

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 16th day of July 2002, 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:

5:30 P.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO “PETE” BENAVIDES
COMMISSIONER PRECINCT NO. 1

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

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

RICHARD VALDEZ
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles **Deputy Clerk**

ABSENT:

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The meeting was called to order by Judge Hinojosa at 5:43 P.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation and he led 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 July 12, 2002, at 11:48 A.M., and the Supplemental Agenda Items posted on July 12, 2002 at 11:48 A.M. and at 4:16 P.M.:

SUPPLEMENTAL

**(1) CONSIDERATION AND APPROVAL OF THE
THIRD QUARTER REPORT FOR THE
INTERNATIONAL BRIDGE SYSTEM**

Mr. Pete Sepulveda, International Bridge System Director, presented the Third Quarter Report for the International Bridge System, and highlighted the variances of the three (3) International Bridges which totaled a positive \$311,018.00 for the first nine (9) months of the 2002-Fiscal Year, noting that the total represented revenues and expenditures.

Commissioner Benavides questioned how this year's compared with the total at this time last fiscal year.

Mr. Sepulveda stated that the present total improved between five (5) percent and seven (7) percent when compared to the 2001-Fiscal Year, and clarified that the \$311,018.00 was in excess of the projections.

Judge Hinojosa suggested that the Court consider the need to fund between twenty-five (25) and thirty (30) jailor position as of October 1, 2003, and stated that the program was formed to train former Levi's employees as jailors, funded through Federal Funds, would alleviate the problem for about one (1) year. He stated that the County would ultimately have to fund the salaries of those positions; therefore, suggested that the excess funds be set aside, to prevent difficult situations.

Commissioner Garza suggested that some of the excess funds be placed into the Road and Bridge Fund.

Commissioner Valdez questioned why the two (2) International Bridges had lower commercial truck crossings.

Mr. Sepulveda explained that the commercial traffic was moved from Gateway International Bridge to the Veterans International Bridge, and that the Free Trade International Bridge commercial traffic was down because it consisted of seasonal traffic, adding that the ongoing Okra Season would make-up for the lower number of crossing during the present quarter.

Commissioner Benavides questioned if the drop in revenues caused by the September 11, 2001, attacks had been recuperated.

Mr. Sepulveda responded in the affirmative, and explained that the Bridge System was about five percent (5%) higher compared to the revenues prior to September 11, 2001.

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Third Quarter Report for the International Bridge System was acknowledged.

The Report is as follows:

████████████████████

(14) RESOLUTION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONSIDER AN ALTERNATE LOCATION FOR THE PERMANENT LOCATION OF THE BORDER SAFETY INSPECTION STATION AT THE FREE TRADE BRIDGE AT LOS INDIOS

Mr. Pete Sepulveda, International Bridge System Director, stated that the Texas Department of Transportation (TxDOT) favored Alternative “A”, the closing of Joaquin Cavazos Memorial Drive used daily by Universal Technologies, Penski, and Panasonic Industries. He stated that during a Public Hearing held by TxDOT the suggestion was made that Alternative “D” be moved south of Rio Grande Avenue to accomplish the same goal without affecting the prime spot for Industrial Development.

Commissioner Cascos questioned who was recommending Alternative “A” other than TxDOT.

Mr. Sepulveda stated that the Cities of Harlingen and San Benito were in favor of Alternative “D” and would be adopting a Resolutions to that effect and that the three (3) or four (4) businesses on Joaquin Cavazos Memorial Drive had submitted a letter opposing Alternative “A”. He noted that only TxDOT supported Alternative “A”, and that the only concern was that the U. S. Custom’s booth would need to be relocated. He explained that the plans being recommended at this time were determined during a meeting with U.S. Customs, GSA, and TxDOT, and that Mr. Mario Jorge Riojas, TxDOT District Engineer, was informed that the plans would be submitted for his review.

Judge Hinojosa questioned the position of the TxDOT District Engineer.

