

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 9th day of MAY, 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

COMMISSIONER, PRECINCT NO. 1

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:

PEDRO "PETE" BENAVIDES  
CARLOS H. CASCOS, C.P.A.

The meeting was called to order by Judge Gilberto Hinojosa 9:30 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 May 5, 2000, at 2:08 P.M.:

**(10) SELECTION OF A DESIGN ALTERNATIVE FOR PHASE ONE OF THE LAGUNA HEIGHTS DRAINAGE IMPROVEMENT PROJECT**

Commissioner Valencia moved that the selection of Design Alternative No. 2 for Phase One of the Laguna Heights Drainage Improvement Project be approved, with the understanding that the water would possibly be directed to the South.

The motion was seconded by Commissioner Matz and carried unanimously.

**(5) AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SOCIAL SECURITY ADMINISTRATION AND THE COUNTY FOR SOCIAL SECURITY INCOME PAYMENTS TO THOSE DETAINED IN THE DARRELL B. HESTER JUVENILE DETENTION CENTER TO BE PAID TO THE GOVERNMENT, AGENCY OR INSTITUTION CONFINING THE QUALIFIED RECIPIENT**

**(6) AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SOCIAL SECURITY ADMINISTRATION AND THE COUNTY FOR SOCIAL SECURITY INCOME PAYMENTS TO THOSE DETAINED IN THE CAMERON COUNTY JAIL TO BE PAID TO THE GOVERNMENT, AGENCY OR INSTITUTION CONFINING THE QUALIFIED RECIPIENT**

At this time, Mr. Mark Yates, County Auditor, explained that detainees incarcerated at the Detention Center and the County Jail received or qualified for Social Security payments and added that the County was required to notify the Social Security Administration, for reporting purposes. He stated that the County would receive a fee for each individual identified and reported to the Social Security Administration and recommended that the Agreements be approved, subject to Legal review.

Commissioner Matz moved that the Memorandum of Understanding between the Social Security Administration and the County be approved for Social Security Income Payments to those detained in the Darrell B. Hester Juvenile Detention Center and the Cameron County Jail to be paid to the government, agency or institution confining the qualified recipient.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Memorandum is as follows:**

**(1) APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Mark Yates, County Auditor, highlighted the Distribution of Tax Collections Fiscal Year Comparison 1999/2000.

Commissioner Valencia 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 Matz and Valencia

**NAY:** None

**ABSTAINED:** Judge Hinojosa, as to Warrant No. 34000, payable to Laguna Madre Water District, in the amount of \$164.60.

**The Report and Affidavit are as follow:**

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

Commissioner Valencia moved that the 2000 Fiscal Year Budget Amendment No. 2000-27, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Budget Amendments are as follow:**

**(8) IN THE MATTER OF THE ADJUSTMENTS TO SALARY SCHEDULES FOR JUSTICE OF THE PEACE PRECINCT NO. 2, PLACE NO. 2 (TABLED)**

At this time, Judge Hinojosa explained that the matter being requested was processed through the Personnel Review Committee and added that the conversion of the Warrant Officer Position into a Clerk Position would be considered. He stated that the adjustment to a salary would need to be addressed before the Personnel Review Committee and explained that there was a salary scale for all the Justices of the Peace in the County for each position.

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

**(7) AUTHORIZATION TO INCREASE THE BUDGETED POSITION SALARY FOR THE CHIEF OF SECURITY FROM \$20,855.00 TO 25,000.00**

At this time, Judge Hinojosa explained that the Chief of Security was the Chief Bailiff and should be compensated the amount as the Court Bailiffs.

Mr. Mark Yates, County Auditor, noted that the position was allocated from the Security Fund and explained that the Chief of Security provided security for the Judicial Courthouse.

Judge Hinojosa stated that the matter should go through the Budget Review Committee if the salary was to be increased to \$25,000.00 and added that the position had been omitted at the time of setting the salaries for the Bailiff positions, noting that the salary should have been \$22,500.00.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the budgeted position salary for the Chief of Security was increased from \$20,855.00 to \$22,500.00, noting that the increase to \$25,000.00, would be presented to the Budget Review Committee.

At this time, Mr. Francisco Sifuentes, Brownsville resident, expressed his opposition as to the salary increases and the numerous travel by County Officials and employees.

**(3) APPROVAL OF MINUTES OF MARCH 21, 2000, APRIL 4, 2000, AND APRIL 11, 2000**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Minutes of the following Regular Meetings held March 21, 2000, and April 4, 2000, at 9:30 A.M., were approved.

