

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 28th day of MARCH, 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 "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 Pro-tem Carlos H. Cascos, C.P.A. at 9:38 A.M. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and led the Court and the audience in reciting the Pledge of Allegiance.

& NOTE: JUDGE HINOJOSA JOINED THE MEETING.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on March 24, 2000, at 9:18 A.M.:

(4) ADOPTION OF A RESOLUTION RECOGNIZING THE STUDENTS WHOSE ART WORKS WERE SELECTED FROM BROWNSVILLE, TEXAS, TO BE INCLUDED IN THE YOUTH ART MONTH EXHIBIT HELD IN THE ROTUNDA OF THE STATE CAPITAL BUILDING IN AUSTIN, TEXAS

At this time, Judge Hinojosa recognized and presented the Resolution to Ms. Yliana Castillo, Clearwater Elementary Student, whose art work was selected from Brownsville, Texas, to be included in the Youth Art Month exhibit in the Rotunda of the State Capital Building in Austin, Texas.

Dr. J. J. Martinez expressed his gratitude for the recognition of the youths by the Court and added that the community's involvement was essential for the change, growth and development of children.

Commissioner Cascos moved that the Resolution be adopted recognizing the students whose art works were selected from Brownsville, Texas, to be included in the Youth Art Month Exhibit held in the Rotunda of the State Capital Building, in Austin, Texas.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Resolution is as follows:

(5) **ADOPTION OF A PROCLAMATION DECLARING THE MONTH OF MARCH AS "WOMEN'S HISTORY MONTH" IN CAMERON COUNTY AND HONORING ALL WOMEN IN CAMERON COUNTY WHO HAVE DEDICATED THEIR TIME TO COMMUNITY SERVICE**

At this time, Judge Hinojosa expressed the Court's gratitude to the following women selected by the United Way, who have utilized their efforts, time and talent to improve the quality of life in the community:

Ms. Mary Jo Monfils Adams	Ms. Rosemary R. Martinez
Ms. Sylvia Garza Barron	Ms. Sharon Moore
Ms. Mary Rose Cardenas	Ms. Alicia Putegnat
Ms. Betty Pace Dodd	Ms. Billy Jay Turner
Ms. Norma Sanchez Garza	Ms. Donna Barron
Ms. Graciela Gutierrez	Ms. Christie H. Burton
Honorable Migdalia Lopez	Ms. Mellena Hardee Conner
Ms. Reba Cardenas McNair	Dr. Juliet V. Garcia
Ms. Molly Melinda Plitt	Ms. Paul S. Gomez
Dr. Carmen D. Rocco	Ms. Jackie Frazier Lockett
Ms. Sally Miniel Arroyo	Ms. Marie McDermott
Ms. Robin Brechot	Ms. Gloria A. Moreno
Ms. Paquita Chavez	Ms. L. Teri McCabe Retana
Ms. Jeane Echols	Honorable Blanca Sanchez Vela
Ms. Tillie Garza	Ms. Mary Yturria
Ms. Norma Jean Harrison	

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Proclamation declaring the Month of March as "Women's History Month" in Cameron County and honoring all women in Cameron County who have dedicated their time to community service was adopted.

The Proclamation is as follows:

**(6) ADOPTION OF A PROCLAMATION DECLARING
THE MONTH OF APRIL 2000 AS "CHILD ABUSE
PREVENTION MONTH" IN CAMERON COUNTY,
TEXAS**

Commissioner Cascos moved that the Proclamation declaring the Month of April 2000 as "Child Abuse Prevention Month" in Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Proclamation is as follows:

**(7) ADOPTION OF A RESOLUTION PROCLAIMING
THE WEEK OF APRIL 9-15, 2000, AS "NATIONAL
VOLUNTEER WEEK" IN CAMERON COUNTY,
TEXAS**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Resolution proclaiming the week of April 9-15, 2000, as "National Volunteer Week" in Cameron County, Texas, was adopted.