Mr. Sepulveda stated that TxDOT could not make a commitment and that a meeting would take place to review a Plan that would work for U.S. Customs, GSA, and a TxDOT.

Judge Hinojosa noted that this Item would be considered with the Consent Agenda Items.

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(8) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING TO DISCUSS THE CLOSING OF A PORTION OF LAKE SHORE DRIVE (A.K.A., LAKE DRIVE) IN THE PRECINCT NO. 4 AREA

Commissioner Valdez moved that the Public Hearing to discuss the closing of a portion of Lake Shore Drive (A.K.A., Lake Drive) in the Precinct No. 4 Area be opened for Public comment.

The motion was seconded by Commissioner Garza.

Mr. Juan Bernal, County Engineer, stated that residents of the Adams Garden Subdivision were requesting that Lake Shore Drive be closed.

Mr. George Giles, President of the Adams Garden Mobile Estates Inc., reported that the closing of Lake Shore Drive would protect the community, and that the six (6) residents with access to the stretch of roadway were in favor of the abandonment, adding that the Adams Garden Mobile Estates Inc., was in favor of the abandonment as well.

At this time, there was a brief discussion concerning the death of Mr. Bob Spain, County resident.

Commissioner Cascos moved that the Public Hearing to discuss the closing of a portion of Lake Shore Drive (A.K.A., Lake Drive) in the Precinct No. 4 Area be closed.

The motion was seconded by Commissioner Benavides and carried unanimously.

(9) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER FOR THE CLOSING OF A PORTION OF LAKE SHORE DRIVE (A.K.A. LAKE DRIVE)**

Commissioner Cascos moved that the Order for the closing of a portion of Lake Shore Drive (A.K.A., Lake Drive) be adopted.

The motion was seconded by Commissioner Valdez.

Mr. Juan Bernal, County Engineer, stated that he would later propose the name change of Lake Shore Drive to Spain Drive in honor of Mr. Bob Spain, County resident, who initiated the process.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Valdez, and carried unanimously, the Order for the closing of a portion of Lake Shore Drive (A.K.A., Lake Drive) was adopted.

The Order is as follows:

[REDACTED]

(11) **CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING THE NAMING OF PART OF RANGERVILLE ROAD TO FRED ELIZONDO HIGHWAY AND DIRECTING THE PUBLIC WORKS DEPARTMENT TO INITIATE THE NAMING PROCESS**

Judge Hinojosa stated that he knew Mr. Fred Elizondo, County resident, since he first moved to Cameron County and that Mr. Elizondo was a “Good Man” who made his family very proud.

Mr. Fred Elizondo Jr., Cameron County resident, thanked the Court for supporting the name change of Rangerville Road to Fred Elizondo Highway in honor of his father. He stated that Mr. Elizondo had served on the Military Water Board and had always worked on behalf of the community.

Commissioner Cascos suggested that the matter be addressed and approved by the Historical Commission.

Mr. Juan Bernal, County Engineer, stated that the name change of Rangerville Road to Fred Elizondo Highway would be directed to the Texas Department of Transportation (TxDOT) who would follow the required process.

Commissioner Garza moved that the Resolution supporting the name change of part of Rangerville Road to Fred Elizondo Highway and the directing of the Public Works Department to initiate the naming process be adopted.

The motion was seconded by Commissioner Valdez and carried unanimously.

The Resolution is as follows:

ACTION ITEMS

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

Mr. Xavier Villarreal, Budget Officer, presented the 2002-Fiscal Year Budget Amendment No. 2002-29 and the Salary Schedule, and requested that the Budget Amendment for the Isla Blanca Park, Fund No. 830-6600 be tabled.

NOTE: JUDGE HINOJOSA STEPPED OUT OF THE COURTROOM AT THIS TIME.

Commissioner Cascos questioned if all the expenses incurred during the Causeway collapse were/or would be reimbursed by the Texas Department of Transportation (TxDOT).

