone had not allocated funds to the area of Laguna Madre, noting that Laguna Madre was a part of the Empowerment Zone Sub-Zone and added that the area-s condition was in need of repairs.

Commissioner Matz expressed concern as to the breakdown of construction costs of the paving improvements and the drainage work to be performed.

Mr. Ernest Hinojosa, County Engineer, stated that the majority of the cost for the drainage work would be approximately \$300,000.

Commissioner Valencia stated that the City of Laguna Vista should participate in the funding since part of the drainage was within the City and noted that the area might be annexed by the City once the improvements were made.

Commissioner Matz moved that the Program Development and Management Department submit a Final Grant Application for the El Norte Subdivision to the Rio Grande Valley Rural Empowerment Zone Corporation.

The motion was seconded by Commissioner Benavides and carried unanimously.



(12) **APPROVAL OF COLONIA SELF-HELP CENTER CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE 1999-2001 PROGRAM PERIOD (TCDP CONTRACT NO. 719003)**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Colonia Self-Help Center Contract between Cameron County and the Texas Department of Housing and Community Affairs was approved for the 1999-2001 Program Period, that being the Texas Community Development Program Contract No. 719003.

(13) **SELECTION OF ENGINEERING CONSULTANT FOR DESIGN AND DEVELOPMENT OF CERTAIN SEWER IMPROVEMENTS IN THE OLMITO WATER SUPPLY COMPANY SERVICE AREA AND POTABLE WATER IMPROVEMENTS IN THE EL JARDIN WATER SUPPLY COMPANY SERVICE AREA (TDHCA CONTRACT NO. 719095)**

Commissioner Matz moved that the selection of Cruz-Hogan be approved as the Engineering Consultant for the design and development of certain sewer improvements in the Olmito Water Supply Company Service area and potable water improvements in the El Jardin Water Supply Company service area, that being the Texas Development of Housing and Community Affairs Contract No. 719095.

The motion was seconded by Commissioner Cascos and carried unanimously.

(14) **AUTHORIZATION FOR THE CAMERON COUNTY INTERNATIONAL BRIDGE SYSTEM TO BECOME A MEMBER OF THE BORDER TRADE ALLIANCE WITH A PLATINUM LEVEL SPONSORSHIP**

At this time, Mr. Pete Sepulveda, Jr., Bridge Systems Director, recommended that the Court approve a member to the Border Trade Alliance Board of Directors, in order to represent the County's interest, but stated that he was unsure as to the cost of the Board of Directors membership fee. He stated that it was imperative to have representatives for the Ports of Entry, to assist with the commercial traffic at the two (2) bridges in Cameron County with increasing the resources and obtaining additional technology to speed up the traffic.

Commissioner Cascos questioned why the APlatinum® sponsorship had been selected and Mr. Sepulveda responded that the level of sponsorship was at the discretion of the County.

Mr. Sepulveda recommended that if the County selected the AGold® sponsorship, the County should also approve a member for the Board of Directors.

Commissioner Cascos moved that the Cameron County Bridge System become a member of the Border Trade Alliance with a Gold Level Sponsorship.

The motion was seconded by Commissioner Matz and carried unanimously.

(15) **APPROVAL OF ENGINEERING CONTRACT WITH
LUIS FARAKLAS, CONSULTING STRUCTURAL
ENGINEERS, FOR BRIDGE INSPECTION
SERVICES**

Upon motion by Commissioner Cascos , seconded by Commissioner Benavides and carried unanimously, the Engineering Contract with Luis Faraklas, Consulting Structural Engineers, for Bridge Inspection Services, was approved.

The Contract is as follows:

(16) APPROVAL FOR RESERVE DEPUTY RUBEN CABALLERO, PRECINCT NO. 7, RUBEN CORONADO, PRECINCT NO. 6, AND JORGE MARQUES, PRECINCT NO. 2, AND BOND RENEWALS

Commissioner Valencia moved that the following Reserve Deputies and the bond renewals be approved:

Mr. Ruben Caballero, Precinct No. 7,

Mr. Ruben Coronado, Precinct No. 6, and

Jorge Marques, Precinct No. 2.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Bonds are as follow:

(17) **AUTHORIZATION TO CONTINUE THE CONTRACT WITH FERNANDO MATA ARCHITECTS TO REVIEW DRAWINGS FOR THE NEW COUNTY JAIL**

At this time, Judge Hinojosa stated that Fernando Mata Architects would be utilized to review the architectural aspects of the design before making a final determination of the design and added that a County Engineer Construction Manager would be on-site a hundred percent of the time.

