

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 09th day of JANUARY, 1996, there was conducted a SPECIAL PUBLIC Session 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:

1:30 P. M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

INELDA T. GARCIA Deputy
COUNTY CLERK

ABSENT:

LUCINO ROSENBAUM, JR.

The meeting was called to order by Judge Gilberto Hinojosa. 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 to the Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on January 5, 1996, at 2:45 P. M.:

(1) APPROVAL OF COUNTY CLAIMS

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

The motion was seconded by Commissioner Matz and carried unanimously.



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

Commissioner Matz moved that the following Budget Amendments and Salary Schedules be approved.

Budget Amendments:

Fiscal Year 1995, No. 95-29; and

Fiscal Year 1996, No. 96-03.

Salary Schedules:

District Attorney's Office - Fund No. 90-475,

District Clerk's Office - Fund No. 10-450,

Computer Center - Fund No. 10-408,

Cameron County Juvenile Probation Department - Fund No. 31-571,

Cameron County Juvenile Probation Department - Fund No. 31-565,

Cameron County Juvenile Probation Department - Fund No. 45-565,

Cameron County Health Department - Fund No. 26-643, and

Cameron County Health Department - Fund No. 27-614.

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

(3) IN THE MATTER OF THE MINUTES (NO ACTION TAKEN)

The Deputy County Clerk noted that there were no Minutes for approval at this time.



(4) ADOPTION OF A RESOLUTION APPROVING AND AUTHORIZING PUBLICATION OF THE "NOTICE OF INTENTION" TO ISSUE, NOT TO EXCEED \$3,600,000.00, COMBINATION TAX AND INTERNATIONAL BRIDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996 B, AND OTHER MATTERS RELATING THERETO

At this time, Mr. Mark Yates, County Auditor, stated that the Bond Issue would provide funding for the Los Tomates Bridge and would reimburse the County for the previous Capital Expenditures related to the Bridge.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz, and carried unanimously, the Resolution approving and authorizing the publication of the "Notice of Intention" to issue, not to exceed the amount of \$3,600,000.00, in Combination Tax and International Bridge Revenue, Certificates of Obligation, Series 1996 B, and other matters relating thereto, was adopted.

The Resolution is as follows:

(8) APPROVAL OF VOTING MACHINE LEASE AND SERVICE AGREEMENTS BETWEEN CAMERON COUNTY AND THE FOLLOWING POLITICAL SUBDIVISIONS FOR THE JANUARY 20, 1996, ELECTIONS: BROWNSVILLE IRRIGATION AND DRAINAGE DISTRICT; CITY OF BROWNSVILLE AND THE CAMERON COUNTY IRRIGATION DISTRICT NO. 2

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Lease and Service Agreements between Cameron County and the following Political Subdivisions for the January 20, 1996, Elections were approved:

Brownsville Irrigation and Drainage District;

City of Brownsville; and

Cameron County Irrigation District No. 2.

The Lease and Service Agreements are as follow:

(9) AUTHORIZATION TO NEGOTIATE THE PROPOSED CONTRACT FOR THE JUDICIAL COURT SYSTEM, REQUEST FOR PROPOSAL NO. 950801

Mr. Norio Nishiguchi, Computer Center Director, stated that the Judicial Court System Computer Project was ready for Contract negotiations and added that the funding for the first year was provided from a State Criminal Justice Information Systems' Grant.

Commissioner Cascos moved that the Computer Center Director be authorized to negotiate the proposed Contract for the Judicial Court System Request for Proposal No. 950801.

The motion was seconded by Commissioner Peña and carried unanimously.



(10) AUTHORIZATION TO SUBMIT A GRANT PROPOSAL TO THE RIO GRANDE VALLEY EMPOWERMENT ZONE CORPORATION AND SUBZONE, TO BUILD A HEALTH CENTER IN PORT ISABEL, TEXAS

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Submission of a Grant Proposal to the Rio Grande Valley Empowerment Zone Corporation and subzone, in order to build a Health Center in Port Isabel, Texas, was authorized.

At this time, Commissioner Matz noted that the Item had been discussed at the Workshop held January 9, 1996, at 10:00 A.M.