Mr. Rob Almon, Assistant County Auditor, stated that a check was expected and that all expenses incurred during the Causeway collapse would be reimbursed by TxDOT.

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the 2002-Fiscal Year Budget Amendment No. 2002-29 and the Salary Schedule were approved, and the Budget Amendment for the Isla Blanca Park, Fund No. 830-6600 was **TABLED**.

The Budget Amendments and the Salary Schedule are as follow:

[REDACTED]

(2) **APPROVAL OF MINUTES FOR THE REGULAR MEETING HELD JUNE 18, 2002**

Commissioner Garza moved that the Minutes of the Regular Meeting held June 18, 2002, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

[REDACTED]

(3) **CONSIDERATION AND POSSIBLE APPROVAL OF INTERNET BANKING AGREEMENT AND DISCLOSURE WITH LONE STAR NATIONAL BANK**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Internet Banking Agreement and Disclosure with Lone Star National Bank were approved.

The Agreement is as follows:



(4) CONSIDERATION AND AUTHORIZATION TO PURCHASE AN EQUIPMENT INVENTORY SYSTEM FOR SOUTH TEXAS HIDTA FROM DATA COLLECTION SPECIALIST WHO WAS THE LOWEST OF THREE BIDDERS

Commissioner Cascos moved that the purchase of an Equipment Inventory System for South Texas HIDTA be awarded to Data Collection Specialist, the lowest of three (3) bidders.

The motion was seconded by Commissioner Garza.

Commissioner Valdez questioned the total amount being considered.

Mr. Frank Martinez, Assistant District Attorney, stated that South Texas HIDTA had budgeted \$91,000.00, and that he had verified that they would fund the total amount of \$69,000.00.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Garza, the purchase of an Equipment Inventory System for South Texas HIDTA was awarded to Data Collection Specialist, the lowest of three (3) bidders.



(5) CONSIDERATION AND APPROVAL OF PROPOSAL FROM MEJIA AND ROSE, INC. TO PROVIDE TOPOGRAPHIC SURVEY FOR DANCY BUILDING SITE AND ADJACENT PARKING LOT

Mr. Frank Bejarano, Project Development and Management Coordinator, reported that Mr. Robert Ruiz, Project Architect, had contracted with Mejia and Rose, Inc., to conduct the Topographic Survey required to finalize the site improvement Plans, at an estimated cost of \$1,850.00.

Mr. Robert Ruiz, Project Architect, stated that the service would be included as an additional service under the Contract with Robert J. Ruiz Architect, Inc.

Commissioner Cascos moved that the proposal from Mejia & Rose, Inc., to provide the Topographic Survey for the Dancy Building Site and adjacent Parking Lot be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.



[REDACTED]

(6) **CONSIDERATION AND APPROVAL OF
CONTRACT BETWEEN CAMERON COUNTY AND
THE GOVERNOR'S OFFICE CRIMINAL JUSTICE
DIVISION FOR THE DISTRICT ATTORNEY'S
VICTIM ASSISTANCE PROGRAM**

Upon motion by Commissioner Cascos, seconded by Commissioner Garza and carried unanimously, the Contract between Cameron County and the Governor's Office Criminal Justice Division for the District Attorney's Victim Assistance Program was approved.

The Contract is as follows:

(7) **CONSIDERATION AND AUTHORIZATION TO UTILIZE LAPSED SALARIES FROM ROAD AND BRIDGE FOR EXTRA HELP**

Mr. Juan Bernal, County Engineer, requested authorization to use lapsed salaries to fund a Clerical Position.

Commissioner Cascos questioned how efficient it would be to train a new employee.

Mr. Bernal stated that he intended to hire a Graphic Engineer for the vacant position, and explained that the position would be funded from the Engineering and Planning Fund.

Commissioner Cascos clarified that Engineering and Planning Fund was a Road and Bridge Fund.

Judge Hinojosa suggested that a Workshop be scheduled to discuss the Status of Proposition II Funds.