The Resolution is as follows:

(8) ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS HISTORICAL COMMISSION TEXAS COURTHOUSE PRESERVATION PROGRAM FOR THE INTERIOR RESTORATION OF THE HISTORIC 1912 CAMERON COUNTY COURTHOUSE, ALSO KNOWN AS THE DANCY BUILDING

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that Master Plan had been approved by the Texas Historical Commission and added that there were two (2) options which the County could apply for Grant funding. He recommended Option 1, which consisted of an application to the State for the maximum grant award and noted that the County would allocate the difference. Mr. Bejarano explained that the restoration cost was estimated at approximately six million dollars and added that the County's portion would be two million dollars. He stated that Option 2 would allow the County to apply for three million from the State and the County would allocate 1.8 million

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Resolution was adopted authorizing the submission of a Grant Application Option 1 to the Texas Historical Commission Texas Courthouse Preservation Program for the interior restoration of the Historic 1912 Cameron County Courthouse, also known as the Dancy Building, noting that Option 2 would be considered for Plan B.

At this time, Judge Hinojosa stated that funding for the Courthouse renovation had been discussed to consider a ten cent increase in the Bridges' Toll and that the revenues be utilized to fund the Dancy Building Project.

The Resolution is as follows:

& NOTE: COMMISSIONER MATZ LEFT THE COURTROOM.

- (18) **AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE LOMAX-MEYERS ROAD AND GRAN TESORO SANITARY SEWER PROJECT IN THE OLMITO WATER SUPPLY CORPORATION SERVICE AREA (TCDP CONTRACT NO. 718045)**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the advertisement for Bids were approved for the Lomax-Meyers Road and Gran Tesoro Sanitary Sewer Project in the Olmito Water Supply Corporation Service Area, that being the Texas Community Development Program Contract No. 718045.

- (19) **APPROVAL OF ENGINEERING SERVICES CONTRACT WITH CRUZ-HOGAN CONSULTANTS, INCORPORATED, FOR THE DESIGN AND DEVELOPMENT OF CERTAIN SANITARY SEWER IMPROVEMENTS IN THE OLMITO WATER SUPPLY CORPORATION SERVICE AREA AND POTABLE WATER IMPROVEMENTS IN THE EL JARDIN WATER SUPPLY CORPORATION SERVICE AREA (TCDP CONTRACT NO. 710905)**

Commissioner Benavides moved that the Engineering Services Contract with Cruz-Hogan Consultants, Incorporated, be approved for the design and development of certain sanitary sewer improvements in the Olmito Water Supply Corporation Service Area and potable water improvements in the El Jardin Water Supply Corporation Service Area, that being the Texas Community Development Program Contract No. 710905.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Contract is as follows:

(20) AUTHORIZATION FOR PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO REQUEST ENGINEERING PROPOSALS FOR THE COLONIA LA TORRE AREA PLANNING STUDY (TCDP CONTRACT NO. 719145)

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Program Development and Management Department was authorized to request Engineering Proposals for the Colonia La Torre Area Planning Study, that being the Texas Community Development Contract No. 719145.

(9) ADOPTION OF A RESOLUTION PROCLAIMING THE MONTH OF APRIL AS "FAIR HOUSING MONTH" IN CAMERON, TEXAS

Commissioner Cascos moved that the Resolution proclaiming the Month of April as "Fair Housing Month" in Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Resolution is as follows:

(1) APPROVAL OF COUNTY CLAIMS

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

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: None

ABSTAINED: Judge Hinojosa, as to Warrant No. 30422, payable to Laguna Madre Water District.

The Affidavit is as follows:

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

Commissioner Benavides moved that the 2000 Fiscal Year Budget Amendment No. 2000-21, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Budget Amendment is as follows:

**(3) APPROVAL OF MINUTES OF FEBRUARY 22, 2000,
AND FEBRUARY 29, 2000**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Minutes of the Regular Meetings held February 22, 2000, and February 29, 2000, at 9:30 A.M., were approved, subject to the correction on Page No. 9 of the February 22, 2000, Minutes.

**(21) ACTION ON THE TIME WARNER CONTRACT
BETWEEN CAMERON COUNTY PARKS SYSTEM
AND TIME WARNER COMMUNICATIONS**

At this time, Mr. Javier Mendez, Parks System Director, explained that Time Warner would provide installation and service of cable at the Isla Blanca Park for the Recreational Vehicle (RV) Parks.

Ms. Dylbia Jefferies Vega, County Counsel, noted that the term of the Contract would be for ten (10) years, but noted that a thirty (30) day out clause would be included. She expressed concern as to the Indemnification Clause and as to the Venue which should be set in Cameron County.

