

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 21st day of NOVEMBER, 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

Adrian Daza Deputy Clerk
COUNTY CLERK

ABSENT:

NATIVIDAD ATIVIE@ VALENCIA

The meeting was called to order by Judge Pro tem Carlos H. Cascos at 9:44 A.M. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Judge Hinojosa to lead the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on November 17, 2000, at 12:48 P.M.:

(6) APPROVAL OF FY 2001 EQUIPMENT LIST

At this time, Commissioner Cascos questioned the amount of money set aside for the equipment list and the budgeted amount for a vehicle.

Mr. Xavier Villarreal, Budget Officer, explained that the equipment list did not reflect the amount set aside but the amount to be financed.

Mr. Robert Mendoza, Elections Administrator, explained the need for a pick-up truck for the Elections Department rather than a van. He noted that a pick-up truck was needed to move supplies, tables, boxes, and for trips to the post office and warehouse.

Mr. Mark Yates, County Auditor, suggested that a cargo van would be more suitable than a pick-up truck considering the security and the weather.

Judge Hinojosa recommended that the Election Administrator and the Budget Officer discuss the advantages and reach an agreement between the cargo van and the pick up truck.

Commissioner Cascos stated that if there was a need for a vehicle for Elections Department, a review of the County's available resources should be the first option.

Commissioner Matz moved that the Fiscal Year 2001 Equipment List be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

Equipment list is as follows:

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Matz 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 Matz

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 45940.

The Affidavit is as follows:

(2) **IN THE MATTER OF APPROVAL OF THE BUDGET AMENDMENTS AND/OR SALARY SCHEDULES (NO ACTION TAKEN)**

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(3) **APPROVAL OF MINUTES OF OCTOBER 31, 2000 - REGULAR and NOVEMBER 14, 2000 (TABLED)**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Regular Meetings held October 31, 2000, at 9:30 A.M., were approved, and the Minutes for November 14, 2000 were **TABLED**.

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(4) **ACKNOWLEDGMENT OF THE QUARTERLY REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2000, IN INVESTMENTS OF COUNTY FUNDS**

At this time, Mr. Eddie A Gonzalez, County Treasurer, reported that the interest income exceeded \$2 million for the first time, as reflected in the Quarterly Report compared to the budgeted amount of \$1.3 million.

Commissioner Cascos moved that the Quarterly Report for the Quarter ending September 30, 2000, on Investments of County Funds, be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Report is as follows:

(5) **APPROVAL FOR THE CONSIDERATION AND POSSIBLE ACTION REGARDING AWARD OF STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDING FROM THE DEPARTMENT OF JUSTICE**

Mr. Remi Garza, Assistant County Administrator, reported that the correct amount of the Criminal Alien Assistance Program funding was \$866,000 awarded to Cameron County.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Award of State Criminal Assistance Program Funding from the Department of Justice, was acknowledged.

(7) **APPROVAL REGARDING THE INSTALLMENT OF SPEED BUMPS ON COUNTY ROADS**

Mr. Juan Bernal, County Engineer, explained that he had contacted the Texas Department of Transportation regarding the speed bumps, and he was told that it was up to the County whether speed bumps were utilized.

Judge Hinojosa suggested that a Speed Humps Program be available for Colonias, such as Cameron Park and Valle Escondido, communities with high congested areas. He noted that placing speed humps on the roads would slow down drivers, causing the least amount of damages to vehicles, but providing enough protection for the public.

Commissioner Cascos suggested that all residential rural areas be considered and handled as on-going projects, but to take into consideration the cost estimates.

Ms. JuaNita Brodecky, Rio Hondo resident, questioned the types of signs that would be utilized to address the liability issues.

Mr. Doug Wright, Commissioners= Court Counsel, noted that it was critical that the criteria and standards be approved by the Court, with the recommended safety standards by the Traffic Engineer.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the report concerning the installment of speed bumps on County roads was acknowledged.