Mr. Bernal stated that a meeting would take place in Austin, Texas, on July 23, 2002.

Judge Hinojosa suggested that the Court be updated during the Commissioners' Court Meeting following the said meeting.

Mr. Remi Garza, Administrative Assistant, reported that a meeting was scheduled on July 17, 2002, with the Fannie Mae Foundation concerning possible Bridge Financing.

Commissioner Valdez moved that the utilization of Lapsed Salaries from Road and Bridge for Extra Help be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.



(10) **CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE SAN BENITO DRAINAGE DISTRICT TO PROVIDE CONCRETE PIPES FOR A CANAL CROSSING**

Commissioner Cascos moved that the Interlocal Agreement with the San Benito Drainage District to provide concrete pipes for a canal crossing be approved.

The motion was seconded by Commissioner Valdez.

Commissioner Garza questioned the calculations of the cost.

Mr. Juan Bernal, County Engineer, stated that the calculations were overlooked and would be revised.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the Interlocal Agreement with the San Benito Drainage District to provide concrete pipes for a canal crossing was approved inclusive of the correct total amount, that being \$6,307.20.

The Agreement is as follows:

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ITEMS WERE HEARD COLLECTIVELY UNLESS OPPOSITION WAS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WAS CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION WAS TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

- ITEM NO. 17 "A": Commissioner Cascos noted that this Item needed to be tabled since it was scheduled for July 23, 2002.
- ITEM NO. 12: Mr. Rob Almon, Assistant County Auditor, presented the following additional claims: Warrant No. 00079589, as to Discount Oil, in the amount of \$2,780.64; Warrant No. 00079590, as to Fund No. 64, in the amount of \$15,000.00; Warrant No. 00079591, as to Fund No. 57, in the amount of \$1,700.00; Warrant No. 00079592, as to Fund No. 32, in the amount of \$3,200.00; and Warrant No. 00079593, as to Fund No. 26, in the amount of \$10,000.00.
- ITEM NO. 16: Mr. Joe Vega, Parks System Assistant Director, requested authorization to Budget the Sponsorship for the Valley Proud Environmental Council during the 2003-Fiscal Year.
- ITEM NO. 18 "A": Commissioner Valdez questioned if the three (3) individuals traveling would be lodged in one (1) room.
Mr. Frank Martinez, Assistant District Attorney, responded in the affirmative and explained that the three (3) individuals traveling were all men.

Commissioner Garza moved that the following "Consent and Travel Items" be approved inclusive of the late claims and the Amendment to Item No. 16, making it effective as of October 1, 2002, and that Item 17 "A" be **TABLED**.

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

- AYE: Commissioners Benavides, Cascos, Garza, and Valdez,
- NAY: None
- ABSTAIN: Judge Hinojosa as to Warrant No. 00079417, payable to Laguna Madre Water District, in the amount of \$184.08.

- (12) **APPROVAL OF CLAIMS;**
The Affidavit follows:
- (13) **RESOLUTION HONORING THE CAMERON COUNTY PROBATION, PAROLE AND COMMUNITY SUPERVISION OFFICERS AND PROCLAIMING THE WEEK OF JULY 14-20, 2002 AS "PROBATION OFFICERS' WEEK" IN CAMERON COUNTY;**
The Resolution follows:
- (14) **RESOLUTION REQUESTING TEXAS DEPARTMENT OF TRANSPORTATION TO CONSIDER AN ALTERNATE LOCATION FOR THE PERMANENT LOCATION**

OF THE BORDER SAFETY INSPECTION STATION AT THE FREE TRADE INTERNATIONAL BRIDGE AT LOS INDIOS;

The Resolution follows:

- (15) **RESOLUTION TO ACKNOWLEDGE CAMERON COUNTY'S COMMITMENT ON FUNDING AND LAND USE FOR THE BROWNE ROAD INDOOR RECREATION CENTER;**

The Resolution follows:

- (16) **AUTHORIZATION FOR THE CAMERON COUNTY PARK SYSTEM TO BE A SPONSOR FOR THE VALLEY PROUD ENVIRONMENTAL COUNCIL; AND**


- (17) **OPENING OF THE FOLLOWING BIDS/PROPOSAL:
IN THE MATTER REGARDING THE**

- A. INDEPENDENT AUDIT SERVICES - REQUEST FOR PROPOSAL NO. 1220 (TABLED),**
B. APPROVAL OF RECOMMENDED EVALUATION COMMITTEE.

TRAVEL ITEMS

- (18) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

- (a) Six (6) County Drug Enforcement Agents to attend the "Basic Drug Enforcement Department of Public Safety (DPS) School", in Corpus Christi, Texas, July 4-9, 2002, and August 11-16, 2002;
- (b) Juvenile Probation Officer to attend the "Texas Standing Tall Fifth Annual Policy Summit on Underage Drinking Seminar", in Austin, Texas, July 17-19, 2002;
- (c) Three (3) Health Department employees to attend the "2nd Annual Local Health Department/Texas Department of Health Immunization Meeting", in Austin, Texas, July 22-25, 2002;
- (d) Unit Director to attend the "Quarter Meeting for the South Texas HIDTA Intelligence Center", in Del Rio, Texas, July 24-26, 2002;
- (e) Juvenile Probation Officer to attend the "TCADA Annual Institute Conference", in Austin, Texas, August 4-9, 2002;
- (f) Two (2) Juvenile Probation employees to attend the "Advanced Caseworker 4 Training", in Austin, Texas, July 31-August 2, 2002;
- (g) County Judge and Parks System Director to meet with Texas Parks and Wildlife Officials on the Boca Chica Park, in Austin, Texas, July 17, 2002;
- (h) Four (4) Tax Department employees to receive the 2002 County Best Practice Award from the Texas Association of Counties Leadership Foundation, in Austin, Texas, August 15-16, 2002;
- (i) County Clerk to attend the "Secretary of State Twentieth Annual Election Law Seminar", in Austin, Texas, July 23-25, 2002;
- (j) Two (2) Assistant County and District Attorney to attend the "Crimes Against Children Conference", in Dallas, Texas, August 4-8, 2002;

- (k) County Extension Agent Department to attend the “Texas 4-H Beef Project Volunteer Short Course”, in San Antonio, Texas, July 26-27, 2002; and
 - (l) Two (2) Personnel employees to attend the “Texas Workers’ Compensation Educational Conference”, in Austin, Texas, August 20-22, 2002.
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**(12) APPROVAL OF CLAIMS.
The Affidavit is as follows:**

- (13) **RESOLUTION HONORING THE CAMERON COUNTY PROBATION, PAROLE AND COMMUNITY SUPERVISION OFFICERS AND PROCLAIMING THE WEEK OF JULY 14-20, 2002 AS “PROBATION OFFICERS’ WEEK” IN CAMERON COUNTY.**

The Resolution is as follows:

- (14) **RESOLUTION REQUESTING TEXAS DEPARTMENT OF TRANSPORTATION TO CONSIDER AN ALTERNATE LOCATION FOR THE PERMANENT LOCATION OF THE BORDER SAFETY INSPECTION STATION AT THE FREE TRADE INTERNATIONAL BRIDGE AT LOS INDIOS.**
The Resolution is as follows:

- (15) **RESOLUTION TO ACKNOWLEDGE CAMERON COUNTY'S COMMITMENT ON FUNDING AND LAND USE FOR THE BROWNE ROAD INDOOR RECREATION CENTER.**
The Resolution is as follows:

SUPPLEMENTAL ITEMS

(1) ACKNOWLEDGMENT OF CAMERON COUNTY BEING SELECTED FOR THE COUNTY BEST PRACTICE AWARD FROM THE TEXAS ASSOCIATION OF COUNTIES LEADERSHIP FOUNDATION

Mr. Tony Yzaguirre, Tax Assessor/Collector, reported that Cameron County was selected for the 2002-County Best Practice Award, for outstanding achievement, innovation, and effective management in County Government, and that the Auto Theft Program was unique to the State of Texas in enforcement of vehicle title registration. He questioned who would accept the Award during a meeting to be held on August 15, 2002, in Austin, Texas.

