

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 19th day of MARCH, 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.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on March 14, 1996, at 4:32:

(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 Rosenbaum and carried as follows:

AYE: Commissioners Rosenbaum, Cascos, Matz, and Peña

NAY: None

ABSTAINED: Judge Hinojosa as to Warrant Nos. 8753 through 8770.

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

At this time, Judge Hinojosa noted that the position of Ms. Margarita Salazar, Personnel/Insurance Clerk, had been upgraded with additional duties.

The County Auditor recommended that the Personnel/Safety Director should inform all County Employees to utilize the Personnel/Benefits Specialist to obtain insurance information.

Commissioner Matz moved that the Fiscal Year 1996 Budget Amendment No. 96-08 and Salary Schedules for the Personnel/Safety Risk - Fund No. 10-402, and the Drug Forfeiture - County Sheriff - Fund No. 90-561, be approved.

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

AYE: Commissioners Rosenbaum, Matz, Peña, and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Cascos.

The Budget Amendment and Salary Schedules are as follow:

(3) APPROVAL OF THE MINUTES OF MARCH 5, 1996

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held March 5, 1996, at 1:30 P.M. were approved.



(4) ACTION ON REPORT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION REGARDING THE CAMERON COUNTY AIRPORT

Judge Hinojosa stated that he had received the following Memorandum dated February 23, 1996, concerning the deficiencies to the County Airport and questioned whether corrective actions had been undertaken to address those issues:

At this time, Mr. Bob Steenbock, Southwind Aviation, stated that the Report concerned deficiencies that had been identified as problems for a long time and added that there were State Matching Funds available in the amount of \$10,000.00 annually, for routine Airport maintenance and noted that the total amount for the repairs of the deficiencies would be \$33,000.00. He added that the deficiencies outlined in the Report could be prioritized and expedited in order to remain within the Budget.

Commissioner Matz moved that the Report for the Texas Department of Transportation regarding the Cameron County Airport be acknowledged and that the corrective action be taken as recommended by the State, up to the amount of \$10,000.00 with the matching amount of \$10,000.00, in compliance with the State Maintenance Program, said funding to be allocated from the Enterprise Fund.

The motion was seconded by Commissioner Peña and carried unanimously.

████████████████████

(5) **IN THE MATTER OF THE PROPOSAL FOR ENGINEERING STUDIES AND PROFESSIONAL SERVICES REQUIRED TO UPGRADE THE CAMERON COUNTY COURTHOUSE LIGHTING (TABLED)**

At this time, Judge Hinojosa stated that a Proposal had previously been presented to the Commissioners' Court that required an Engineering Study to redesign the lighting of the Courthouse, which would result in lowering the cost of electricity.

Commissioner Matz suggested that the Item be tabled until the mid-year Budget Review was performed.

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

████████████████████

(6) **AUTHORIZATION TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF PRIMERA**

Commissioner Matz moved that the Interlocal Agreement between Cameron County and the City of Primera be executed.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Agreement is as follows:

(7) **APPROVAL OF A NEW TITLE AND JOB
DESCRIPTION FOR THE
PERSONNEL/INSURANCE CLERK**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the new Title and Job Description for the Personnel/Insurance Clerk was approved.

The Job Description is as follows:

**(8) AUTHORIZATION TO SUBMIT APPLICATION
TO THE TEXAS DEPARTMENT OF HEALTH ON
THE PROPOSED GRANT**

At this time, Mr. Richard Durbin, Health Administrator, explained that said Application process was to advertise for bids to provide Personal Health Care Services, that being the "Title Five General Revenue Fund" for Women, Infants, and Children, and would be for a three (3) year period. He noted that the said Grant would provide the amount of \$991,000.00 per year, on a fee per service basis.

Commissioner Cascos moved that the "Part A" Application to the Texas Department of Health, on the Proposed Grant be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Application is as follows:

- (9) **IN THE MATTER FOR CAMERON COUNTY TO CONTRACT WITH RECOR IN SWEETWATER, TEXAS, TO PROVIDE SECURE LONG-TERM BOOT CAMP SERVICES FOR JUVENILE OFFENDERS FROM CAMERON COUNTY (TABLED) AND AUTHORIZATION TO AMEND THE CURRENT LONG-TERM REGULAR PLACEMENT CONTRACT**

CONTRACT WITH RECOR (TABLED)

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

AMEND CURRENT LONG-TERM REGULAR PLACEMENT CONTRACT

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Current Long-Term Regular Placement Contract was amended between Recor, Inc. and Cameron County subject to legal review on the dates of the Contract.



