

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 17th day of OCTOBER, 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 ATIVIE@ VALENCIA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Gilberto Hinojosa at 9:30 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 October 13, 2000, at 11:30 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

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

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

Commissioner Cascos moved that the 2001 Fiscal Year Budget Amendment No. 2001-01, be approved, as presented by the Budget Officer.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Budget Amendment is as follows:

(3) **APPROVAL OF MINUTES OF OCTOBER 3, 2000, REGULAR MEETING, (TABLED OCTOBER 10, 2000), AND OCTOBER 10, 2000, REGULAR MEETING**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Minutes of the Regular Meetings held October 3, 2000, at 9:30 A.M., (Tabled October 10, 2000), and October 10, 2000, at 9:30 A.M., were approved, subject to the corrections noted on Item No. 6, of the Minutes for October 10, 2000.

(4) **IN THE MATTER OF THE REFUGE REVENUE SHARING CHECK BY MR. STEVE LABUDA OF THE UNITED STATES FISH AND WILDLIFE SERVICE (NO ACTION TAKEN)**

At this time, Mr. Kenneth L. Merritt, Lower Rio Grande Valley National Wildlife Refuge, presented the Refuge Revenue Sharing check, in the amount of \$158,542.00.

(6) **PRESENTATION OF THE FOURTH QUARTER REPORT FOR THE INTERNATIONAL BRIDGE SYSTEMS**

At this time, Mr. Pete Sepulveda, Jr., Bridge Systems Director, highlighted the crossings at the Gateway International Bridge at Brownsville, the Free Trade Bridge at Los Indios and the Veterans International Bridge at Los Tomates.

Commissioner Matz moved that the Fourth Quarter Report for the International Bridge Systems be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Reports are as follow:

(14) **AUTHORIZATION TO CREATE A PERMANENT MARKER HONORING CONGRESSIONAL MEDAL HONOR RECIPIENT SERGEANT FIRST CLASS JOSE M. LOPEZ**

(15) **AUTHORIZATION TO PLEDGE THE TOLL REVENUE COLLECTED ON NOVEMBER 11, 2000, AT THE VETERANS INTERNATIONAL BRIDGE TOWARDS THE CONSTRUCTION OF THE MONUMENT HONORING CONGRESSIONAL MEDAL OF HONOR RECIPIENT SERGEANT JOSE M. LOPEZ**

At this time, Judge Hinojosa stated that Ms. Mary Yturria had requested that the Court honor Congressional Medal of Honor Recipient Sergeant Jose M. Lopez, who was a Veteran recognized from Brownsville. He reported that Mr. Manuel Hinojosa, Architect, was designing the monument on a volunteer basis, as a contribution to the community and that a portion of the funding would be allocated from the tolls collected on Veterans= Day.

Mr. Pete Sepulveda, Jr., Bridge Systems Director, noted the Veterans= Day would be observed on a Saturday and that one hundred percent of the traffic would be regular passenger vehicles. He reported that the project would be coordinated with the City of Brownsville and that the vehicle crossings would be increased by advertising the project, noting that the County=s estimated share of toll revenues would be in the amount of \$9,400.00.

Judge Hinojosa noted that Ms. Yturria had pledged to match the amount collected by the County and suggested that the process begin as soon as possible, in order to recognize and honor Sergeant Lopez in person.

Commissioner Valencia moved that the toll revenue collected November 1, 2000, at the Veterans International Bridge, be pledged towards the construction of the monument honoring Congressional Medal of Honor Recipient Sergeant Jose M. Lopez.

The motion was seconded by Commissioner Benavides and carried unanimously.

[REDACTED]

(16) **IN THE MATTER OF THE INTERNATIONAL BRIDGE SYSTEMS TO PURCHASE A PICKUP-TRUCK (TABLED)**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED** for one (1) week.