**(8) APPROVAL OF NUNC PRO TUNC ORDER
CORRECTING A STREET NAME TO FLORES
ROAD AND ELIMINATING EBONY ROAD FROM
THE PLAT OF QUINTANA SUBDIVISION,
RECORDED IN THE COUNTY CLERK-S OFFICE,
UNDER CABINET 1, PAGE 581-A**

Upon motion by Commissioner Matz , seconded by Commissioner Benavides and carried unanimously, the Nunc Pro Tunc Order correcting a street name to Flores Road, and eliminating Ebony Road from the Plat of Quintana Subdivision, recorded in the County Clerk-s Office, under Cabinet 1, Page 581-A, was approved.

Order is as follows:

(11) AUTHORIZATION TO AWARD BIDS FOR THE ADULT PROBATION OFFICE IN SAN BENITO TO MORECO

At this time, Mr. Roger Ortiz, Maintenance Superintendent, reported that it would cost \$58,300 to construct the furniture at the Adult Probation Office in San Benito.

Judge Hinojosa suggested that the furniture be done by the Maintenance Department and that the contract be rebided without the furniture.

Mr. Mark Yates, County Auditor, recommended that the bid be awarded, subject to a Change Order.

Mr. Ortiz explained the need to schedule the construction projects and to develop a time frame, in order to complete the current projects.

Judge Hinojosa suggested that the Maintenance Superintendent hire staff to construct the furniture and that a storage warehouse be built to store the furniture.

Commissioner Benavides moved that the Bid for the Adult Probation Office in San Benito be awarded to Moreco, and that the bid be renegotiated.

The motion was seconded by Judge Hinojosa and carried unanimously.

(12) AUTHORIZATION TO ENTER INTO A [REDACTED] INTERLOCAL AGREEMENT WITH THE CITY OF PRIMERA

Commissioner Matz moved that the Interlocal Agreement with the City of Primera be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

Contract is as follows:

(13) IN THE MATTER TO PLACE A STREET NAME SIGN (COUNTY ROAD 434) ON A PUBLIC NON-ACCEPTED COUNTY ROAD(TABLED)

Upon the motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, this

Item was **TABLED**.

(9) APPROVAL TO ADVERTISE FOR BIDS FOR ONE PICKUP TRUCK FOR THE INTERNATIONAL BRIDGE SYSTEM

Commissioner Benavides moved that the bids for one pick up truck for the International Bridge System be advertised.

The motion was seconded by Commissioner Matz and carried unanimously.

(10) APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY AND THE RIO GRANDE VALLEY EMPOWERMENT ZONE CORPORATION, FOR THE EL NORTE SUBDIVISION PAVING AND DRAINAGE PROJECT

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Contract between Cameron County and the Rio Grande Valley Empowerment Zone Corporation, for the El Norte Subdivision Paving and Drainage Project, was approved.

Contract is as follows:

CONSENT AGENDA ITEM

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

**NOT ON
AGENDA**

At this time, Ms. JuaNita Brodecky, Rio Hondo resident, questioned whether the filing fees paid by the candidates requesting a recount of the general election vote would be sufficient to pay for the actual cost of the recount, and Judge Hinojosa responded that the candidates would have to pay the full amount of the costs.

At this time, Mr. Remi Garza, Assistant County Administrator, requested that Item 14" be amended to include all Commissioners and the Assistant County Administrator, instead of only one Commissioner.

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

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

- a) Commissioners- Court members and the Assistant County Administrator (Commissioner Precinct 4) to attend the ASouth Texas County Judges and Commissioner-s Pre-Legislative Conference® in Austin, Texas, on November 28-30, 2000;
- b) Planning Development and Management (PD&M) employees to attend a Lower Rio Grande Valley Development Council Solid Waste Advisory Committee Meeting® in Weslaco, Texas, on November 29, 2000;
- c) 107th District Court employee to attend the ATexas Court Reporters Association® in South Padre Island, Texas, on December 9, 2000;
- d) Deputy Constable Precinct 5 to attend the ACivil Process Seminar® in Austin, Texas, on December 12-15, 2000;
- e) County Clerk and deputies (2) to attend the A2000 Annual Vital Statistics Conference® in Austin, Texas, on December 3-5, 2000;
- f) Health Department employees (2) to attend the ATri-County Border Partnership Network Meeting® in Edinburg, Texas, on November 15, 2000;
- g) Health Department employee to attend AThe Texas Eight Minority Health Conference® in Dallas, Texas, on December 13-15, 2000;
- h) Unit Assistance Director to attend a AFinance Committee Meeting® in San Antonio, Texas, on November 2, 2000; and
- I) Unit Intelligence Research Specialist to attend the AAnalytical Methodologies I Course® in San Antonio, Texas, on December 3-9, 2000.

(15) AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR:

a) OFFICE & COMPUTER SUPPLIES - ANNUAL BID #2440

\$48,835.62	and	\$48,423.53
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Corporate Express		T.C.P.N. Region IV

(16) AUTHORIZATION TO RESCIND AND RE-AWARD THE FOLLOWING BID CATEGORY

b) LUBES, OILS, GREASE & ANTIFREEZE - ANNUAL BID # 1993

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(17) EXECUTIVE SESSION

Upon motion by Commissioner Matz , seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:32 A.M. to discuss the following matters:

- a) Confer with Commissioners= Court Legal 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 V.T.C.A. Government Code, Section 551.071 (1)(A)(B);
- b) Deliberation regarding the Real Property concerning the possible renewal of Concession Lease for Jeremiah=s River Ride, pursuant to V.T.C.A. Government Code, Section 551.072;
- c) Confer with Commissioners= Court Legal Counsel concerning the case styled Ruben Pena vs. Jose Alfredo Jimenez, in his Official and Individual Capacities, et al., No. B-99-084, United States District Court, Southern Division of Texas, Brownsville Division, for discussion, pursuant to V.T.C.A. Government Code, Section 551.071 (1)(A);
- d) Confer with Commissioners= Court Legal Counsel concerning the case styled Jorge Vallejo vs. Cameron County, No. 2000-11-00451-B, in the 138th District Court - Brownsville, for discussion and authorization for representation, pursuant to V.T.C.A. Government Code, Section 551.071(1)(A); and
- e) Confer with Commissioners= Court Legal Counsel Regarding Sea Ranch Marina Concession, pursuant to V.T.C.A. Government Code, Section 551.071(2).

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 10:55 A.M.

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

- a) **Confer with County Counsel on the case styled Edward Alcala vs. Alex Perez, et al., Cause No. B-96-203, in the United States District Court - Brownsville, to discuss authorization of settlement and Plaintiff's Attorney's Fees.**

Upon motion by Commissioner Matz , seconded by Commissioner Cascos and carried unanimously, the status Report by County Counsel was acknowledged, concerning the case styled Edward Alcala vs. Alex Perez, et al., Cause No. B-96-203, in the United States District Court - Brownsville.

- b) **Deliberation regarding the Real Property and possible renewal of Concession Lease to Jeremiah's River Ride.**

Commissioner Matz moved that the status Report of County Counsel concerning the Real Property and possible renewal of Concession Lease to Jeremiah's River Ride, be acknowledged.

The motion was seconded by Commissioner Cascos and carried unanimously.

- c) **Confer with County Counsel on the case styled Ruben Pena vs. Jose Alfredo Jimenez, in his Official and Individual Capacities, et al., No. B-99-840, United States District Court, Southern Division of Texas.**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the status Report of County Counsel was acknowledged concerning the case styled Ruben Pena vs. Jose Alfredo Jimenez, in his Official and Individual Capacities, et al., No. B-99-840, United States District Court, Southern Division of Texas.

- d) **Confer with County Counsel on the case styled Jorge Vallejo vs. Cameron County, No. 2000-11-00451-B, in the 138th District Court - Brownsville, for discussion and authorization for representation.**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, Civil legal representation was authorized concerning the case styled Jorge Vallejo vs. Cameron County, No. 2000-11-00451-B, in the 138th District Court - Brownsville.

- e) Confer with County Counsel regarding Sea Ranch Marina Concession.

Commissioner Matz moved that the Refinanced Agreement be accepted regarding the Sea Ranch Marina Concession, subject to review by Legal Counsel.

The motion was seconded by Commissioner Cascos and carried unanimously.



There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the meeting was **ADJOURNED** at **10:56** A. M.

APPROVED this **5th** day of **December, 2000**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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