Commissioner Matz suggested that the Item be Tabled, in order to allow the Court to consider other firms and noted that the County Jail was a major project that would need to meet Federal Standards.

Mr. Ernest Hinojosa, County Engineering Department, stated that the firm currently had a Contract with the County and added that the determination to retain the firm was based on the time constraints of the project.

Commissioner Valencia questioned why the County Engineering Department could not review the drawings and Mr. Hinojosa responded that an unbiased outside consultant was necessary to review the architectural structures of the project.

Commissioner Matz suggested that the matter be Tabled, in order to obtain the County Sheriff's input on the matter and requested that cost estimates be provided. He stated that additional options be considered and that the process time to advertise for Request for Qualifications be determined.

At this time, Commissioner Cascos expressed concern as to the basic compensation of the Contract and Mr. Remi Garza, Executive Assistant to the County Judge, responded that the Contract in the Agenda backup was the Contract that had been originally approved.

Mr. Garza stated that said Contract was not the final Contract and noted that the original Contract with Fernando Mata would be utilized to assist in the Request for Proposal Process in the selection of the Design Build drawing.

Commissioner Matz moved that the Item be **TABLED**.

The motion was seconded by Commissioner Cascos and the vote is as follows:

AYE: Commissioners Cascos and Matz

NAY: Commissioners Benavides, Valencia and Judge Hinojosa.

Commissioner Benavides moved that the Contract be negotiated with Fernando Mata Architects to review drawings for the new County Jail.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: Commissioners Cascos and Matz.

(18) **APPROVAL OF RIGHT-OF-WAY
AGENT/SURVEYOR JOB DESCRIPTION AND
CREATION OF POSITION**

At this time, Mr. Ernest Hinojosa, County Engineering Department, stated that the Court had requested that a Surveyor/Right-of-Way Agent be retained for projects that required the capabilities of a Registered Surveyor and reported that in the last eight (8) months, the County had expended \$87,000 for surveying services.

Commissioner Cascos expressed concern as to the support services needed once the Surveyor/Right-of-Way Agent was hired and as to whether the Agent would be capable of taking on the workload that all the surveying companies were performing.

Mr. Hinojosa explained that the Engineering Department had existing Right-of-Way Agents and a Crew Chief for the surveying services, but noted that the Department lacked a Certified Agent to seal the documents, noting that additional employees would not be necessary.

Commissioner Cascos expressed concern as to the amount to be expended for the annual salary, including fringe benefits and as to the expenses which had not been budgeted that would impact the budget.

Judge Hinojosa explained that the funding would be allocated through the Projects and that the costs associated for the time would be charged for each project.

Mr. Mark Yates, County Auditor, stated that the majority of the costs would be charged to the Engineering Department and explained that if another Department requested the surveying services, a purchase order would need to be submitted for the number of hours worked.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the creation of the Right-of-Way Agent/Surveyor description and position was approved.

The Job Description is as follows:

- (19) **IN THE MATTER OF POSSIBLE ISSUANCE OF NUNC PRO TUNC ORDER CORRECTING A STREET NAME TO KANSAS CITY ROAD AND ELIMINATING HOOKS AND HODGES ROAD FROM THE PLAT OF HOODS AND HODGES SUBDIVISION RECORDED IN THE COUNTY CLERK-S OFFICE, UNDER CABINET 1, PAGE NO. 1624-B (TABLED)**

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

- [REDACTED]
- (20) **IN THE MATTER OF AUTHORIZATION THE POSSIBLE ISSUANCE OF NUNC PRO TUNC ORDER CORRECTING A STREET NAME TO ANAQUA DRIVE AND ELIMINATING ANAQUITOS DRIVE FROM THE PLAT OF ANAQUITOS PHASE II SUBDIVISION RECORDED IN THE COUNTY CLERK-S OFFICE, UNDER CABINET 1, PAGE NO. 249-B (TABLED)**

At this time, there was some discussion as to the problems concerning the naming of said roads which were causing problems with the 911 service and the Emergency Medical Services (EMS).

Commissioner Matz moved that this Item be Tabled for two (2) weeks.

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

AYE: Commissioners Benavides, Matz and Valencia

NAY: Commissioner Cascos.

- [REDACTED]
- (21) **IN THE MATTER OF THE CONTRACTS WITH RABA-KISTNER AND PSI, INCORPORATED, FOR ENVIRONMENTAL, SOIL AND MATERIALS TESTING (TABLED)**

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

- [REDACTED]
- (22) **APPROVAL OF CONCEPTIONAL DESIGN OF THE FACADE OF THE CAMERON COUNTY ADULT DETENTION FACILITY AND SHERIFF-S DEPARTMENT**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the conceptional design of the facade of the Cameron County Adult Detention Facility and Sheriff-s Department was approved.

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 Valencia, seconded by Commissioner Benavides 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) Commissioners= Court Legal Counsel to attend the AState Bar of Texas Property Tax Committee Meeting® in Austin, Texas, on February 24-25, 2000;
- b) Four (4) Computer Center employees to attend the AGTC 2000 Expo® in Austin, Texas, on February 16-18, 2000;
- c) Two (2) Health Department employees to attend the A2000 Medicare Beyond Basic Workshop at Valley Baptist Medical Center® in Harlingen, Texas, on March 2, 2000;
- d) Health Department employee to attend the ALower Rio Grande Valley - Public Health Advisory Planning Group Meeting® in Weslaco, Texas, on February 16, 2000;
- e) 197th District Court Judge to attend the AJudicial Conference® in New Braunfels, Texas, on March 1-3, 2000;
- f) County Auditor to attend the ATraining Seminar in Governmental Accounting® in Austin, Texas, on February 7-8, 2000;
- g) Assistant County Auditor/Purchasing to attend the ALBJ School Advanced Public Purchasing Seminar - Vendor Relations and Management® in Austin, Texas, on February 16-18, 2000;
- h) Program Development and Management employee to attend the AProfessional Advisory Review Panel® in Weslaco, Texas, on February 9, 2000;
- I) County Clerk to attend the AElectronic Recording Advisory Committee Meeting® in Austin, Texas, on February 22, 2000; and
- j) Assistant County Administrator, Sheriff, Chief and Major to meet with Texas Commission on Jail Standards and Landmark in Austin, Texas, on February 16-17, 2000.

(25) **PRELIMINARY APPROVAL**

a) **Precinct No. 4**

La Feria Terrace Subdivision 0 being a 7.5832 acre tract of land out of Lot No. 88, Minnesota Texas and Irrigation Company Subdivision; and

b) **Precinct No. 3**

Valle Alegre Subdivision Section II - being 88.570 acres out of Blocks Nos. 53, 59 and 60, Los Fresnos Land and Irrigation Company Subdivision.

(26) **PRELIMINARY AND FINAL APPROVAL**

a) **Precinct No. 4**

G & G Coronado Subdivision - being a 4.424 acre tract, more or less, out of Lot No. 3, Block No. 4, Subdivision No. 1, Landrums Reserve.

(27) **AWARD BIDS**

a) **ROAD MATERIALS: EMULSION OILS NO. 2540**

KOCH MATERIALS - Austin, Texas

Item	Description	Cost - Cents/gallon
a)	Anionic Emulsion Type RS-2	0.67
c)	Anionic Emulsion Type MS-1	0.67
d)	Anionic Emulsion Type SS-1	0.67
e)	High Float Emulsion Type AES-300	0.78
f)	Anionic emulsion Type AE-P	0.87

TEXAS FUEL AND ASPHALT - Corpus Christi, Texas

Item	Description	Cost - Cents/gallon
b)	Anionic Emulsion Type MS 2	0.8653

b) **ROAD MATERIALS: STABILIZER LIQUID NO. 2574**

ROADBOND USA - Granbury, Texas

Item	Description	Cost/gallon delivered
a)	Road Bond En-1 Liquid Stabilizer	\$57.50
b)	Cost to treat 1 C.Y. of Road Based Material	\$1.91

c) **LAUNDRY SUPPLIES NO. 2320**

DIVERSITECH - McAllen, Texas

Item	Description	Cost/pound and/or gallon
a)	Powder Detergent	\$0.30
b)	Liquid Detergent	\$6.10
c)	Liquid Bleach	\$1.10

