

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 16TH day of JANUARY, 1996, 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:

1:30 P. M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

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

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:



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 12, 1996, at 11:06 A.M.:

**(4) PRESENTATION TO THE COUNTY JUDGE BY
MR. JOHN DAVID FRANZ ON BEHALF OF THE
TEXAS BOARD OF CRIMINAL JUSTICE**

At this time, Mr. John David Franz, Texas Board of Criminal Justice, recognized Judge Hinojosa for serving on the Texas Board of Criminal Justice from February, 1993, to August, 1995, and noted that two (2) themes were remembered when Judge Hinojosa's name was mentioned, that being his strong commitment to South Texas and Hispanics, and his knowledge of subject matters.

Mr. Franz added that the Texas Board of Criminal Justice adopted a Resolution recognizing Judge Hinojosa and publically expressing their sincere appreciation for his services to the State of Texas and the Texas Board of Criminal Justice, and presented him with a plaque on behalf of the Texas Board of Criminal Justice.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the presentation by Mr. John David Franz, Texas Board of Criminal Justice, to Judge Hinojosa, on behalf of the Texas Board of Criminal Justice was acknowledged.

**(5) ADOPTION OF A RESOLUTION IN SUPPORT OF
A REQUEST TO JOHN SHARP, TEXAS STATE
COMPTROLLER OF PUBLIC ACCOUNTS, FOR
AN ORGANIZATIONAL STRUCTURE AND
FINANCIAL MANAGEMENT REVIEW (FMR) OF
THE COMMISSIONERS' COURT
DEPARTMENTS REPORTING DIRECTLY TO
THE COURT AND PARTICIPATING ELECTED
OFFICIALS**

Judge Hinojosa explained that he had requested that a team of Auditors and Management Consultants from the Texas State Comptroller's Office review the County's operations, and provide recommendations in order for the County to operate more efficiently and effectively, and added that a Resolution was needed in support of said review.

Judge Hinojosa added that the Commissioners have the authority to approve a Resolution requesting the review of the Departments within the jurisdiction of the County Commissioners' Court, and that the Elected Officials were invited to submit a written request for said Audits.

Judge Hinojosa moved that the Resolution, in support of a request to John Sharp, Texas State Comptroller of Public Accounts, for an Organizational Structure and Financial Management Review (FMR) of the Commissioners' Court Departments' reporting directly to the Court, and participating Elected Officials, be adopted.

The motion was seconded by Commissioner Peña.

There was some discussion concerning the Letters requesting the Audits by the Elected Officials, and Judge Hinojosa suggested that his Office coordinate the local efforts with the State Comptroller's Office and that the Elected Officials submit the written requests to his Office within two (2) weeks.

Commissioner Cascos suggested that a written statement be obtained from every Elected Official as to whether or not they were going to participate.

Upon motion duly made by Judge Hinojosa, and seconded by Commissioner Peña and carried unanimously, the Resolution in support of a request to John Sharp, Texas State Comptroller of Public Accounts, for an Organizational Structure and Financial Management Review (FMR) of the Commissioners' Court Departments' reporting directly to the Court, and participating Elected Officials, was adopted

The Resolution is as follows:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented a late claim as to the Juvenile Services Fund, Warrant No. 5290, in the amount of \$1,750.00, for approval

Commissioner Matz moved that the County Claims be approved as presented by the County Auditor, inclusive of the late claim as to Warrant No. 5290, in the amount \$1,750.00.

The motion was seconded by Commissioner Peña and carried unanimously.



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

Commissioner Cascos moved that the Fiscal Year 1996 Budget Amendment No. 96-04 and the Salary Schedule for the Health Department, Fund No. 10-630, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Budget Amendment and Salary Schedule are as follow:

**(12) IN THE MATTER OF THE BLIND VETERANS'
ASSOCIATION TO USE THE OFFICE OF
COMMISSIONER PRECINCT NO. 4 (TABLED)**

At this time, Mr. Robert Garcia, Blind Veterans' Association, requested the use of the Commissioner Precinct No. 4 Office and a telephone in order to communicate with the San Antonio and the McAllen Outpatient Clinics regarding any changes concerning appointments for the Disabled Veterans. Mr. Garcia explained that the Association provided transportation to the Disabled Veterans and needed to coordinate the schedules.

At this time, Mr. Salvador Salinas, Veteran Services Officer, explained that Mr. Garcia provided transportation to the Disabled Veterans that did not qualify to be served by the County, according to the Federal regulations.

Commissioner Peña expressed some concerns regarding the issues of the costs of the Long Distance calls and the transportation and the extent of the liability and suggested that County Counsel review the matter of coverage.

Judge Hinojosa remarked that there was a big gap in the County regarding the delivery of services to the Disabled Veterans and suggested that Staff, the County Attorney, and the Veteran Services Officer meet to discuss the matter with Mr. Garcia to determine the cost and the legal issues, in order to assist the Veterans.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, this Item was **TABLED** for two (2) weeks.



(27) EXECUTIVE SESSION:

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:10 P. M. to discuss the following matters:

- a) Confer with Counsel on condemnation of Pasol Property, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071; and
- b) Evaluation of Librado Lozano, Fleet Maintenance Director, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (a)(1&2)

NOTE: COMMISSIONER ROSENBAUM LEFT THE COURTROOM AT THIS TIME.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 3:50 P. M.



(28) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) Confer with Counsel on Condemnation of Pasol Property.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that the Resolution authorizing Condemnation Proceedings with respect to the Pasol Property should be adopted.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Resolution regarding the Condemnation Proceedings with respect to the Pasol Property was adopted.

The Resolution is as follows:

b) Evaluation of Librado Lozano, in the Capacity of Fleet Maintenance Director.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that the information provided by the County employees should be acknowledged and that the evaluation should be continued for a ninety (90) day period.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the information provided by the County employees should be acknowledged and the evaluation of Librado Lozano, in the Capacity of Fleet Maintenance Director, should be continued for a ninety (90) day period.

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

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

(6) PRESENTATION OF NON-SALARY/NON-CAPITAL OUTLAY BUDGET AS OF DECEMBER 31, 1995

At this time, Mr Mark Yates, County Auditor, highlighted the December Non-Salary Outlay Budget Reports, excluding the Personnel and Capital Expenditures, and noted that the expenditures as to the Court Appointed Attorneys for the County Courts at Law and suggested that the legal work should be on a Contractual basis.

There was some discussion concerning the matter of the disparity in the Budgets and the Contracts for the Court Appointed Attorneys and the suggestion was made to have the County Auditor and County Judge meet with the County Court at Law Judges to resolve said matters.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the presentation of Non-Salary/Non-Capital Outlay Budget as of December 31, 1995, was acknowledged.

The Report is as follows:

(7) **APPROVAL TO CHANGE APPROVED EQUIPMENT LIST FOR FISCAL YEAR 1996 FOR THE TAX OFFICE**

Commissioner Matz moved that the change to the "Approved Equipment List" for the Fiscal Year 1996 for the Tax-Assessor Collector's Office be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

(8) **IN THE MATTER OF THE PRESENTATION OF DELINQUENT TAX REPORT BY HEARD, BLAIR AND WILLIAMS, DELINQUENT TAX ATTORNEYS (TABLED)**

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

(9) **IN THE MATTER OF THE PROPOSAL FROM NATIONS BANK ON LONG-TERM FINANCING EXISTING TOLL BRIDGE DEBT, AND OTHER FINANCING NEEDS OF CAMERON COUNTY (TABLED)**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, this Item was

TABLED for one (1) week.

(10) **AUTHORIZATION TO ESTABLISH A COMMITTEE ON TELECOMMUNICATIONS AND INFORMATION INFRASTRUCTURE**

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, stated that the County was informed by the University of Texas at Brownsville that there were Federal monies available for several Projects to access Internet, and it would provide the County an opportunity to establish its presence on the Internet Committee.

Mr. Garza suggested that Representatives from the Computer Center, County Judge's Office, County Auditor's Office, Program Development and Management Department, Health Department, and Commissioners' Court, should be in the Committee, and Dr. Wayne Lewis, University of Texas at Brownsville.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Telecommunications and Information Infrastructure Committee was established as follows:

Computer Center,
County Judge's Office,
Auditor's Office,
Program Development and Management Department,
Health Department,
Commissioners' Court, and
Dr. Wayne Lewis, University of Texas at Brownsville.

**(11) CONSIDERATION AND POSSIBLE SELECTION
OF SALARY GRIEVANCE COMMITTEE
INCLUDING THE NEEDED NUMBER OF PUBLIC
MEMBERS**

At this time, Mr. Doug Wright, Cameron County Counsel, stated the Statutes provided for the County Commissioners' Court to appoint the County Tax-Assessor, County Treasurer, County Clerk, District Clerk, County Judge, and Criminal District Attorney, and a sufficient number of public members to serve on the Grievance Committee, as opposed to appointing only nine (9) public members. He noted that said appointments should have been made on the second Monday of January of each year; however, the Court did not meet on that date.

At this time, Judge Hinojosa drew the names of the public members from the List of previous Grand Jurors and suggested that the first nine (9) members that were willing to serve, and an additional of five (5) Alternates, be appointed to the Committee.