Judge Hinojosa suggested that Mr. Yzaguirre attend the meeting to accept the Award on behalf of Cameron County.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the selection of Cameron County for the County Best Practice Award from the Texas Association of Counties Leadership Foundation was acknowledged.

(2) CONSIDERATION AND AUTHORIZATION TO ALLOCATE REMAINING FUNDS FROM THE LOCAL LAW ENFORCEMENT GRANT (2000 LBBX2732) FOR THE AED/CPR PROGRAM IN ORDER TO TRAIN SIX (6) DISPATCHERS ON EMT TRAINING AND TO PURCHASE REQUIRED SUPPLEMENTAL EQUIPMENT SUPPLIES

Judge Hinojosa questioned the items to be purchased.

Mrs. Grace Salinas, Executive Assistant, clarified that the Agenda Item should read Emergency Management Dispatcher (EMD) rather than Emergency Medical Technicians (EMT). She stated that the University of Texas in Brownsville (UTB) Grant was obtained and would lower the \$250.00 per student tuition cost to \$50.00 per student, and that sixty-four (64) CPR mask were currently being purchased at a price of \$20.00 per mask, adding that the total cost was in the amount of \$1,280.00. She added that according to the Auditor's Office, there were \$1,905.00 UTB Grant funds remaining. Mrs. Salinas stated that there was a concern in training the three (3) dispatchers, out of the six (6) dispatchers, because when three (3) dispatchers were relieved the others would require payment of overtime, adding that she believes that there were more dispatchers available.

Judge Hinojosa reported that sixty-four (64) defibrillators were available and that enough personnel had been trained to use the sixty-four (64) defibrillators throughout the County at one time, adding that by training all the dispatchers the response time by all the County Law Enforcement Agencies involved would be significantly reduced.

Mrs. Salinas stated that the State would make a grant available to fund equipment and training and that an Application was submitted to State requesting an additional 180 defibrillators to be placed at all County buildings.

Commissioner Garza questioned how long the training would take and if CPR training was included.

Mrs. Salinas explained that the training would be conducted over three (3) days with eight (8) hour sessions.

Judge Hinojosa stated that the Law Enforcement Officers were trained to use the defibrillators and to conduct CPR.

Mrs. Salinas stated that when the Program was completed towards the end of August, 142 Law Enforcement Officers would be completely trained.

Commissioner Valdez questioned the remaining grant funds.

Mrs. Salinas responded that \$1,905.00 remained.

Commissioner Garza stated that there was no need to spend the \$1,905.00.

Mrs. Salinas stated that there could be a need to spend the \$1,905.00 since only the minimum number of disposable CPR masks was purchased.

Commissioner Garza stated that \$300.00 would be allocated for the training, and suggested that the remaining grant funds be used to purchase as many disposable CPR masks as possible.

Commissioner Valdez moved that the allocation of the remaining funds from the Local Law Enforcement Grant (2000 LBBX2732) for the AED/CPR Program be approved in order to train six (6) dispatchers on Emergency Medical Technicians (EMT) Training and the purchase of the required supplemental equipment supplies be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.



(3) CONSIDERATION AND AUTHORIZATION TO SELECT AN ENGINEERING COMPANY AND TO ENTER INTO CONTRACT NEGOTIATIONS FOR THE PREPARATION OF THE ENVIRONMENTAL ASSESSMENT, SCHEMATIC DESIGN AND AERIAL SURVEYS FOR THE WEST RAIL RELOCATION PROJECT

Commissioner Cascos moved that the Engineering Firm of Turner Collie and Braden Inc., (TCB) be selected and that the contract negotiations for the preparation of the Environmental Assessment, Schematic Design and Aerial Surveys for the West Rail Relocation Project be approved.

Judge Hinojosa questioned if there was a need to rank the Presentations of the Engineering Firms.

Mr. Juan Bernal, County Engineer/Public Works Director, stated that the Engineering Firms needed to be scored.

Mr. Doug Wright, Commissioners' Court Legal Counsel, noted the need to be consistent to the instructions in the Request for Proposals (RFP).

At this time there was discussion concerning the process to be used in scoring the Engineering Companies.

Commissioner Garza stated that Mr. Pete Sepulveda, International Bridge System Director, had presented a letter indicating that it would be verified that the process required by Texas Department of Transportation (TxDOT) was followed in order to obtain the reimbursement.

Mr. Pete Sepulveda, International Bridge System Director, stated that he had reviewed the process followed with Mr. Mario Jorge, TxDOT District Engineer, who agreed that the process was in accordance to TxDOT's guidelines. He stated that Mr. Jorge had approved of the County conducting the interviews, and that there were various methods that could be used when scoring the interviews and the Request for Proposals (RFP).

Judge Hinojosa suggested that the Engineering Companies be scored after reading the Request for Proposals (RFP) and having heard the Presentations.

Mr. Sepulveda stated that the combined scores from the Request for Proposals and the Presentations would be consistent to TxDOT's guidelines.

Commissioner Garza questioned if he was required to fill out the scoring forms prior to voting.

Mr. Sepulveda stated that the Court needed to be consistent, and noted that Mr. Jorge had emphasized the need to assure that the entire process followed by the County was documented, adding that the County could deviate from TxDOT's guidelines as long as there was justification.

Commissioner Garza questioned if ultimately he did not have to evaluate the Engineering Firms, except when voting.

Commissioner Cascos questioned if the evaluation in question was the one concerning the Presentations or the Request for Proposals (RFP).

Mr. Sepulveda stated that the Court needed to determine what would be evaluated.

Commissioner Cascos questioned why the Request for Proposals (RFP) and the evaluating forms were provided prior to the Presentations.

Mr. Bernal stated that the Request for Proposal (RFP) was made available for informational purposes.

There was a brief discussion concerning who had presented the additional documentation.

Mr. Sepulveda stated that the Court could determine the process to be followed.

Mr. Bernal stated that the evaluation forms were needed as back-up information.

Commissioner Cascos stated that the back-up information was needed to justify the votes

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that the Request for Proposals (RFP) provided by Mr. Mike Forbes, Purchasing Agent, instructed what to present, how to present it, and how it would be evaluated. He recommended that the Court fill out the documents supplied by the Purchasing Agent and to evaluate on that basis, adding that the Court had the discretion to agree on the points to evaluate the Presentations.

Judge Hinojosa stated that the Engineering Firms should be evaluated based on the written evaluation and that the Presentation was intended to clarify any issues that might arise, adding that it was irrelevant if one Engineering Firm's Presentation was better than the other. He noted that the evaluation should be based on the Engineering Firm's experience and background.

Mr. Sepulveda stated that he was instructed to verify that the process being followed was in accordance with TxDOT's requirements.

Judge Hinojosa stated that it was up to the Commissioners if they wanted to submit the evaluation forms, and that he would submit his form for the record.

Commissioner Cascos moved that the Engineering Firm of Turner Collie and Braden Inc., (TCB) be selected and that the contract negotiations for the preparation of the Environmental Assessment, Schematic Design and Aerial Surveys for the West Rail Relocation Project be approved.

The motion was seconded by Commissioner Garza.

Commissioner Garza questioned the conflict of interest issued.

Mr. Wright stated that the notice was for informational purposes and did not relate to the Agenda Item.

Commissioner Garza stated that he would support the motion because the Evaluation Committee had spent time and concluded on the recommendation being presented.

Judge Hinojosa stated that the County was fortunate to have two (2) very qualified Engineering Firms with experience in railroad and environmental issues. He stated that the difficult portions of the project were: obtaining the bridge permit; getting approval of the environmental issues; and obtaining support from both sides of the border, and that previous involvement made a major, adding this was where the HNTB Team had a stronger proposal than TCB. Judge Hinojosa stated that the Engineering Firms had similar experience in environmental issues, but that the HNTB Team appeared to have more environmental involvement within the Rio Grande Valley. He stated that the recent work conducted on the two (2) International Bridges was critical experience needed in working on the West Rail Relocation Project, and that a Presidential Permit was needed to construct the International Bridge, adding that the HNTB Team had obtained two (2) Presidential Permits within the last five (5) years. Judge Hinojosa stated that after January 1, 1995, the process followed to obtain the Presidential Permits was modified and was recently modified again. He stated that he respected the Evaluation Committee's action, but disagreed with their position because he believed the HNTB Team was the best option based on what he observed.

Commissioner Benavides stated that the first issue was as to where the railroad would be located, and noted his support for HNTB.

Commissioner Valdez stated that he respected the Evaluation Committee's recommendation, and that he was looking for experience in working with International Bridges and the Mexican Government, adding that he supported the HNTB Team based on the information he received.

Judge Hinojosa stated that the HNTB Team had significantly more experience in the West Rail Relocation Project because of the two (2) following studies they conducted for the City of Brownsville: the West Loop Project and the Avenida de Las Americas Project in Mexico.

Commissioner Cascos moved that the Engineering Firm of Turner Collie and Braden Inc., (TCB) be selected and that the contract negotiations for the preparation of the Environmental Assessment, Schematic Design and Aerial Surveys for the West Rail Relocation Project be approved.

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

AYE: Commissioners Cascos and Garza,

NAY: Commissioners Benavides, Valdez, and Judge Hinojosa.

Commissioner Valdez moved that the HNTB Team be selected and that the Contract Negotiations for the preparation of the Environmental Assessment, Schematic Design and Aerial Surveys for the West Rail Relocation Project be approved.

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

AYE: Commissioners Benavides, Valdez, Garza and Judge Hinojosa,

NAY: Commissioner Cascos.

EXECUTIVE SESSION

(19) EXECUTIVE SESSION

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 6:47 P.M., to discuss the following matters:

- (a) To hire for the Title V Program Director Position; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(1);
- (b) Deliberation regarding Real Property concerning the possible acquisition of various properties for the Oscar C. Dancy Parking Lot; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- (c) Deliberation regarding Real Property concerning the Economic Development Corporation of South Padre Island's Proposal for a Wetland Birding and Nature Study Center; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Cascos, seconded by Commissioner Valdez and carried unanimously, the Court reconvened in Regular Session at 7:25 P.M.

(20) ACTION RELATIVE TO EXECUTIVE SESSION:

(a) To hire for the Title V Program Director Position.

Commissioner Valdez moved that Ms. Elizabeth Covarrubias be hired as the Title V Program Director.

The motion was seconded by Commissioner Cascos and carried unanimously.

(b) Deliberation regarding Real Property concerning the possible acquisition of various properties for the Oscar C. Dancy Parking Lot.

Upon motion by Commissioner Valdez, seconded by Commissioner Garza and carried unanimously, Mr. Joseph Ardito, Property Manager, was authorized to proceed with the acquisition of various properties for the Oscar C. Dancy Parking Lot.

The Contracts are as follows:

(c) Deliberation regarding Real Property concerning the Economic Development Corporation of South Padre Island's Proposal for a Wetland Birding and Nature Study Center.

Commissioner Garza moved that the proposals be rejected and that the rebidding of the Real Property concerning the Economic Development Corporation of South Padre Island for a Wetland Birding and Nature Study Center be authorized.

The motion was seconded by Commissioner Valdez and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Valdez and carried unanimously, the meeting was **ADJOURNED** at 7:27 P.M.

APPROVED this 6th day of **August 2002**.

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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