Mr. Mendez stated that the cost for the County would be \$28,800.00, which would be paid in quarterly installments and that Time Warner would bill the County \$3.95 per resident, noting that the County would pay the monthly fee if the R.V. slot was vacant. He noted that the satellite wireless cable had not been considered due to the complications that occurred and reported the occupancy rate at the parks during the peak and off-peak seasons.

Commissioner Cascos recommended that the Contract should reflect the venue in Cameron County and that the ten (10) year term was acceptable if a thirty (30) day out clause was included. He stated that the Indemnification Clause should reflect that the County would be responsible if any damages and/or problems were caused by the County.

At this time, there was some discussion as to the different rates and sites and the suggestion was made that the charge per resident should be based on the average amount of occupancy.

Commissioner Valencia moved that the Contract between Cameron County Parks System and Time Warner Communications be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

**(22) APPROVAL OF ORDER ON SIGNAGE IN THE
COUNTY PARKS SYSTEM**

At this time, Mr. Javier Mendez, Parks System Director, stated that the Appeals Process had been modified; whereas, appeals would be submitted to the Parks Advisory Board and the Board would then submit the recommendations to the Court.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Order on Signage in the County Parks System was adopted.

The Order is as follows:

(10) IN THE MATTER OF THE CONTRACT BETWEEN CAMERON COUNTY AND THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON REGARDING INDIGENT HEALTH CARE SERVICES (TABLED)

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, this

Item was **TABLED**.

(11) ADOPTION OF A RESOLUTION AUTHORIZING THE JUVENILE PROBATION DEPARTMENT TO APPLY FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Resolution was adopted authorizing the Juvenile Probation Department to apply for a Juvenile Accountability Incentive Block Grant to the Governor's Office Criminal Justice Division.

The Resolution is as follows:

(12) REAPPOINTMENT OF MR. RENE TORRES AND MR. RAUL BESTEIRO, JR., TO THE SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT BOARD

Commissioner Cascos moved that the reappointment of Mr. Rene Torres and Mr. Raul Besteiro, Jr., to the South Texas Independent School District Board be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

(13) APPROVAL FOR RESERVE DEPUTIES ALBERTO G. RESENDEZ AND MIGUEL MENDOZA FOR CONSTABLE PRECINCT NO. 4

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, Reserve Deputies Alberto G. Resendez and Miguel Mendoza were approved for Constable Precinct No. 4.

The Bonds are as follow:

(14) AUTHORIZATION TO NEGOTIATE AN AGREEMENT BETWEEN CAMERON COUNTY AND A TITLE COMPANY TO DO TITLE COMMITMENTS AND POLICIES FOR FM/509 AS NEEDED ON A PARCEL BY PARCEL BASIS

At this time, Mr. Juan Bernal, County Engineer, recommended that the Agreement be negotiated with Southern Texas Title, subject to the completion of commitments within fifteen (15) working days or less and noted that Southern Texas Title would provide the services for \$2,000.00 less than other Title Companies.

Commissioner Valencia moved that the Agreement between Cameron County and Southern Texas Title Company be negotiated to perform title commitments and policies for FM/509, as needed on parcel by parcel basis.

The motion was seconded by Commissioner Cascos and carried unanimously.

(15) APPROVAL TO EXECUTE A CONTRACTUAL AGREEMENT OF RIGHT-OF-WAY PROCUREMENT, AS MODIFIED TO ACCOMMODATE TXDOT MINUTE ORDER NO. 108113 FOR FM/106 FROM FM/2925 TO FM/803

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Contractual Agreement of Right-of-Way Procurement, as modified to accommodate the Texas Department of Transportation (TxDOT) Minute Order No. 108113 for FM/106 from FM/2925 to FM/803 was approved.

(16) IN THE MATTER OF SPEED LIMIT SIGNS ON COUNTY ROADS (TABLED)

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

(17) ACTION OF REQUEST FOR PROPOSAL NO. 990303 FOR VOTER REGISTRATION SOFTWARE FOR ELECTIONS DEPARTMENT, SUBJECT TO NEGOTIATIONS AND AWARD OF A FINAL CONTRACT BY COMMISSIONERS' COURT

At this time, Mr. Robert Mendoza, Elections Administrator, stated that three (3) proposals had been reviewed by the Voter Registration Software Evaluation Committee and reported that Hamer Enterprises had met the required criteria. He stated that the Committee consisted of the Purchasing Agent, the Chief Information Officer, the Tax Assessor-Collector and the County Clerk.

