

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 26th 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 21, 1996, at 4:15:

SUPPLEMENTAL AGENDA

(1) **ADOPTION OF A RESOLUTION HONORING
THE 1996 STATE CHAMPIONSHIP CHESS TEAM
FROM RUSSELL ELEMENTARY SCHOOL,
BROWNSVILLE, TEXAS**

At this time, Judge Hinojosa presented the Resolution honoring the 1996 State Chess Team from Russell Elementary School, Brownsville, Texas, and recognized the following four (4) top scoring participants:

Master Joseph Molina, Russell Elementary School,
Master Alfred Molina, Russell Elementary School,
Master Jorge Cano, Russell Elementary School, and
Master Cameron Koehorst, Russell Elementary School.

At this time, Mr. J.J. Guajardo, Russell Elementary School Chess Sponsor, expressed gratitude to the Court and highlighted the accomplishments of the participating schools.

The Resolution is as follows:

(1) APPROVAL OF COUNTY CLAIMS

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as presented by the County Auditor, subject to the clarification regarding Warrant No. 9439.



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

The County Auditor reported that there were no Budget Amendments and/or Salary Schedules for approval at this time.



(3) APPROVAL OF THE MINUTES OF MARCH 12, 1996

At this time, Commissioner Matz recommended that the Budget Officer's Comments be placed as an Agenda Item, in order to address an administrative problem and added that the Report was useful as background information to the Agenda Items.

The County Auditor suggested that the Budget Officer's Comments be included in the Minutes if specific reference was made by the Court during the Meetings.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes of the Regular Meeting held March 12, 1996, at 1:30 P.M., were approved.



(4) PRESENTATION OF NON-SALARY/NON-CAPITAL OUTLAY BUDGET COMPARED WITH EXPENDITURES AND ENCUMBRANCES AS OF FEBRUARY 29, 1996

At this time, Mr. Mark Yates, County Auditor, reported that the Mid-Year Budget Report was near completion and that the Departments were advised to submit their revenues in order to determine the status of the Budget. He noted two (2) areas which were over Budgeted, that being County Court at Law No. 2 and the Elections Administration, and added that the suggestion was made to have County Court a Law No. 2 contract the Court Appointed Attorneys for the next six (6) months.

Judge Hinojosa questioned the status of the Liability Insurance issue, and the County Auditor responded that a listing of Board Members and their terms and responsibilities was pending from the County Judge's Office to complete the Report. He recommended that Annual Board Meetings be scheduled to discuss Reports from the various Boards and to determine their active status.

Commissioner Matz moved that the presentation of Non-Salary/Non-Capital Outlay Budget, compared with Expenditures and Encumbrances as of February 29, 1996, be acknowledged.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Report is as follows:

**(5) APPROVAL OF INTERLOCAL AGREEMENTS
BETWEEN CAMERON COUNTY AND LOS
FRESNOS, RIO HONDO, AND SAN BENITO
SCHOOL DISTRICTS FOR THE ABSENT
STUDENT ASSISTANCE PROGRAM (ASAP)**

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, stated that the Travis County Interlocal Agreement was utilized and modified to create the Agreement for Cameron County and noted that there was a change under the Compensation Payment Schedule.

There was some discussion as to the terms of compensation, since the Constables received a car allowance and the suggestion was made to bill for mileage.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Interlocal Agreements between Cameron County and Los Fresnos, Rio Hondo, and San Benito School Districts, for the Absent Student Assistance Program (ASAP), were approved, subject to legal review.

The Agreements are as follow:

(6) ADOPTION ON RESOLUTION OPPOSING THE SITING OF A LOW-LEVEL RADIOACTIVE WASTE DUMP IN WEST TEXAS WITHIN SIXTEEN (16) MILES OF THE RIO GRANDE RIVER

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution opposing the Siting of a Low-Level Radioactive Waste Dump in West Texas, within sixteen (16) miles of the Rio Grande River, was adopted.

The Agreement is as follows:

(7) **APPROVAL OF ARCHITECTURAL AGREEMENT WITH KELL MUÑOZ WIGODSKY, INC. FOR PROJECT COORDINATION AND THE DESIGN OF THE LOS TOMATES BRIDGE COUNTY TOLL FACILITIES AND ADMINISTRATION BUILDINGS**

Commissioner Matz moved that the Architectural Agreement with Kell Muñoz Wigodsky, Inc., San Antonio, Texas, for the Project Coordination and the Design of the Los Tomates Bridge County Toll Facilities and Administration Buildings, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Agreement is as follows:

(8) APPROVAL OF AGREEMENTS BETWEEN CAMERON COUNTY HEALTH DEPARTMENT AND CITIES OF BROWNSVILLE, SAN BENITO, HARLINGEN, LOS FRESNOS, PORT ISABEL, RIO HONDO, LA FERIA, LOS INDIOS, SANTA ROSA, PRIMERA, AND COMBES, FOR THE PROVISION OF SANITATION SERVICES

At this time, Mr. Ray Rodriguez, Health Department, stated that an Audit was performed regarding the Septic Permits in Cameron County, and three (3) deficiencies were reported, and noted that the State recommended implementing the Contracts.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Agreements between the Cameron County Health Department and the Cities of Brownsville, San Benito, Harlingen, Los Fresnos, Port Isabel, Rio Hondo, La Feria, Los Indios, Santa Rosa, Primera, and Combes, were approved for the provision of Sanitation Services.



(9) ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA PLANNING FUND, ON BEHALF OF THE GREEN VALLEY FARMS SUBDIVISION AND AUTHORIZING THE COUNTY JUDGE TO ACT IN ALL MATTERS PERTAINING TO SAID APPLICATION

(10) ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM COMMUNITY DEVELOPMENT FUND ON BEHALF OF THE OLMITO WATER SUPPLY CORPORATION AND AUTHORIZING THE COUNTY JUDGE TO ACT IN ALL MATTERS PERTAINING TO SAID APPLICATION

(11) ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA CONSTRUCTION FUND ON BEHALF OF THE SUNNY SKIES COLONIA AND AUTHORIZING THE COUNTY JUDGE TO ACT IN ALL MATTERS PERTAINING TO SAID APPLICATION

(12) ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM PLANNING AND CAPACITY BUILDING FUND ON BEHALF OF THE OLMITO WATER SUPPLY CORPORATION AND AUTHORIZING THE COUNTY JUDGE TO ACT IN ALL MATTERS PERTAINING TO SAID APPLICATION

There was some discussion regarding problems coordinating the Tierra Bonita Project and the suggestion was made to have Precinct No. 4 apply for the Community Development Discretionary Funds the following year, and Commissioner Peña agreed to the terms, and requested Counsel assistance in order to service the Santa Rosa area.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously the Resolution authorizing the Submission of the following Applications to the 1996 Texas Community Development Programs were adopted, and the County Judge was authorized to act in all matters pertaining to said Applications:

Colonia Planning Fund - Green Valley Farms
Community Development Fund - Olmito Water Supply Corporation
Colonia Construction Fund - Sunny Skies Colonia
Planning and Capacity Building Fund - Olmito Water Supply Corporation.

The Resolutions are as follow:

(13) **IN THE MATTER OF THE RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE 1996 TEXAS COMMUNITY DEVELOPMENT PROGRAM COMMUNITY DEVELOPMENT FUND, ON BEHALF OF THE TIERRA BONITA SUBDIVISION AND AUTHORIZING THE COUNTY JUDGE TO ACT IN ALL MATTERS PERTAINING TO SAID APPLICATION (TABLED)**

Commissioner Matz moved that this Item be **TABLED**.

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

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

NAY: None

ABSTAINED: Commissioner Peña.

(14) **AUTHORIZATION TO ISSUE MOBILE BEACH VENDING PERMIT TO JUAN JOSE MORA, DBA, BAY AREA TOWING**

Commissioner Matz moved that Mr. Juan Jose Mora doing business as, Bay Area Towing, be issued a Mobile Beach Vending Permit.

The motion was seconded by Commissioner Peña and carried unanimously.

(15) **APPROVAL OF APPLICATION FOR STATE ASSISTANCE IN CLEANING AND MAINTAINING PUBLIC BEACHES FOR FISCAL YEAR 1996**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Application for State Assistance in cleaning and maintaining Public Beaches for Fiscal Year 1996, was approved.