**(5) IN THE MATTER OF THE STATUS REPORT ON
THE LAGUNA HEIGHTS DRAINAGE
IMPROVEMENT PROJECT BY CEC CONSULTING
ENGINEERS, INCORPORATED (TABLED)**

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

[REDACTED]

**(7) ADOPTION OF A RESOLUTION ADOPTING THE
MONTH OF OCTOBER AS THE OFFICIAL
AUTOMOBILE THEFT PREVENTION MONTH
AWATCH YOUR CAR® IN CAMERON COUNTY**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Resolution adopting the Month of October as the Official Automobile Theft Prevention Month AWatch Your Car® in Cameron County was adopted.

The Resolution is as follows:

(8) POSSIBLE ACTION REGARDING AWARD OF STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDING FROM THE DEPARTMENT OF JUSTICE

At this time, Judge Hinojosa reported that Cameron County had been informed that the United States Department of Justice had approved the State Criminal Alien Assistance Program (SCAAP) funding of approximately \$6.122 million, but noted that funds had not been budgeted, due to the uncertainty of receiving the funds. He stated that the Assistant County Administrator would contact the Department of Justice to determine whether the amount would be awarded on a yearly basis, the number of years to be awarded or whether the amount was a one time payment. Judge Hinojosa stated that research was being conducted to determine whether the County could go back to the tax rate to lower it retroactively and that the Tax Assessor-Collector had also researched the staffing and costs necessary to issue refunds if the tax rate was retroactively decreased.

Mr. Tony Yzaguirre, Tax Assessor-Collector, stated that it would be difficult to issue refunds to all the taxpayers and noted that lowering the current Tax Rate from 34.5 to a 32.5 would be a reduction of \$1.4 million, which was an average of \$9.36 to the 159,969 taxpayers in Cameron County. He noted that it would cost approximately \$128,223.00 in expenses to process the refunds and reported that the Texas Property Tax Code Book did not contain statutes which allowed or did not allow the reimbursements. Mr. Yzaguirre indicated that there were three sections in the Code Book regarding the tax rate reduction; 1) Section 26.04g, Taxing entity allowed to adopt a lower rate if the Governing body makes a mistake on adoption of the Tax Rate 2) Section 26.07, if Governing body exceeded the rollback rate of .36, and 3) Section 26.05, if the Tax Rate was adopted before September 30th. He noted that the circumstances in the Sections did not apply to Cameron County and added that the costs for the refunds were not budgeted.

Commissioner Cascos suggested that the critical needs which could not be implemented into the budget be addressed and that the remaining funds be set aside in case of any shortfalls.

Mr. Mark Yates, County Auditor, recommended that the funds be treated as a one time distribution and that a portion of the funds be allocated to the Reserve Funds and the Capital Projects, which included roof repairs and the Harlingen Courthouse Annex.

Judge Hinojosa stated that the timing did not allow the funds to be incorporated into the Fiscal Year 2000-2001 Budget without a significant cost to the County for refunds and added that the best solution was to place the funds in a Reserve Fund. He indicated that due to the uncertainty of the time the funds would be available and the actual operational costs of the jail, the funds should be set aside until the next fiscal year, noting that a tax relief could then be given to the taxpayers in the next fiscal year. Judge Hinojosa added that a portion of the funds could also be utilized to

increase the Reserves Fund and for Capital Project expenditures and noted that the Tobacco Funds would not be sufficient for all the projects. He pointed out that a Request for Proposal would be advertised for architects to begin the renovation of the Harlingen Courthouse Annex and added that the building was a health hazard and was overcrowded. Judge Hinojosa noted that the current Health Department building was also in bad shape and that the County was currently leasing space for the Engineering Department which was overcrowded.

At this time, Ms. JuaNita Brodecky, Rio Hondo resident, agreed that mailing out refunds to all the taxpayers would be a difficult and costly task for the Tax Department and suggested that the County should place the funds aside.

Ms. Emma Treviño, Brownsville Herald, questioned whether the taxpayers' accounts could simply be credited and Judge Hinojosa responded that due to the uncertainty of the amount and time of the funds, definite decisions could not be determined at this time.

Commissioner Valencia stated that the funds should be set aside and pointed out that the Harlingen Courthouse Annex needed to be addressed, noting that residents throughout the County had to travel to Brownsville to conduct County business.