**(4) ADOPTION OF A PROCLAMATION DECLARING  
THE MONTH OF MAY, 2000 AS AELDER ABUSE  
PREVENTION MONTH® IN CAMERON COUNTY,  
TEXAS**

Commissioner Valencia moved that the Proclamation declaring the Month of May, 2000 as AELder Abuse Prevention Month® in Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Proclamation is as follows:**

**(9) AUTHORIZATION TO APPLY FOR A PILOT PROGRAM THROUGH THE PRESIDENTS INTERAGENCY TASK FORCE ON ECONOMIC DEVELOPMENT FOR THE SOUTHWEST BORDER**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the application for a Pilot Program through the Presidents- Interagency Task Force on Economic Development for the Southwest Border, was approved.

At this time, Judge Hinojosa recognized Mr. Jose Almazan, Brownsville resident, for his accomplishment in being sworn in as a United States American citizen.

**(11) APPROVAL OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TOWN OF LAGUNA VISTA REGARDING EL NORTE SUBDIVISION DRAINAGE AND PAVING PROJECT**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Interlocal Cooperation Agreement between Cameron County and the Town of Laguna Vista regarding El Norte Subdivision Drainage and Paving Project was approved, subject to approval by the Town of Laguna Vista.

**The Agreement is as follows:**

**(12) APPROVAL TO INSTALL A MARQUEE SIGN AT THE MARINE CENTER AT ISLA BLANCA PARK**

Commissioner Matz moved that a marquee sign be installed at the Marine Center at Isla Blanca Park.

The motion was seconded by Commissioner Valencia and carried unanimously.

At this time, Commissioner Matz expressed concern as to the cost of the sign and as to whether there would be a cost for each business name.

Mr. Javier Mendez, Parks System Director, stated that the Concessionaire agreed to pay for the entire sign, but noted that there would be a problem as to the location of the sign placed on Tract No. 2, which would affect the visibility of the Sea Ranch Restaurant.

**(13) [REDACTED]  
AUTHORIZATION TO SELECT AND NEGOTIATE WITH ALEGAL GROUNDS® FOR COUNTY COURTHOUSE - COFFEE CART CONCESSIONAIRE SERVICES**

At this time, Mr. Joseph Ardito, Property Management Coordinator, reported that the Evaluation Committee had interviewed the Concessionaire and added that only one (1) proposal had been received. He stated that the area in front of the Law Library would be designated for the coffee cart, which was approximately fifty square feet and added that the concessionaire would offer gourmet coffee and pastries.

Commissioner Matz questioned the extent of the Coffee Cart Services concerning competition with the existing coffee shop and Mr. Ardito responded that the Coffee Shop was aware of the matter, noting that the coffee shop did not sell gourmet coffee.

At this time, Mr. Ray Rodriguez, Health Department, stated that the City of Brownsville conducted the inspections for the coffee shop and the County was responsible for the inspections performed at the County Jail.

Judge Hinojosa recommended that the inspections be conducted by the City of Brownsville and added that the Coffee Cart Services was in the same nature as the Courthouse Coffee Shop.

Mr. Ardito noted that the rent fees would be \$250.00 per month or ten percent (10%) of the gross sales and noted that the Concessionaire would maintain the area, as well as the tables and chairs within the area.

Commissioner Valencia moved that the Coffee Cart Concessionaire Services be negotiated with ALegal Grounds® for the County Courthouse.

The motion was seconded by Commissioner Matz and carried unanimously.



**(15) AUTHORIZATION FOR COUNTY EXTENSION  
AGENT TERESA BAIRE TO ATTEND THE  
LEADERSHIP HARLINGEN COURSE ONCE A  
MONTH ON SEPTEMBER 2000, THROUGH MAY  
2001**

Commissioner Valencia moved that County Extension Agent Teresa Baires attend the Leadership Harlingen Course once a month on September 2000, through May 2001.

The motion was seconded by Commissioner Matz and carried unanimously.

**(16) APPROVAL OF AGREEMENT BETWEEN THE  
TOWN OF SOUTH PADRE ISLAND AND SEA  
TURTLE, INCORPORATED**

At this time, Judge Hinojosa reported that a meeting had been held with the Attorneys representing Sea Turtle, Incorporated, and the Mayor of South Padre Island. He stated that the term of the Agreement would only be for the term of the Lease of the Concessionaire's Agreement with the City of South Padre Island for the Convention Center and recommended that the Agreement be approved.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Agreement between the Town of South Padre Island and Sea Turtle, Incorporated, was approved.