The Application is as follows:

**(16) IN THE MATTER OF A PART-TIME CLERK
POSITION FOR THE BAIL BOND
ADMINISTRATION OFFICE (TABLED)**

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

At this time, Judge Hinojosa stated that the Bail Bond issue needed to be monitored closely, in order to have control over the funds and recommended a Meeting be scheduled with Judge Roy Valdez, Chief Administrative Judge, to plan for future funding.

Commissioner Cascos suggested that a Workshop be scheduled to discuss the matter and requested an itemized list of the forfeitures and final judgements.

**(17) AUTHORIZATION FOR CAMERON COUNTY TO
CONTRACT WITH RECOR IN SWEETWATER,
TEXAS, TO PROVIDE SECURE LONG-TERM
BOOT CAMP SERVICES FOR JUVENILE
OFFENDERS FORM CAMERON COUNTY**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Contract between Cameron County and Recor, Sweetwater, Texas, to provide secure Long-Term Boot Camp Services for Juvenile Offenders from Cameron County was approved.

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 Rosenbaum and carried unanimously, the "Consent" Agenda Items were approved as follow, subject to readvertisement and rebidding on Item No. 19a:

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

- a) Assistant Chief Juvenile Probation Officer to attend the "Texas Juvenile Probation Advisory Council Meeting" on April 11, 1996, in Austin, Texas;

- b) County Extension Officer to attend the "4-H Leadership Planning Meeting" on March 23, 1996, in Falfurrias, Texas; and
- c) County Judge and Bridge System Director to meet with the "United States Department of Commerce Economic Development Administration" on April 1, 1996, in Austin, Texas.

(19) AUTHORIZATION TO OPEN BIDS

- a) **IN THE MATTER OF THE OLMITO WATER SUPPLY CORPORATION WATER PLAN IMPROVEMENTS (REJECT AND REBID)**
- b) **WATER TRUCK WITHOUT TANK**
- c) **DUMP TRUCK (NEW) 12-14 C.Y.**
- d) **DUMP TRUCK (USED)**
- e) **TRAILER H/D TILT (USED)**

The Bids received and opened follow:

(20) FINAL APPROVAL

- a) **Precinct No. 4**
Flying "W" Subdivision - being a resubdivision of 25.45 acres of land, of Block No. 9, Dougherty and Pailet Subdivision, of Survey No. 243; and
- b) **Precinct No. 4**
El Valle Estates No. 2 - being a resubdivision of all of Lot No. 4, El Valle Estates Subdivision.



(19) AUTHORIZATION TO OPEN BIDS

b) WATER TRUCK WITHOUT TANK

The Bids received and opened follow:

(19) AUTHORIZATION TO OPEN BIDS

c) DUMP TRUCK (NEW) 12-14 C.Y.

The Bids received and opened follow:

(19) AUTHORIZATION TO OPEN BIDS

d) DUMP TRUCK (USED)

The Bids received and opened follow:

- (19) **AUTHORIZATION TO OPEN BIDS**
 - e) **TRAILER H/D TILT (USED)**
- The Bids received and opened follow:**

(22) EXECUTIVE SESSION

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

- a) Confer with County Counsel regarding the revised proposal for the property located at Sea Ranch Marina, Isla Blanca Park, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- b) Confer with County Counsel regarding the property located at San Benito Land and Water Company, Block No. 73, Lot No. 2; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).



(23) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel regarding the revised proposal for the property located at Sea Ranch Marina, Isla Blanca Park, Cameron County, Texas; and
- b) Confer with County Counsel regarding property located at San Benito Land and Water Company, Block No. 73, Lot No. 2.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion it was the consensus of the Court as determined by polling, that the revised proposal for the property located at Sea Ranch Marina, Isla Blanca Park, Cameron County, Texas, and the property located at the San Benito Land and Water Company, Block No. 73, Lot No. 2, should be acknowledged.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Revised Property Proposal for the Sea Ranch Marina, Isla Blanca Park, Cameron County, Texas, and the San Benito Land and Water Company, Block No. 73, Lot No. 2, were acknowledged, and County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session.



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 **2nd** day of **April, 1996**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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