Commissioner Matz moved that the Award of State Criminal Alien Assistance Program Funding from the Department of Justice be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Report and Notification are as follow:

(9) ACTION ESTABLISHING A HEALTH DAY FOR THE CAMERON COUNTY EMPLOYEES

At this time, Mr. Manuel Villarreal, Personnel/Safety Risk Director, stated that the County was attempting to initiate a Health Maintenance Program through the new Health Administrators, in order to reach all the County employees. He stated that the Department Heads and/or supervisors, through the Commissioners- Court, would be responsible to allow the County employees and their dependants the time to attend the Health Fair. Mr. Villarreal stated that the local Health Providers and local hospitals and clinics would provide support and participation to the Health Fair. He noted that the Health Fair would be held November 1, 2000, at Casa Del Sol in Harlingen and November 2, 2000, at the Courthouse Central Jury Room in Brownsville.

Commissioner Valencia questioned the concerns regarding the amount allocated to each employee for the yearly physicals and Mr. Villarreal responded that the yearly physical program had been modified in 1995 which allowed \$250.00 for each employee.

Mr. Villarreal explained that medical costs had drastically increased since 1995 and added that as per the current provider, the standard method was to identify the certain medical exams allowed for the physicals, as opposed to a specific dollar amount.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the establishment of a Health Day for the Cameron County Employees was approved.

At this time, Judge Hinojosa stated that \$450,000.00 had been added to the County Health Insurance in the 2000-2001 Fiscal Year Budget and added that the State Criminal Alien Assistance Program (SCAAP) funds would need to be addressed for the Health Insurance Fund, if the additional amount was not sufficient.



(10) POSSIBLE ACTION REGARDING CONTRACT SCOPE ADDITIONS TO THE CAMERON COUNTY DETENTION AND SHERIFF-S FACILITY CONTRACT BETWEEN LANDMARK ORGANIZATION, INCORPORATED, AND CAMERON COUNTY

At this time, Mr. Mitchell AMickey@Cappadonna, Cappadonna Electrical Management Corporation, explained that need for the wiring of a Telephone/Data System had been identified and that the specifications had been bid out to four (4) different telecommunications entities. He recommended that the Bid be awarded to Superior Alarms, McAllen, Texas, which had submitted the lowest proposal and noted that the scope of work consisted of a 300 acre site with conduit infrastructure to serve multiple County operations.

Commissioner Valencia expressed concern as to the location of Superior Alarms and as to the agreement made between the County and Landmark Organization to utilize the local workforce.

Mr. Cappadonna stated that Superior Alarms employed approximately forty (40) employees, but noted that Superior Alarms also had offices located in Harlingen.

Judge Hinojosa clarified that there were certain items on the Contract Scope Additions List which had been budgeted and that there were cost estimates which were higher than budgeted on the items. He indicated that \$500,000.00, had been budgeted for the Tele/Data/MATV System, but explained that the cost estimates had come in at a higher cost, noting that the difference in price would fall under the Contingency Fund.

Commissioner Cascos questioned whether the Bids had been advertised in the general population or solely to certain entities and Mr. Cappadonna replied that the Bids were not advertised to the general population.

Mr. Cappadonna explained that the County had recommended several telecommunications entities and that two (2) vendors who had performed work nationally had also been invited to bid.

Commissioner Cascos questioned whether the County was required to follow the Request for Proposal process even if Landmark Organization was acting as the County's agent.

Judge Hinojosa explained that initially, the project would be handled separately by the County, but noted that the Committee had requested Landmark Organization to obtain the cost estimates and bids, if Landmark was to handle the matter. He stated that the matter had not been decided yet by the Commissioners=Court and added that if the Contract was amended to handle said portion of the Contract, which had to be within twenty-five percent of the change in cost estimates, then Landmark Organization could Bid the work without advertising to the general population. Judge Hinojosa clarified that if the County handled said portion of the Contract, then the normal Request for Proposal and/or Bidding process would be required.

Mr. Mark Yates, County Auditor, explained that the size of the Computer Room in Item No. 1 as referenced in the Contract Scope of Additions had not been anticipated and explained that the 1600 square foot Computer Room was necessary for future expansion.