There was some discussion as to whether the funding for the software had been budgeted based on the Agenda Item Request Form and Mr. Mendoza clarified that the project was not budgeted.

Commissioner Cascos stated that the funding source, in the amount of \$40,000.00 should have been determined before the Item was presented to the Court and noted that the Agenda Item Request Form had not been properly executed.

Mr. Mark Yates, County Auditor, stated that the funds for the first year would be allocated from the Elections Administration Extra-Help Fund.

Judge Hinojosa stated that the Elections Administrator had been directed by the Court to advertise the Request for Proposals and to create an Evaluation Committee to review the proposals and make a recommendation. He added that the Auditor, the Purchasing Agent and the Elections Administrator would then determine a funding scheme.

At this time, there was some discussion as to the available funding sources and the suggestion was made that the first payment be deferred until the next budget cycle.

Commissioner Cascos moved that Request for Proposal No. 990303 for Voter Registration Software for Elections Department be negotiated with Hamer Enterprises and that the first payment be deferred until the next Budget Cycle.

The motion was seconded by Commissioner Valencia and carried unanimously.

(23) **APPROVAL OF A COOPERATIVE AGREEMENT
FOR COLLEGE WORK-STUDY PROGRAM WITH
TEXAS STATE TECHNICAL COLLEGE
HARLINGEN AND CAMERON COUNTY FOR
FISCAL YEAR 2000**

At this time, Ms. Grace Salinas, Director of Management, explained that Agreement would allow the County to utilize Texas State Technical College students to staff the Cameron Works Offices in Harlingen to assist with the Census questionnaires, noting that the funding would be allocated from the Census Fund.

Commissioner Cascos moved that the Cooperative Agreement for the College Work-Study Program with Texas State Technical College Harlingen and Cameron County for Fiscal Year 2000 be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Agreement is as follows:

CONSENT AGENDA ITEM

THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the "Consent" 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) Program Development and Management Director to meet with the Texas Historical Commission Officials regarding the Dancy Building Grant Application in Austin, Texas, on April 3, 2000;
- b) Unified Narcotics Intelligence Task-Force Director to attend the "HIDTA Executive Committee Meeting" in San Antonio, Texas, on March 3-5, 2000;
- c) Unified Narcotics Intelligence Task-Force Agent to attend the "TLETS/NLETS TCIC/NCIC Basic Procedures Course" in Belton, Texas, on May 7-13, 2000;
- d) International Bridge Systems Director to attend the "Bi-National Meeting of Bridge and Border Crossings" in Guaymas, Sonora, Mexico, on April 25-28, 2000;
- e) Three (3) County Extension Agents to attend a "Better Living for Texans Training" in Weslaco, Texas, on March 23, 2000;
- f) Two (2) Tax Office employees to attend the "EZ-Cam and EZ-Tax Users Group Meeting" in Dallas, Texas, on April 5-7, 2000;
- g) Safety Coordinator to attend the "Accident Investigation and Workplace Violence Prevention Safety Program" in San Antonio, Texas, on March 28, 2000;
- h) Unified Narcotics Intelligence Task-Force Director to attend the "Current Money Laundering Techniques Course" in Tuscan, Arizona, on April 17-20, 2000;
- I) Justice of the Peace Precinct No. 3, Place No. 2, to attend the "Justice of the Peace Seminar" in Corpus Christi, Texas, on April 9-12, 2000; and
- j) Assistant County Auditor to attend a "Bi-Tech, Incorporated, Users Group Conference" in San Antonio, Texas, on April 19-21, 2000.

(25) OPEN BIDS

- a) ROAD MATERIALS: COLD PATCH - ANNUAL BID NO. 2566

The Bids received and opened are as follow:

(26) EXECUTIVE SESSION

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:47 A.M. to discuss the following matters:

- a) Confer with County Counsel concerning Sea Ranch Marina Concession involving matters 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 the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2).

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 11:21 A.M.

(27) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Confer with County Counsel concerning Sea Ranch Marina Concession involving matters 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 the Open Meetings Act.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Sea Ranch Marina Concession involving matters 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 the Open Meetings Act.

There being no further business to come before the Court, upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at **11:23 A.M.**

APPROVED this 25th day of April, 2000.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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