**The Agreement 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 Valencia, seconded by Commissioner Matz 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) Constable Precinct No. 6 to attend a ATraining on Money Laundering and Financial Investigation Seminar® in San Antonio, Texas, on June 13-16, 2000;
- b) Two (2) Constable Precinct No. 6 Deputies to attend a ATwenty Hour Civil Process Seminar® in Corpus Christi, Texas, on June 23-26, 2000;
- c) Health Department employee to attend the ALocal Health Department Meeting® in Falfurrias, Texas, on May 18, 2000;
- d) Two (2) Sheriff-s Deputies to attend the ALaw Enforcement Instructor Training® in Bryan, Texas, on May 14-20, 2000;
- e) Eleven (11) Sheriff-s Detention Officers to take the AJailer Certification Exam® at the University of Texas at Brownsville Campus® in Brownsville, Texas, on May 25, 2000;
- f) Assistant District Attorney to appear as a speaker for the ARegion X Regional Meeting of the Texas Parks and Wildlife® in Port Aransas, Texas, on April 6-7, 2000;
- g) Constable Precinct No. 5 Deputy to attend a ATJCTC Civil Process Seminar® in Corpus Christi, Texas, on May 22-26, 2000;
- h) County Court at Law No. 2 employee to attend the ATexas Center for the Judiciary Professional Development Program® in Huntsville, Texas, on June 12-16, 2000;
- I) Two (2) S.P.E.E.D. Deputy Constables to attend the ABasic Instructor Course® in San Marcos, Texas, on May 21-26, 2000;
- j) Unified Narcotics Intelligence Task-Force Tactical Intelligence Agent to attend the AIdentification Officer-s School® in Austin, Texas, on June 18, 2000, through July 1, 2000;
- k) County Drug Enforcement Task Force Commander to attend the ATNCP Commanders Meeting® in Austin, Texas, on June 16-17, 2000;
- l) Unified Narcotics Intelligence Task-Force to attend the AHigh Intensity Drug Trafficking Areas Executive Committee Meeting® in San Antonio, Texas, on May 22-24, 2000; and

- m) County Commissioners= Court, Assistant County Administrator, County Auditor, Sheriff and/or Chief to meet with Bond Rating Agencies and Bond Insurance Companies regarding the issuance of Certificates of Obligation in New York, New York, on May 21-23, 2000.

**(18) OPEN BIDS**

- A) PHARMACEUTICAL SERVICES AND SUPPLIES - PRESCRIPTION AND OVER THE COUNTER - ANNUAL REQUEST FOR PROPOSAL NO. 1610-000304 AND APPROVAL OF COMMITTEE**
- B) FOOD: DRINKING WATER - ANNUAL BID NO. 2250**
- C) COMMISSARY: SHOES - ANNUAL BID NO. 2018**
- D) COMMISSARY: UNDERWEAR - ANNUAL BID NO. 2018**
- E) HOTEL/MOTEL SERVICES - ANNUAL BID NO. 1450**
- F) PEST CONTROL SERVICES - ANNUAL BID NO. 1600**
- G) UNIFORMS - SHERIFFS: PATROL JACKETS - ANNUAL BID NO. 2660**
- H) TWO (2) PICK-UP TRUCKS - PARKS SYSTEM**

**The Bids received and opened are as follow:**

(19) AWARD BIDS

A) MOSQUITO INSECTICIDE - ANNUAL BID NO. 2430

VAN WATERS AND ROGERS - Harlingen, Texas

Description	Cost
Altosid briquets - 220 count - 150 days	\$456.47/box
altosid briquets - 400 count - 30 days	\$280.44/box
permanone - 275 gallon - mini bulk	\$39.50
permanone 31-66 - per gallon	\$260.00
Sunpar 107 4 + 12 - 2.5 gallons per pail	\$2.49

PUBLIC HEALTH EQUIPMENT - San Antonio, Texas

Description	Cost
Bio Mist 30 + 30 - 5 gallon	\$290.00
Envirotech 13T/BVA 13 - Diluent Oil	\$5.85
Bio Mist 4 + 12 - 2.5 gallons per pail	\$43.05

(20) RESCIND AWARD BIDS

A) DUMP TRUCK - 1 2 TON - 10' - BOCA CHICA BEACH CLEANING

RE-AWARD

TIPTON FORD - Brownsville, Texas

Total \$26,126.69



(21) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 10:08 A.M. to discuss the following matters:

- a) Deliberation regarding Real Property concerning various land issues at Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding Real Property concerning the possible Lease of office space in San Benito for Justice of the Peace; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) In the matter of 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; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2). **(TABLED)**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 10:30 A.M.



(22) **ACTION RELATIVE TO EXECUTIVE SESSION**

- a) **Deliberation regarding Real Property concerning various land issues at Isla Blanca Park.**

Commissioner Matz moved that the Concession Agreement concerning various land issues at Isla Blanca Park be executed with NB Development, as per the concessionaire's proposal and that the Status Report regarding the Coast Guard by the Property Management Coordinator be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

- b) **Deliberation regarding Real Property concerning the possible Lease of office space in San Benito for Justice of the Peace.**

(14) **AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT WITH PAUL GONZALEZ FOR JUSTICE OF THE PEACE OFFICE SPACE IN SAN BENITO**

Commissioner Matz moved that the payment of the office allowance, in the amount of \$450.00, subject to the County's right to approve any Lease Agreements and the Lease Agreement with Paul Gonzalez for Justice of the Peace office space in San Benito be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **In the matter of 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. (TABLED)**

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



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 10:31 A.M.

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**APPROVED** this 13<sup>th</sup> day of **June, 2000**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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