Mr. Cappadonna noted that Item No. 2, the Dispatch Room, was separate from the Computer Room and added that the Dispatch Room was in the Contract, but did not include the necessary raised floor recommended by the Jail Committee.

Mr. Yates stated that the computers generated a large amount of heat and that additional tonnage of air condition was necessary for the computers. He added that the early designs had not anticipated the moving of the 911 Dispatch

Units immediately, but noted that it was recommended that it be transferred at this point in time. Mr. Yates stated that the dispatch systems were computerized and that it was more sensible to run the cable underground.

Commissioner Cascos expressed concern as to why the Computer Room and the issue regarding the raised floor for the Dispatch Room had not been thought of before.

At this time, Mr. Rudy Juarez, Chief Information Officer, stated that the Computer Center representatives were not involved in the original specifications process and added that the Computer Center became involved after the specifications were approved.

Mr. Remi Garza, Assistant County Administrator, explained that the purpose of the change was to have the Computer Center as the center point of the entire complex, as recommended by the Computer Center, but noted that the changes also required modifications in other areas of the facility.

Judge Hinojosa stated that the Jail Committee had been addressing the new County Jail as solely a Criminal Justice issue, as opposed to an Annex and added that the Computer Center had recommended that the matter be viewed as an annex issue for future expansion on a long term basis. He explained that Item No. 4 was a modification of the 911 System currently set up at the existing Sheriff's Department, to be moved over to the new Jail site and added that consolidation into one building would save money on a long term basis.

Mr. Cappadonna explained Item No. 4, consisted of furnishing infrastructure and a small UPS for the 911 System requested by Southwestern Bell.

Judge Hinojosa indicated that Item No. 5, a Muffin Monster was necessary, but noted that it had not been originally part of the Contract. He stated that the next large issue was the transmission tower, which was proposed by the Sheriff's Department.

Sheriff Omar Lucio, County Sheriff, explained that currently the County paid \$2,000.00 a month for the rental of a tower, but noted if the tower was built, the tower which would be owned by the County, could also be leased to the surrounding entities.

Mr. Cappadonna noted that bids for the tower had not been advertised and indicated that certain issues as to whether signals could be sent to Mexico had not yet been determined. He recommended that the tower not be included, until the capability issues of the tower were resolved and the bids were advertised.

Judge Hinojosa stated that the County needed to decide whether the items should be bid out separately or whether the Contract with Landmark should be amended.

Mr. Yates recommended that Landmark Organization should handle the matter, in order to better plan the scheduling of the work and added that dealing with only one entity, as opposed to several vendors, would be an advantage to the County.

At this time, Mr. Juarez recommended that Landmark Organization be allowed to manage the project and added that there were no problems with the vendor qualifications.

Mr. Mike Forbes, Purchasing Agent, stated that in the past, there had been problems in dealing with vendors concerning Detention Center II and added that the best approach was to coordinate through one point of contact by amending the Contract with Landmark Organization.

Mr. Yates informed the Court that the Medical Jail Infirmary also needed to be addressed and that the Jail Physician and the Health Authority should be included in the design of the jail infirmary, in order to have adequate electricity for the medical equipment.

Judge Hinojosa clarified that the Contract with Landmark Organization would be amended to include the following items, as recommended by the Jail Committee:

- 1) Telephone/Data-MATV, in the amount of \$640,950.00;
- 2) Enlargement of Dispatch Room, installation of raised flooring, in the amount of \$53,597.00;
- 3) Installation of base, conduit to base, in the amount of \$8,835.00;
- 4) Furnish and installation of small UPS and electrical work for 911 System, in the amount of \$15,905.00; and
- 5) Furnish and installation of the Muffin Monster, automatic in-line sewage grinder, in the amount of 43,252.00.

Mr. Cappadonna stated that the Change Order would not affect the move-in date and that there would be no additional costs to the Change Order.

Judge Hinojosa stated that the Contract required certain percentages of local workforces and requested that the matter be taken into consideration when subcontracting the work.