The Document is as follows:

(14) IN THE MATTER TO ISSUE BEACH VENDOR PERMIT NO. 5 TO SAN FRANCISCO TORRES D/B/A, EL REY DEL ELOTE, FOR MOBILE VENDING ON PUBLIC VEHICULAR BEACHES OF SOUTH PADRE ISLAND AND BOCA CHICA, VEHICLE; 1976 CHEVROLET VAN, LICENSE NO. RR0212, VEHICLE IDENTIFICATION NUMBER CGL256U180399 (TABLED)

There was some discussion concerning the issue of insurance on the vehicle and whether the County was named as an additional insured and the suggestion was made to table the matter.

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

(15) CONSIDERATION AND ACTION ON COMMITTEE'S RECOMMENDATION FOR ARCHITECT DESIGN AND PROJECT MANAGEMENT OF ISLA BLANCA PARK REGISTRATION OFFICE AND SEA RANCH RESTAURANT

At this time, Mr. Ken Conway, Parks Systems Director, stated that it was the consensus of the Parks Advisory Committee to authorize staff to negotiate a Contract with Mr. Roberto Ruiz, Brownsville Architect, as recommended by the County Engineer.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Parks Advisory Committee's recommendations for the Architect Design and Project Management of Isla Blanca Park Registration Office and Sea Ranch Restaurant was approved.

(16) ACTION OF AWARDED OF PROPOSAL FOR DEMOLITION OF PROPERTY LOCATED AT: LOS FRESNOS - BLOCK NO. 98, LOTS NO. 3 AND NO. 4 ALSO KNOWN AS: 505 W. 8TH STREET, LOS FRESNOS, TEXAS

Mr. Joseph Ardito, Property Management Coordinator, stated that proposals were solicited for the demolition of the stated property and recommended Elizabeth del Fierro, Amigo Paving, that being the lowest bid, in the amount of \$795.00.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Contract for the demolition of the Los Fresnos - Block No. 98, Lots No. 3 and No. 4, also known as: 505 W. 8th Street, Los Fresnos, Texas, was awarded to Elizabeth del Fierro, Amigo Paving.

(17) APPOINTMENT OF COMMISSIONER CARLOS H. CASCOS, CPA, AS COUNTY JUDGE PRO-TEM

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, Commissioner Carlos H. Cascos, CPA, was appointed to serve as County Judge Pro-tem in the absence of the County Judge.



(18) DESIGNATION OF DAY OF THE WEEK AND HOUR OF THE DAY FOR REGULAR COMMISSIONERS' COURT MEETINGS

Commissioner Peña moved that the County Commissioners' Workshops be held every Tuesday mornings and that Regular Commissioners' Court Meetings be held every Tuesday at 1:30 P.M.

The motion was seconded by Commissioner Matz and carried unanimously.



(19) DESIGNATION OF THE FOLLOWING SITE AT THE CAMERON COUNTY COURTHOUSE FOR CONDUCTING FORECLOSURE SALES: THAT AREA IN FRONT OF THE ENTRANCES TO THE JUDICIAL SECTION OF THE COURTHOUSE, LOCATED IN THE 900 BLOCK OF E. HARRISON STREET, CONSISTING OF THE CONCRETE AREA OUTSIDE THE DOORS, AWAY FROM THE STREET AND WITHIN THE TWO (2) CONCRETE BARRIERS THAT ARE PERPENDICULAR TO SAID STREET

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the designated site at the Cameron County Courthouse, in order to conduct Foreclosure Sales is as follows: the area in front of the entrances to the Judicial Section of the Courthouse, located in the 900 Block of E. Harrison Street, consisting of the concrete area outside the doors, away from the Street, and within the two (2) concrete barriers that are perpendicular to said Street.

CONSENT AGENDA ITEM

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

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the "Consent" Agenda Items were approved as follow:

20) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:

- a) Elections Administrator to attend the "Annual Municipal Election Law Seminar" in Austin, Texas, on January 31 - February 2, 1996;
- b) Elections Administrator to attend the "Election Center Special Workshop" in Houston, Texas, on February 7-11, 1996;
- c) Parks System Director, two (2) division Managers and one (1) Board Member to attend the "Educational and Training Sessions at the Texas Recreation and Park Society Annual Conference" in Lubbock, Texas, on March 3-5 1996;
- d) In the matter of Parks Systems Director to attend the "Texas Recreation Park Society Annual Retreat and Board Meeting regarding the 1997 Legislative Affairs" in Wimberly, Texas, on January 12-13, 1996;
(DELETE)
- e) Program Development and Management Director and Combined Development Coordinator to attend the "Texas Department of Housing and Community Affairs (TDHCA) 1996 State of Texas Consolidated Plan Meeting" in Austin, Texas, on January 8, 1996;
- f) Deputy Constable Precinct No. 5 to attend the "Civil Process School (Twenty (20) Hour Course)" in Houston, Texas, on May 7-10, 1996;
- g) Two (2) Juvenile Officers to study "Alternative Education School and Intensive Supervision Program" in Tom Green County Juvenile Department and the San Angelo Independent School District in San Angelo, Texas, on January 17-19, 1996;
- h) Chief Juvenile Officer to attend the "Bidder's Conference" at The Clements Building regarding possible submission for proposal for a Juvenile Boot Camp for South Texas in Austin, Texas, January 11-12, 1996;
- i) Tuberculosis (TB)-Program Manager to attend "Tuberculosis (TB) Workshop" in Austin, Texas, on January 16-17, 1996;
- j) CEA Agent to attend the "Rio Grande Valley Livestock Show Grounds" in Mercedes, Texas, on January 6-7, 1996; and
- k) CEA Agent to attend the "Corpus Chrisiti Farms and Ranch Show" in Corpus Christi, Texas, on January 10, 1996.

(26) PRELIMINARY APPROVAL

- a) **Precinct No. 4** - Flying W Subdivision of 25.45 acres of land of Block No. 9, Dougherty and Paillet Subdivision of Survey 243;
- b) **Precinct No. 4** - El Valle Estates No. 2, being a Resubdivision of all of Lot No. 4, El Valle Estates Subdivision;
- c) **Precinct No. 3** - Amended Plat of Lots No. 14, and No. 19, Block No. 2 Palm Valley South Subdivision No. 4, El Valle Estates Subdivision; and

- d) **Precinct No. 4** - Flor Del Valle No. 7 Subdivision, being a Subdivision of 72.81 Acres out of Block No. 66, San Benito Land and Water Company Subdivision.

(27) **FINAL APPROVAL:**

- d) **Precinct No. 4** - White Wings Subdivision, being a 24.29 acres Subdivision, comprised on the South 10 acres of Block No. 18, the South 10.14 acres of Block No. 19, and the North 4.15 acres of Block No. 20, of the Dougherty and Paillet Subdivision.



(28) **EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 2:00 P. M. to discuss the following matter:

- a) To request additional expenses for FM 1419 Project Partial Release Liens on Parcels No. 48, No. 49, and No. 72; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Request for settlement on Condemnation Case concerning Parcel No. 12 FM 1419 Project, pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.072;
- c) To discuss land acquisition matter pertaining to creation of a Public Park, adjacent to Centro Cultural de Educacion y Asistencia de Cameron Park, pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.071 (1) and (2);
- d) Confer with County Counsel regarding the sale and promotion of Cameron County Tax Foreclosed Properties, pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.072;
- e) Confer with County Counsel concerning Constable Precinct No. 5 involving Personnel matters, pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.071;
- f) Confer with Property Management Coordinator concerning Policy decisions regarding Concession and Lease Agreements with Cameron County and Concessionaires, pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.072;
- g) Confer with Property Management Coordinator concerning proposed Lease Agreement between Cameron County and Laguna Station, Rio Grande Council of Boy Scouts of America, pursuant to Vernon Texas Code Annotated (V.T.C.A), Government Code, Section 551.072; and
- h) Confer with County Counsel concerning the possible suspension of the Order of November 29, 1995, and holding in abeyance Padre Shore Subdivision Master Plan Submission, pursuant to Vernon

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 3:15 P. M.

(29) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) To request additional expenses for FM 1419 Project Partial Release Liens on Parcels No. 48, No. 49, and No. 72.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer's Office recommendations should be accepted, concerning the payment of additional expenses for FM 1419 Project Partial Release Liens on Parcels No. 48, No. 49, and No. 72.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County Engineer's Office recommendations concerning the payment of additional expenses for FM 1419 Project Partial Release Liens on Parcels No. 48, No. 49, and No. 72. were approved.

- b) Request for settlement on the Condemnation Case concerning Parcel No. 12, FM 1419 Project.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling that the County Engineer's Office recommendations should be accepted, concerning the request for settlement on the Condemnation Case concerning Parcel No. 12, FM 1419 Project.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County Engineer's Office recommendations concerning the request for settlement on the Condemnation Case concerning Parcel No. 12, FM 1419 Project were approved.

- c) To discuss land acquisition matter pertaining to the creation of a Public Park, adjacent to Centro Cultural de Educacion y Asistencia de Cameron Park.

At this time, Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that the Parks System Director and the Program Development and Management Director should discuss the matter with the property owner, adjacent to the Centro Cultural, and should proceed along the terms and conditions as agreed to in Executive Session.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Parks System Director and the Program Development and Management Director were directed to discuss the matter with the property owner, adjacent to the Centro Cultural de Educacion y Asistencia de Cameron Park, and to proceed along the terms and conditions as agreed to in Executive Session.

- d) Confer with County Counsel regarding the sale and promotion of the Cameron County Tax Foreclosed Properties.

Judge Hinojosa reported that after some discussion it was the consensus of the Court as determined by polling that the sale and promotion of the Cameron County Tax Foreclosed Properties be acknowledged.

Commissioner Matz moved that the sale and promotion of the Cameron County Tax Foreclosed Properties be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Confer with County Counsel concerning Constable Precinct No. 5 involving Personnel matters;
- f) Confer with Property Management Coordinator concerning proposed Lease Agreement between Cameron County and Laguna Station, Rio Grande Council of Boy Scouts of America; and
- g) Confer with County Counsel concerning the possible suspension of the Order of November 29, 1995, and holding in abeyance Padre Shores Subdivision Master Plan submission.

Commissioner Matz reported that after some discussion it was the consensus of the Court as determined by polling that the matters of: e) the Constable Precinct No. 5, involving Personnel matters, g) the Proposed Lease Agreement between Cameron County and Laguna Station, Rio Grande Council of Boy Scouts of America, and h) the possible suspension of the Order of November 29, 1995, holding in abeyance Padre Shores Subdivision Master Plan Submission, should be acknowledged.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, County Counsel's Status Report concerning the matters of: e) Constable Precinct No. 5, involving Personnel matters, g) the Proposed Lease Agreement between Cameron County and Laguna Station, Rio Grande Council of Boy Scouts of America, and h) the possible suspension of the Order of November 29, 1995, and holding in abeyance Padre Shores Subdivision Master Plan Submission, were acknowledged.

- f) Confer with Property Management Coordinator concerning the Policy decision regarding the Concession and Lease Agreements with Cameron County and Concessionaires.

Judge Hinojosa reported that after some discussion it was the consensus of the Court as determined by polling that the Policy decision regarding the Concession and Lease Agreements with Cameron County and Concessionaires should be approved.

Upon motion by Commissioner Matz seconded by Commissioner Peña and carried unanimously, the Policy decision regarding the Concession and Lease Agreements with Cameron County and Concessionaires was approved.



**(5) APPROVAL TO RENEW LEASE AGREEMENT
BETWEEN DANIEL BRYANT D/B/A, FUN-N-
SHADE AND CAMERON COUNTY FOR BEACH
RENTAL CONCESSION IN ISLA BLANCA PARK**

At this time, Mr. Joseph Ardito, Property Management Director, recommended that the Lease Agreement be renewed yearly, based on the option of the County.