Commissioner Cascos moved that the Salary Grievance Committee, composed of nine (9) public members willing to serve, and an additional five (5) Alternates be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The List is as follows:

(13) APPROVAL FOR WAREHOUSE SPACE FOR FILES STORED AT OLD COURTHOUSE

At this time, Mr. Joseph Ardito, Property Management Coordinator, recommended that the Second Floor of the Old County Building in San Benito, Texas, be utilized to store the District Clerk's Records, as opposed to an \$800.00 a month, six (6) month Lease Agreement.

Commissioner Peña moved that the District Clerk be authorized the additional space for records storage at the Old County Courthouse in San Benito, Texas.

The motion was seconded by Commissioner Cascos and carried unanimously.



(14) IN THE MATTER OF THE TAX ASSESSOR-COLLECTOR TO SIGN AN AGREEMENT WITH H.E. BUTT COMPANY, TO ISSUE AUTOMOBILE RENEWAL LICENSE STICKERS WITHIN CAMERON COUNTY (TABLED)

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



(15) AUTHORIZATION TO RELOCATE THE PROPERTY MANAGEMENT COORDINATOR'S OFFICE TO THE H.A. GARCIA CONFERENCE ROOM

At this time, Mr. Joseph Ardito, Property Management Coordinator, stated he had discussed the matter of Office space with the County Judge's staff, and the suggestion was made to use the H. A. Garcia Conference Room, temporarily, until the Offices relocate to the Dancy Building.

Commissioner Matz moved that the Property Management Coordinator's Office be relocated to the H. A. Garcia Conference Room, 4th Floor of the Administrative Building.

The motion was seconded by Commissioner Peña and carried unanimously.



**(16) ADOPTION OF RESOLUTION AUTHORIZING
THE SUBMISSION OF A CONTINUATION
GRANT APPLICATION TO THE GOVERNOR'S
OFFICE CRIMINAL JUSTICE DIVISION FOR
THE DISTRICT ATTORNEY'S ADJUDICATION
OF DRUG OFFENDERS (DRUG IMPACT COURT)**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Resolution authorizing the submission of a Continuation Grant Application to the Governor's Office Criminal Justice Division for the District Attorney's Adjudication of Drug Offenders (Drug Impact Court), was adopted.

The Resolution is as follows:

(17) **AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO SOLICIT QUOTES FOR APPRAISAL SERVICES FOR PROPERTY TO BE ACQUIRED FOR PROPOSED CAMERON PARK SUBDIVISION PARK FACILITIES**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Program Development and Management Department was authorized to solicit quotes for the Appraisal Services for the property to be acquired for the proposed Cameron Park Subdivision Park Facilities.

At this time, Mr. Doug Wright, Cameron County Counsel, suggested that the County Engineer be involved in the matters concerning property acquisition.



(18) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY HEALTH DEPARTMENT AND LORDA CORPORATION REAL ESTATE AND DEVELOPMENT, FOR RENTAL OF THE BUILDING TO HOUSE WOMEN'S, INFANT, AND CHILDREN (WIC) PROGRAM CLINIC**

At this time, Mr. Richard Durbin, Health Administrator, stated that terms of the renewal Contract for the rental of the Women's, Infant, and Children (WIC) Program Clinic in Port Isabel, Texas, remained the same, with the addition of a \$100.00 a month rental increase, said funds to be allocated through the WIC Grant.

Mr. Joseph Ardito, Property Management Coordinator, recommended that the Lease be accepted, subject to the deletion of one (1) paragraph in Section No. 15, in order to provide more flexibility for the County.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Contract between Cameron County Health Department and Lorda Corporation Real Estate and Development, for rental of the Building for the Women's, Infant, and Children (WIC) Program Clinic was approved, subject to said Building meeting all Code Requirements.

The Contract is as follows:

(19) APPROVAL OF THE AGREEMENT FOR HEALTH SERVICES BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

At this time, Mr. Richard Durbin, Health Administrator, explained that the Agreement provided services to the Indigent Health Care Program, said costs paid by the University of Texas Medical Branch at Galveston.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Agreement for Health Services between the Cameron County Health Department and the University of Texas Medical Branch at Galveston, was approved.

The Agreement is as follows:

(20) AUTHORIZATION TO ACCEPT THE GATEWAY INTERNATIONAL BRIDGE ROADWAY IMPROVEMENTS PROJECT, WITH THE ONE (1) YEAR MAINTENANCE SURETY BOND, AND TO RELEASE OF FINAL PAYMENT TO SWEEZY CONSTRUCTION INC.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Gateway International Bridge Roadway Improvements Project, with the One (1) Year Maintenance Surety Bond and Release of Final Payment to Sweezy Construction Incorporated, was accepted.

(21) APPROVAL OF PROMISSORY NOTE TO PAY CAMERON COUNTY FOR PROPERTY DAMAGE

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Promissory Note to pay Cameron County for Property Damages was approved.