Commissioner Valencia noted that the Cameron County taxpayers were paying for the cost of the new Jail and added that the County taxpayers should be given a fair opportunity for employment.

Commissioner Cascos stated that Landmark Organization had agreed to provide the Court a listing of vendors being contracted and the amount expended in Cameron County, on a periodic basis.

Mr. Randy Hass, Landmark Project Manager, stated that Landmark Organization was in the process of finalizing the contracts and added that a list of all the contractors would be provided to the Court.

Commissioner Valencia moved that the Cameron County Detention and Sheriff's Facility Contract between Landmark Organization, Incorporated, and Cameron County be amended to include the contract scope additions, subject to Legal review.

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

AYE: Commissioners Benavides, Cascos, Valencia and Judge Hinojosa

ABSTAINED: Commissioner Matz.

At this time, Judge Hinojosa stated that the Medical Jail Infirmary be addressed as soon as possible and that Dr. Victor Gonzalez, Health Authority, Dr. Paul Lenz, Jail Physician, and Ms. Yvette Salinas, Health Administrator, be included in the Jail Committee. He recommended that the Committee meet with Mr. Cappadonna in the next week and that recommendations be submitted to the Court in two (2) weeks. Judge Hinojosa stated that Ms. Grace Salinas, Executive Assistant, had examined the tower issue to request funds from 911 System, the Emergency Services District, but noted that the request for funds had not been successful. He suggested that Ms. Salinas re-address the matter with the Sheriff's and Engineering Department and that the tower issue be addressed, in order to achieve long term savings. Judge Hinojosa stated that the tower should be incorporated in the construction phase of the jail if the Court decided to place the tower, as opposed to addressing the matter at a later time.

The Order is as follows:

(11) **ACTION FOR VALIC RETIREMENT PLAN SPECIALISTS TO MARKET 457 DEFERRED COMPENSATION PLAN TO COUNTY EMPLOYEES**

At this time, Mr. Manuel Villarreal, Personnel/Safety Risk Director, stated that Pepsco Retirement System had provided deferred compensation services to the County, but noted that the firm had been bought by National Retirement System and had eliminated the local representatives. He added that there were concerns by the County employees and that new employees were unable to obtain the services, due to the lack of representation. Mr. Villarreal indicated that a proposal had been received by VALIC Retirement System, which was a subsidiary of American General Financial Corporation and noted that VALIC Retirement System currently provided services to the State of Texas, the University of Texas Systems and various counties throughout the State.

Ms. Diana Moore, VALIC Retirement System, reported that Nationwide Retirement System had terminated their representatives as of March 31, 2000, and added that retirement issues and personal consultants were important to the employees. She stated that VALIC currently had 2000 representatives throughout the country and that four (4) full-time representatives would be available for the County by November 15, 2000. Ms. Moore briefly highlighted VALIC's experience with governmental entities and the number of participants with the firm.

Mr. Mark Yates, County Auditor, stated that the current retirement system would not be eliminated and added that the services provided by VALIC Retirement System would be an additional plan. He reported that the firm met certain specifications and stated that the County employees should be provided with the best affordable plan.

Commissioner Matz stated that the proposal submitted by VALIC was very impressive and added that VALIC emphasized counseling, which would be very valuable to the County employees.

Ms. Moore stated that due to certain guidelines applied to governmental entities, the County employees would not be able to continue the plan upon termination from the County. She stated that upon termination, the funds could only be rolled over into another 457 Plan and noted that the employees would have access to information via phone service or Internet.

Commissioner Matz moved that the Variable Annuity Life Insurance Company (VALIC) Retirement Plan Specialists be allowed to market the 457 Deferred Compensation Plan to County employees.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Agreement is as follows:

**(12) IN THE MATTER OF RESERVE DEPUTY
CONSTABLE ROLANDO MANCILLA, PRECINCT
NO. 5 (TABLED)**

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

**(13) APPROVAL TO PURCHASE TWELVE (12)
MOBILE COMPUTERS UNDER REGION IV
AGREEMENT AND TEXAS DEPARTMENT OF
INFORMATION RESOURCES**

At this time, Mr. Eliseo Muñoz, Brownsville resident, expressed his concerns as to the purchase of the twelve (12) upgraded laptops for the Elections Administration and added that it was his understanding that the computers would only be utilized for the Early Voting, which was a total of nine (9) days of use, to provide access to the list of registered voters. He stated that basic computers, which could be purchased for \$800.00 should be considered, since the computers would not be utilized many times.