Commissioner Cascos moved that the Lease Agreement between Daniel Bryant d/b/a, Fun-N-Shade and Cameron County, for Beach Rental Concession in Isla Blanca Park, be renewed, as recommended by the Property Management Director.

The motion was Seconded by Commissioner Peña and carried the following vote:

AYE: Commissioners Cascos and Peña

NAY: Commissioner Matz.

The Lease Agreement is as follows:

(6) CONSIDERATION AND ACTION ON ORDER OF NOVEMBER 25, 1995, PERTAINING TO PADRE SHORES SUBDIVISION MASTER PLAN, SUSPENDING SAID ORDER AND HOLDING IN ABEYANCE THE MASTER PLAN SUBMISSION, PENDING RESOLUTION OF THE OUTSTANDING ISSUE BETWEEN APPLICANTS; TEXAS GENERAL LAND OFFICE AND THE TEXAS ATTORNEY GENERALS OFFICE

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Order of November 29, 1995, pertaining to Padre Shore Subdivision Master Plan, suspending said Order and holding in abeyance the Master Plan Submission, pending resolution of the outstanding issue between the Applicants, that being the Texas General Land Office and the Texas Attorney General's Office.

At this time, Mr. Doug Wright, Cameron County Counsel, noted that the Applicants, along with General Land Office and the Texas Attorney General's Office requested that this matter be held in abeyance.



(11) APPROVAL OF AGREEMENT BETWEEN TEXAS A&M UNIVERSITY AND CAMERON COUNTY FOR THE CONSTRUCTION AND ESTABLISHMENT OF A MULTI-USE PARK AND OUTDOOR RECREATIONAL PAVILION IN THE CAMERON PARK SUBDIVISION

Commissioner Cascos moved that the Agreement between Texas A&M University and Cameron County, for the construction and establishment of a Multi-Use Park and Outdoor Recreational Pavilion in the Cameron Park Subdivision, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Agreement is as follows:

(12) AUTHORIZATION FOR PARK DIRECTOR IN COORDINATION WITH THE PROGRAM DEVELOPMENT AND MANAGEMENT DIRECTOR TO PREPARE AND SUBMIT A GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR DEVELOPMENT OF A PUBLIC PARK, ADJOINING CAMERON PARK COMMUNITY CENTER

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Parks Director, in coordination with the Program Development and Management Director, were authorized to prepare and submit a Grant Application to Texas Parks and Wildlife Department for the development of a Public Park, adjoining Cameron Park Community Center.

(13) APPROVAL OF DOCUMENTS SUPPORTING THE GRANT APPLICATION FOR THE CAMERON PARK RECREATION PROJECT, TO INCLUDE; 1) APPLICANT'S CERTIFICATION AND PROGRAM ASSURANCES; 2) APPLICATION FORM- PART I; 3) APPLICATION FORM - PART II; 4) ASSURANCE OF ELIGIBILITY; 5) ENVIRONMENTAL CHECKLIST; AND 6) RESOLUTION AUTHORIZING APPLICATION, AND ANY OTHER NECESSARY DOCUMENTS

Commissioner Cascos moved that the Documents supporting the Grant Application for the Cameron Park Recreation Project, be approved, and to include the following: 1) Applicant's Certification and Program Assurances; 2) Application Form-Part I; 3) Application Form -Part II; 4) Assurance of Eligibility; 5) Environmental Checklist; 6) Resolution Authorizing Application, and any other necessary Documents.

The motion was seconded by Commissioner Matz and carried unanimously.

The Documents are as follow:

(7) **APPROVAL OF DEPUTY CONSTABLES
AND RESERVE DEPUTY CONSTABLES
FOR PRECINCT NO. 3 AND PRECINCT
NO. 5 FOR FISCAL YEAR 1995-96**

Commissioner Cascos moved that the Deputy Constables and Reserve Deputy Constables For Precinct No. 3 and Precinct No. 5 be approved, as recommended by the Personnel/Safety Risk Director.

The motion was seconded by Commissioner Matz and carried unanimously.

The List is as follows:

There being no further business to come before the Court, upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the meeting was **ADJOURNED**.

APPROVED this 30th day of **January, 1996**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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