(28) **DECLINE ANNUAL BID NO. 1920 TYPEWRITER MAINTENANCE**

(29) **RE-ADVERTISE ANNUAL BID NO. 2566 ROAD MATERIALS - COLD PATCH**

(30) **OPEN BIDS AND/OR REQUEST FOR PROPOSALS**

- a) **FINANCING FOR EQUIPMENT - ANNUAL REQUEST FOR PROPOSAL NO. 1420-000102 AND APPROVAL OF RECOMMENDED EVALUATION COMMITTEE: MARK YATES, RICHARD SANTELLANA, EDDIE GONZALEZ AND MIKE FORBES; AND**
- b) **ARMORED CAR SERVICES - ANNUAL BID NO. 1180.**

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

(31) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 11:55 A.M. to discuss the following matters:

- a) Deliberation regarding Real Property concerning the possible purchase of land immediately adjacent to Cameron County owned 1.5 acres in La Feria; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding Real Property concerning possible Sea Turtle, Incorporated, License Agreement on Cameron County Park Land, located adjacent to South Padre Island Convention Center; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) In the matter of Real Property concerning the possible purchase of the following Legal descriptions: 51.194 acres, being the Western half of a 102.388 acre tract in Share No. 22, out of Espiritu Santo Grant, comprised of part of Block No. 56, and part of Block No. 57 and part of Block No. 58, out of the Palo Alto Groves Subdivision and part of Blocks Nos. 15, 16 and 17, out of Rincon Subdivision in Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072. **(TABLED)**
- d) Deliberation regarding Economic Development negotiations with Penske Company; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.086 (1)(2);
- e) Confer with County Counsel concerning Laguna Madre Water District; application for approval of \$7,971,000 Bond Issue; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- f) Deliberation regarding Real Property concerning the possible lease of office space at 700 Levee Street with Pesa, Incorporated, for the Juvenile Probation Department and associated Juvenile Programs; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- g) In the matter of the Cameron County Jail site in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with this Chapter; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2). **(TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 12:51 P.M.

(32) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Deliberation regarding the Real Property concerning the possible purchase of land immediately adjacent to Cameron County owned 1.5 acres in La Feria.**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Property Management Coordinator was directed to make one last offer for the purchase of the land immediately adjacent to Cameron County owned 1.5 acres in La Feria.

- b) **Deliberation regarding the Real Property concerning possible Sea Turtle, Incorporated, License Agreement on Cameron County Park Land, located adjacent to South Padre Island Convention Center.**

Commissioner Matz moved that County Counsel be directed to draft the Sea Turtle, Incorporated, License Agreement, concerning the Cameron County Park Land, located adjacent to South Padre Island Convention Center, and that the County Judge be authorized to execute the agreement.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **In the matter of Real Property concerning the possible purchase of the following legal descriptions: 51.194 acres, being the Western half of a 102.388 acre tract in Share No. 22, out of Espiritu Santo Grant, comprised of part of Block No. 56, and part of Block No. 57 and part of Block No. 58, out of the Palo Alto Groves Subdivision and part of Blocks Nos. 15, 16 and 17, out of Rincon Subdivision in Cameron County, Texas. (TABLED)**

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

- d) **Deliberation regarding Economic Development negotiations with Penske Company.**

Commissioner Matz moved that the Status Report by County Counsel be acknowledged regarding the Economic Development negotiations with Penske Company.

The motion was seconded by Commissioner Benavides and carried unanimously.

- g) **In the matter of the Cameron County Jail site in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with this Chapter. (TABLED)**

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

- e) **Confer with County Counsel concerning Laguna Madre Water District application for approval of \$7,971,000 Bond Issue.**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Laguna Madre Water District application for \$7,971,000 Bond Issue was approved.

- f) **Deliberation regarding Real Property concerning the possible lease of office space at 700 Levee Street with Pesa, Incorporated, for the Juvenile Probation Department and associated Juvenile Programs.**

Commissioner Matz moved that the Status Report by the Property Management Coordinator be acknowledged regarding the possible lease of office space at 700 Levee Street with Pesa, Incorporated, for the Juvenile Probation Department and associated Juvenile Programs.

The motion was seconded by Commissioner Valencia and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 12:55 P.M.

APPROVED this 21st day of **March, 2000**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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