Commissioner Cascos stated the more expensive upgraded laptops had been recommended by the Chief Information Officer, which would also be utilized by other Departments.

Mr. Muñoz stated that the Elections Administrator had expressed concern as to loaning the computers to other Departments and questioned whether it was cost effective to spend approximately \$30,000.00 to \$40,000.00 for nine (9) days of use. He stated that the laptops would replace the paper lists printed on a dot matrix which was time consuming, but suggested that three part paper be utilized to save time.

Commissioner Cascos clarified that the Elections Administrator had recommended the less expensive version of laptops and noted that the laptops became obsolete after a couple of years.

Commissioner Matz stated that it was his understanding that the laptops would be available for use by other County Departments.

Commissioner Cascos recommended that the laptops should be checked in and out by the Computer Center and that the laptops be examined as they were returned.

Commissioner Cascos moved that twelve (12) computers be purchased under Region IV Agreement and the Texas Department of Information Resources.

The motion was seconded by Commissioner Valencia and carried unanimously.

(23) APPROVAL OF ALLOWANCE CHANGE ORDERS ON THE DANCY BUILDING

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the allowance of Change Orders for the Dancy Building was approved.



(17) AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE COUNTY ANNEX BUILDING IN LA FERIA

Commissioner Valencia moved that the advertisement of Bids for the County Annex Building in La Feria be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.



(18) AUTHORIZATION TO NEGOTIATE AN AGREEMENT BETWEEN CAMERON COUNTY AND A TITLE COMPANY TO DO TITLE COMMITMENTS AND POLICIES FOR OLD ALICE ROAD

Commissioner Valencia moved that the Agreement between Cameron County and Cameron County Title Company be negotiated to perform Title Commitments and Policies for Old Alice Road

The motion was seconded by Commissioner Matz and carried unanimously.



(19) AUTHORIZATION TO ALLOW EAST RIO HONDO WATER SUPPLY CORPORATION TO LOWER A 2" WATER LINE NORTH OF FM/508, DUE TO THE PROPOSED FM/509 ROADWAY CONSTRUCTION

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, East Rio Hondo Water Supply Corporation was allowed to lower a 2" water line north of FM/508, due to the proposed FM/509 Roadway Construction.



(20) APPROVAL OF FOUR (4) MOBILE PHONES AND SERVICE FOR THE BUILDING INSPECTORS AND ONE (1) FOR THE CONSTRUCTION MANAGER

(21) APPROVAL OF ONE (1) MOBILE PHONE FOR THE SUBDIVISION CONSTRUCTION INSPECTOR

Commissioner Valencia moved that four (4) mobile phones and service for the Building Inspectors, one (1) for the Construction Manager, and one (1) mobile phone for the Subdivision Construction Inspector be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.



**(22) APPROVAL OF THE CREATION OF A
CONSTRUCTION COORDINATOR FOR THE
ENGINEERING DEPARTMENT**

At this time, Mr. Mark Yates, County Auditor, expressed concern as to a total of five (5) different individuals managing projects, noting that only one had an architect involved that worked as the County's Agent and added whether the costs were being duplicated in having an Architect and Construction Coordinators.

Commissioner Cascos expressed concern as to the qualifications which did not require a certificate or a license and Mr. Juan Bernal, County Engineer, responded that five (5) years experience in construction of buildings was required.

Mr. Bernal indicated that the individual had been tested on Blue Prints, the ability to create cost estimates and review drawings.

Commissioner Cascos questioned the total of five (5) individuals managing the County Projects and Mr. Yates, clarified that said position would be the fourth position, noting that plans had been discussed to hire a Jail Expert.