- (10) **AUTHORIZATION TO CONTINUE LEASING AN OFFICE AT THE BOCA CHICA TOWER FOR THE JUVENILE PROBATION DEPARTMENT'S SPECIAL PROGRAMS**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Agreement to continue leasing an Office at the Boca Chica Tower for the Juvenile Probation Department's Special Programs was approved, subject to the correction noted on Page No. 4.

The Agreement is as follows:

(11) AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO CONTRACT FOR INTENSIVE SUPERVISION SERVICES WITH SOUTHWEST KEY PROGRAM, INC.

Commissioner Rosenbaum moved that the Cameron County Juvenile Probation Department be authorized to Contract for Intensive Supervision Services with Southwest Key Program, Inc., Harlingen, Texas.

The motion was seconded by Commissioner Peña and carried unanimously.



(12) ACTION TO SELECT A PROJECT FOR THE 1996 TEXAS COMMUNITY DEVELOPMENT FUND

At this time, Judge Hinojosa stated that the Item had been discussed in the Workshop held March 19, 1996, at 11:00 A.M. and recommended that the Grant, in the amount of \$170,000.00, should be utilized for the Santa Rosa Area - Tierra Bonita, and the Olmito Water Supply Corporation Project, as an alternate selection.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Santa Rosa Area - Tierra Bonita Project, and the Olmito Water Supply Project, as an alternate, was selected for the 1996 Texas Community Development Fund.

At this time, Judge Hinojosa explained to the residents of Cameron Park in attendance, the situations regarding the Grant Applications for the Colonias and the method in which the Grants functioned. He stated that said Grant would be jeopardized if it was not utilized properly for water and sewer improvements.



(13) ACTION TO SELECT A PROJECT FOR THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA CONSTRUCTION FUND

Commissioner Rosenbaum moved that the Sunny Skies - Water and Sewer Project be selected for the 1996 Texas Community Development Program Colonia Construction Fund.

The motion was seconded by Commissioner Peña and carried unanimously.



(14) ACTION TO SELECT A PROJECT FOR THE 1996 TEXAS COLONIA PLANNING FUND AND/OR PLANNING AND CAPACITY BUILDING FUND

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Olmito Water Supply Corporation - Land Use Study Project was selected for the 1996 Texas Colonia Planning Fund, and the Green Valley Farms Right-of-Way and Utility Dedication Project was selected for the Planning and Capacity Building Fund.



(15) AUTHORIZATION TO AWARD CONTRACT FOR DRAINAGE IMPROVEMENTS TO CUBCO CONSTRUCTION, INC., AND APPROVAL OF CHANGE ORDER NO. 1, PURSUANT TO THE COUNTY'S CAMERON PARK COLONIA CONSTRUCTION FUND

Commissioner Matz moved that the Contract for Drainage Improvements be awarded to Cubco Construction, Inc., Brownsville, Texas, and that the Change Order No. 1, pursuant to the County's Cameron Park Colonia Construction Fund, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Contract and Change Order are as follow:

(16) AUTHORIZATION TO CONTRACT FOR ARCHITECTURAL SERVICES TO PREPARE THE APPLICATION FOR A JUVENILE BOOT CAMP CORRECTIONAL FACILITY LOCATED ADJACENT TO THE TEXAS NATIONAL GUARD ARMORY IN SAN BENITO

At this time, Mr. Michael Martin, County Engineer, stated that four (4) Architectural firms had responded to the Request for Proposals and recommended that the Firm of Croslin and Associates be selected to prepare the Application, since the firm had a set database, and suggested that once the Project was funded, all four (4) Firms should be interviewed and considered for the final design.

Judge Hinojosa expressed some concern regarding the Firms being interviewed for the final design just prior to the September 1, 1996, deadline for the Alternative School and stated that the Superintendents of the local schools were currently drafting the proposals for the funding of the school.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Contract for Architectural Services with the Firm of Croslin and Associates, Austin, Texas, was approved to prepare the Application for a Juvenile Boot Camp Correctional Facility located adjacent to the Texas National Guard Armory in San Benito.

The Contract is as follows:

(17) AUTHORIZATION TO APPOINT MR. ROBERT YBARRA TO THE CAMERON COUNTY CHILD WELFARE BOARD

Commissioner Cascos moved that Mr. Robert Ybarra, Brownsville, Texas, be appointed to the Cameron County Child Welfare Board.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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

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

- a) Three (3) Health Department Employees to attend "Training Seminar on Integrated Client Encounter System (ICES) Program" on March 20-22, 1996, in Beaumont, Texas;
- b) Two (2) Health Department employees to evaluate and discuss "Purchase of a Mobile Unit to provide Women's, Infants, and Children (WIC) Services in Colonias" on March 24-26, 1996, in Austin, Texas;
- c) County Judge and Commissioners to attend the "South Texas County Judges' and Commissioners' Association" on June 24-27, 1996, in Kerrville, Texas;
- d) Chief Juvenile Probation Officer to attend the "Texas Probation Association 1996 Annual Conference and Board Meeting" on March 30, 1996, through April 3, 1996, in Montgomery, Texas;
- e) Four (4) Juvenile Probation Officers to attend the "Texas Probation Association 1996 Annual Conference" on March 31, 1996, through April 3, 1996, in Montgomery, Texas;
- f) Tax Assessor-Collector and Chief Deputies to attend the "Personnel Management Course" on March 31, 1996, through April 4, 1996, in Austin, Texas;

- g) Chief Deputy of Administration (TAX) to attend the "Board of Tax Professional Examiners Education Seminar with Examination" on March 27-28, 1996, in Dallas, Texas; and
- h) Personnel/Safety Risk Director and Personnel Insurance Clerk to attend the "Equal Employment Opportunity Technical Workshop" on March 17-19, 1996, in Houston, Texas.

(19) AUTHORIZATION TO AWARD BIDS

a) ANNUAL BIDS - ROAD SURFACING MATERIALS

VULCAN MATERIALS - San Antonio, Texas
Limestone Rock Asphalt (Class "A")

Item	Description	Cost
1)	Type "CC"	\$14.00
2)	Type "D"	\$14.00

KEY MATERIALS - Mercedes, Texas
Hot Mix-Cold Laid Asphaltic Concrete Type "D"

a)	Zone 1	\$26.75
b)	Zone 2	\$27.10
c)	Zone 3	\$27.65
d)	Zone 4	\$26.95
e)	Zone 5	\$27.95

FRONTERA MATERIALS - Weslaco, Texas
Hot Mix Asphaltic Concrete

a)	Zone 1	\$25.69
b)	Zone 2	\$25.69
c)	Zone 3	\$25.03
d)	Zone 4	\$24.66
e)	Zone 5	\$24.66

VULCAN MATERIALS - San Antonio, Texas
Limestone Rock Asphalt (Class A)

a)	Pct. Nos. 1 and 2 warehouse	\$45.05
b)	Pct. No. 3 warehouse	\$43.38
c)	Pct. No. 4 warehouse	\$42.12
d)	Zone 1	\$42.12
e)	Zone 2	\$43.38
f)	Zone 3	\$43.38
g)	Zone 4	\$45.05
h)	Zone 5	\$47.14

Limestone Rock Asphalt (Type D)

a)	Pct, Nos. 1 and 2 warehouse	\$45.05
b)	Pct. No. 3 warehouse	\$43.38
c)	Pct. No. 4 warehouse	\$42.12

d)	Zone 1	\$42.12
e)	Zone 2	\$43.38
f)	Zone 3	\$43.38
g)	Zone 4	\$45.05
h)	Zone 5	\$47.14

Aggregate for Surface Treatments (Type P.E. Grade 3)

a)	Zone 1	\$39.12
b)	Zone 2	\$40.38
c)	Zone 3	\$40.38
d)	Zone 4	\$42.05
e)	Zone 5	\$43.14

Aggregate for Surface Treatments (Type P.E. Grade 4)

a)	Zone 1	\$39.12
b)	Zone 2	\$40.38
c)	Zone 3	\$40.38
d)	Zone 4	\$42.05
e)	Zone 5	\$43.14

Aggregate for Surface Treatments (Type P.E. Grade 5)

a)	Zone 1	\$39.12
b)	Zone 2	\$40.38
c)	Zone 3	\$40.38
d)	Zone 4	\$42.05
e)	Zone 5	\$43.14

FRONTERA MATERIALS - Weslaco, Texas

Aggregate for Surface Treatments (Type P.B. Grade 3)

a)	Zone 1	\$26.39
b)	Zone 2	\$26.39
c)	Zone 3	\$25.83
d)	Zone 4	\$25.46
e)	Zone 5	\$25.46

Aggregate for Surface Treatments (Type P.B. Grade 4)

a)	Zone 1	\$26.39
b)	Zone 2	\$26.39
c)	Zone 3	\$25.83
d)	Zone 4	\$25.46
e)	Zone 5	\$25.46

Aggregate for Surface Treatments (Type P.B. Grade 5)

a)	Zone 1	\$26.39
b)	Zone 2	\$26.39
c)	Zone 3	\$25.83
d)	Zone 4	\$25.46
e)	Zone 5	\$25.46

- b) **PICK-UPS: (ONE (1) SHERIFF'S DEPARTMENT - IN STOCK) (ONE (1) PARK'S DEPARTMENT)**
BOGGUS FORD - Harlingen, Texas
Compact Pick-Up - Parks - with Trade - \$8,307.00

ORANGE FORD - Orange, Texas
Pick-Up Sheriff - In Stock - with Trade - \$4,318.50

(20) PRELIMINARY AND FINAL APPROVAL

- a) **Precinct No. 4**
Borjas Subdivision - being a subdivision of a 5.353 acre tract, being all of Lots Nos. 113, 114, and 115, of Adams Garden Subdivision "B".

(21) FINAL APPROVAL

- a) **Precinct No. 4**
Hidden Lake Subdivision - being a resubdivision of the West 17.68 acres, out of Block No. 15, Stuart Place Subdivision, Survey No. 139; and
- b) **Precinct No. 1**
GT Estates - being 14.09 acres out of Lot No. 7, Block No. 110, El Jardin Resubdivision.

(22) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:20 P.M. to discuss the following matters:

- a) Confer with County Counsel to authorize additional expenses for FM/1419 Project, on document preparation for Parcel No. 066; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Confer with County Counsel to advise status of the case and discuss settlement regarding the case styled Maria Longoria, ET AL vs. County, B-9465, in the United States District Court for the Southern District of Texas, Brownsville Division; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A) and (B);
- c) Confer with County Counsel to discuss case and authorization to hire Counsel, regarding the case styled Mary Lou Munivez vs. Luis Saenz, B-96-032, in the United States District Court for the Southern District of Texas, Brownsville Division; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- d) Confer with County Counsel to review easement regarding Southern Union Company; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and

- e) Confer with County Counsel concerning the possible staffing of the Rio Hondo Tax Office; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 2:55 P.M.

(23) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel to authorize additional expenses for FM/1419 Project, on document preparation for Parcel No. 066.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the additional expenses be approved as recommended by the County Engineer's Office and that the County Engineer should proceed along the terms and conditions as outlined in Executive Session regarding said matter.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the additional expenses for the FM/1419 Project, were approved regarding the document preparation for Parcel No. 066, as recommended by the County Engineer's Office, and the County Engineer was directed to proceed along the terms and conditions as outlined in Executive Session.

- b) Confer with County Counsel to advise status of the case and discuss settlement regarding the case styled Maria Longoria, et al vs. County, B-9465, in the United State District Court for the Southern District of Texas, Brownsville Division.

Judge Hinojosa reported that after some discussion, it was the consensus of the Court as determined by polling, that the Status Report by County Counsel should be acknowledged and that County Counsel should proceed along the terms and conditions as outlined in Executive Session.

Commissioner Rosenbaum moved that the Status Report regarding the case styled Maria Longoria, et al vs. County, B-9465, in the United States District Court for the Southern District of Texas, Brownsville Division, be acknowledged, and that County Counsel be directed to proceed along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Matz and carried unanimously.

- c) Confer with County Counsel to discuss case and authorization to hire Counsel, regarding the case styled Mary Lou Munivez vs. Luis Saenz, B-96-032, in the United States District Court for the Southern District of Texas, Brownsville Division.

Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that outside counsel should be retained, that being Albert Lopez, San Antonio, Texas, for the case, and should proceed along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, Mr. Albert Lopez, San Antonio, Texas, was retained to handle the case styled Mary Lou Munivez vs. Luis Saenz, B-96-032, in the United States District Court for the Southern District of Texas, Brownsville Division, and to proceed along the terms and conditions as outlined in Executive Session.

The Agreement is as follows:

- d) Confer with County Counsel to review easement regarding Southern Union Company.

Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed with easement regarding Southern Union Company, subject to the changes as described in the Lease, and to proceed along the terms and conditions as outlined in Executive Session.

Commissioner Cascos moved that County Counsel be directed to proceed with the easement regarding Southern Union Company, subject to the changes as described in the Lease, and to proceed along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Confer with County Counsel concerning the possible staffing of the Rio Hondo Tax Office.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the Personnel Officer should proceed along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Personnel Officer was directed to proceed along the terms and conditions as outlined in Executive Session regarding the possible staffing of the Rio Hondo Tax Office.



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



APPROVED this **26th** day of **March, 1996**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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