The Promissory Note is as follows:

(22) APPOINTMENT OF JUDGE DARRELL B. HESTER, JUDGE, 197TH DISTRICT COURT, TO THE PERSONNEL INSURANCE COMMITTEE

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, Judge Darrell

B. Hester, 197th District Court, was appointed to serve on the Personnel Insurance Committee.

At this time, Judge Hinojosa expressed some concerns regarding the Health Insurance Contract and suggested that the Personnel Insurance Committee schedule a Workshop to discuss the Health benefits and provide recommendations.



(23) AUTHORIZATION TO ISSUE BEACH VENDOR PERMIT NO. 5 TO FRANCISCO TORRES DBA, EL REY DEL ELOTE, FOR MOBILE VENDING ON PUBLIC VEHICULAR BEACHES OF SOUTH PADRE ISLAND AND BOCA CHICA. VEHICLE-1976 CHEVROLET VAN, LICENSE NUMBER RR0212, VEHICLE IDENTIFICATION NUMBER CGL256U180399

At this time, Mr. Kenneth Conway, Parks System Director, stated that as directed by the Court, the Insurance Agency would notify the County Park's Office of any changes or cancellation of the Insurance Policy concerning the Mobile Vendors, and noted that the License Number changed from "RR0212" to "NP9256", due to the theft of the previous License Plate.

Mr. Doug Wright, County Counsel, stated that he has reviewed the Certificate of Liability and recommended the approval of the Beach Vendor Permit.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, Mr. Francisco Torres, DBA, El Rey Del Elote, was issued a Beach Vendor Permit No. 5, for Mobile Vending on the public vehicular beaches of South Padre Island and Boca Chica, that being a 1976 Chevrolet Van, License No. NP9256, Vehicle Identification Number CGL256U180399.



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 Matz and carried unanimously, the "Consent" Agenda Items were approved as follow:

(24) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:

- a) Executive Assistant to the County Judge to attend the "Texas Association of Counties Educational Program", February 8-9, 1996, in Austin, Texas;
- b) Financial Disruption Task Force Director to travel to Nebraska on January 23, 1996;
- c) High Intensive Drug Trafficking Area Director to attend an "Emergency South Texas High Intensive Drug Trafficking Area Executive Committee Meeting" on January 9, 1996;
- d) Two (2) Indigent Health Care employees to attend "Meeting on Changes to the Indigent Health Program", January 10, 1996, in McAllen, Texas;
- e) Three (3) Financial Disruption Task Force Officers, to travel to Tarrant County on an ongoing investigation on January 8-12, 1996;
- f) Major, Jail Administrator and Sergeant from the Sheriff's Department, to attend a "Public Agency Training Council Seminar", January 11-12, 1996 in San Antonio, Texas;
- g) Veterans' Assistant Officer to attend "Certification on Veterans's Assistant Policies Seminar", January 22-26, 1996, in Waco, Texas;
- h) Juvenile Officer to attend "TCA Southwest 1996 Annual Conference and Board Meeting" on February 10 - 13, 1996, in San Antonio, Texas; and

I) County Judge, Commissioners' Precinct No. 1, Precinct No. 3, Precinct No. 4, county Auditor, and Bridge Systems Director, to attend "Bond Rating on New Bridge System Bonds", January 17-20, 1996, in New York.

(25) AUTHORIZATION TO ADVERTISE FOR BIDS FOR ONE (1) PICK-UP TRUCK -SHERIFF'S DEPARTMENT

- 26) AUTHORIZATION TO OPEN BIDS FOR:**
- a) ANNUAL BIDS - LIGHT BULBS/BALLASTS;**
 - b) ANNUAL BIDS - PATROL TIRES;**
 - c) MOTOR GRADER - PRECINCT NO. 4**
 - d) PICK-UP AND FLAT-BED TRUCK (IN STOCK) - PARKS DEPARTMENT; and**
 - e) DUMP-TRUCKS (QUANTITY - 2)-PRECINCT No. 3.**

The Bids received and opened follow:

(26) AUTHORIZATION TO OPEN BIDS

a) ANNUAL BIDS - LIGHT BULBS/BALLAST

The Bids received and open are as follow:

(26) AUTHORIZATION TO OPEN BIDS

b) ANNUAL BIDS - PATROL TIRES

The Bids received and opened are as follow:

(26) AUTHORIZATION TO OPEN BIDS

c) MOTOR GRADER - PRECINCT NO. 4

The Bids received and opened are as follow:

(26) AUTHORIZATION TO OPEN BIDS

e) DUMP-TRUCKS (QUANTITY - 2) - PRECINCT NO. 3

The Bids received and opened are as follow:

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Peña 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