Commissioner Cascos questioned whether the individual was already employed with the County Engineers Department and Mr. Bernal replied that there had been a misunderstanding when the Workshop regarding said matter was held.

Mr. Bernal stated that one of the Construction Coordinator Positions had not been authorized, but noted that the individual had been hired with the understanding that the position had been approved. Mr. Bernal had reported that the Construction Division of the Engineering Department currently had a Construction Manager, two (2) Construction Coordinators and a secretary. He stated that the Construction Coordinator would be assigned to the Dancy Building and noted that the individual hired as the Construction Coordinator had been placed in the Surveyor Slot.

Judge Hinojosa explained that the Commissioners Court had approved a Construction Manager and the two (2) Construction Coordinators, based on all the Construction Projects. He added that he was uncertain as to agreeing to the Secretary Slot, but noted that the support staff was necessary.

Mr. Bernal noted that there were upcoming projects along with the Adult Probation Project, such as the roof repairs to several buildings and the Harlingen Renovation Project.

Commissioner Cascos questioned whether the Surveyor Slot which would remain empty after creating the Construction Coordinator Slot could be eliminated and Mr. Bernal responded that the Surveyor was still needed.

Commissioner Valencia expressed his support and added that based on the number on projects, the Engineering Department needed the assistance.

Commissioner Valencia moved that the creation of a Construction Coordinator for the Engineering Department be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

(24) **AUTHORIZATION TO AWARD BID SUBJECT TO
APPROVAL OF CONTRACT BY
COMMISSIONERS=COURT TO G&T PAVING FOR
THE ANAQUITOS ESTATE PAVING PROJECT**

Commissioner Matz moved that the Bid be awarded to G&T Paving, subject to approval of the Contract by Commissioners= Court for the Anaquitos Estate Paving Project.

The motion was seconded by Commissioner Valencia and carried unanimously.

(25) **APPROVAL OF THE CONTRACT BETWEEN
CAMERON COUNTY AND VALLEY PROUD
ENVIRONMENTAL COUNCIL FOR THE ILLEGAL
DUMPING PROJECT**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Contract between Cameron County and Valley Proud Environmental Council for the Illegal Dumping Project was approved.

The Contract is as follows:

(26) **ADOPTION OF AN AMENDED RESOLUTION TO ADOPT GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENT IN THE FREE TRADE BRIDGE REGIONAL ENTERPRISE ZONE**

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the boundaries had to be revised, since land had been added to the boundaries and added that the method of calculating points had been modified based on projects, as opposed to the businesses.

Commissioner Cascos expressed concern as to whether it was possible for the Toll Bridge System to reimburse the County for the abated taxes, in order to evenly distribute the abatement process among Cameron County, San Benito and Harlingen and noted that currently, Cameron County was the only entity allowing the tax abatements.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Amended Resolution to adopt guidelines and criteria governing Tax Abatement Agreement in the Free Trade Bridge Regional Enterprise Zone was adopted.

The Resolution 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:

At this time, Commissioner Cascos questioned the number of County Officials attending the Pre-Legislative Conference and suggested that a report should be submitted to the Court by the County Clerk if he was the only individual attending the Conference.

Judge Hinojosa stated that the Item be amended to include the members of the Commissioners=Court and Legal Counsel and noted that a legislative agenda would be created.

Commissioner Cascos expressed concern as to Item 27 Ah® and Ai®, which reflected both District Court Personnel traveling to Austin for the same conference and requesting both a rental car and a gas card. He stated that the requests should not be made if the individuals were lodging at the hotel conference site.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the AConsent® Agenda Items were approved as follow:

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

- a) County Court at Law No. 2 employee to attend the ATexas Association for Court Administrations Annual Conference® in Austin, Texas, on November 5-8, 2000;
- b) County Clerk to attend the APre-Legislative Conference® in Austin, Texas, on November 28-30, 2000;
- c) District Attorney Crime Victim Coordinator and Crime Victim Advocate to attend the ATexas Crime Victims= Clearinghouse Conference® in Lubbock, Texas, on October 15-19, 2000;
- d) Assistant District Attorney to attend the AProsecuting Homicide Cases Seminar® in New Orleans, Louisiana, on October 28, 2000, through November 2, 2000;
- e) Assistant District Attorney to attend the AGovernment Civil Practice Seminar® in Santa Fe, New Mexico, on November 11-16, 2000;
- f) District Attorney to attend the ASouth Texas HIDTA Executive Committee Meeting® in San Antonio, Texas, on October 11-12, 2000;
- g) District Attorney to attend an AEmergency HIDTA Executive Committee Meeting® in San Antonio, Texas, on October 2-3, 2000;
- h) 357th District Court Administrator to attend the ATexas Association for Court Administration Education Conference® in Austin, Texas, on November 5-8, 2000;
- I) 103rd District Court Administrator to attend the ATexas Association for Court Administrators Education Conference® in Austin, Texas, on November 5-8, 2000;

- j) Two (2) Juvenile Probation employees to attend the ACriminal Justice Department Grant Management Training@ in Weslaco, Texas, on October 19, 2000;
- k) Tax Assessor-Collector and Chief Deputy to attend the A42nd Institute on Property Taxation@ in Austin, Texas, on October 29-31, 2000;
- l) Two (2) Environmental Health employees to attend the ATexas Natural Resource Conservation Commission Continuing Education Program hosted by the Texas Engineering Extension Service@ in Weslaco, Texas, on October 17, 2000;
- m) Environmental Health Director and three (3) employees to attend a ATraining Session on the Texas Food Establishment Rules hosted by the Texas Department of Health and the Kingsville-Kleberg County Health Department@ in Kingsville, Texas, on October 24, 2000;
- n) Four (4) Environmental Health employees to attend the AAnimal Cruelty Continuing Education Program hosted by the City of Brownsville Department of Public Health@ in Brownsville, Texas, on November 20, 2000;
- o) Civil Legal Division Secretary to attend the ATexas Notary Law and Procedure Seminar@ in Harlingen, Texas, on October 18, 2000;
- p) Six (6) District Clerk Deputies to attend the ATraining at the Texas Child Support Disbursement Unit@ in McAllen, Texas, on October 12-13, 2000;
- q) County Clerk to attend an AElection Law Seminar@ in Austin, Texas, on July 30, 2000, through August 2, 2000; and
- r) County Clerk and Deputy to attend the A2000 Privacy Forum and Open Government Conference@ in Austin, Texas, on November 27-30, 2000.



(28) AWARD BIDS

- a) **MOPS, MATS AND APRON CLEANING - ANNUAL BID NO. 1535**

UNIFIRST - McAllen, Texas
Total Price per month - \$285.25

(29) PRELIMINARY APPROVAL

- a) **Precinct No. 4**

Colony Estates - the East 12.06 acres of Block No. 66, Adams Gardens Subdivision AB@ in Cameron County, Texas.

- b) **Precinct No. 3**

Southern Breeze Mobile Home Park - a 43.412 acres of land out of Block No. 1, of the Harlingen Land and Water Company Subdivision AC@ per the Plat recorded in Volume No. 1, Page No. 24, Cameron County, Texas, Records Office and being the 43.412 acre Donald R. Albert and Paul D. Houston Tract.



(30) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 11:30 A.M. to discuss the following matters:

- a) Confer with County Counsel concerning the case styled Edward Alcala vs. Alex Perez, et. al., Civil Action No. B-96-203, in the United States District Court-Brownsville, for discussion and authorization of settlement and plaintiff's attorney's fees; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)(B); and
- b) Confer with County Counsel on filing fees charged for subdivision plats; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 11:50 A.M.

(31) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Confer with County Counsel concerning the case styled Edward Alcala vs. Alex Perez, et. al., Civil Action No. B-96-203, in the United States District Court-Brownsville, for discussion and authorization of settlement and plaintiff's attorney's fees.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the settlements, in the amount of \$161,418.00, referenced in the following list concerning the case styled Edward Alcala vs. Alex Perez, et. al., Civil Action No. B-96-203, in the United States District Court - Brownsville, was approved:

