

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of **MAY, 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 Commissioner Cascos to lead the Court and the audience in reciting the Pledge of Allegiance, and Pastor Van Vaughn, Church of the Good Shepherd, Brownsville, for the invocation.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on May 10, 1996, at 2:06 P.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented the following late claims for approval:

Warrant No. 13210 - Cameron County Jury Fund - \$5,583.00;

Warrant No. 13211 - Croslin and Associates - \$4,441.69;

Warrant No. 13212 - Redland Stone Products - \$8,957.66; and

Warrant No. 13213 - Redland Stone Products - \$7,671.03.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the late claims as to Warrant No. 13210, in the amount of \$5,583.00, Warrant No. 13211, in the amount of \$4,441.69, Warrant No. 13212, in the amount of \$8,957.66, and Warrant No. 13213, in the amount \$7,671.03.

The Budget Officer's Comments Report is as follows:

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

Commissioner Rosenbaum moved that the Fiscal Year 1996 Budget Amendment No. 96-11, and the following Salary Schedules, be approved:

Treatment Alternative to Incarceration Program (T.A.I.P.) - Fund No. 94-576,

County Attorney - Fund No. 10-475, and

County Commissioners - Fund No. 10-410.

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendment and Salary Schedules are as follow:

(3) APPROVAL OF THE MINUTES OF MAY 7, 1996

Commissioner Matz moved that the Minutes of the Regular Meeting held May 7, 1996, at 1:30 P.M., be approved.

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

AYE: Commissioners Rosenbaum, Matz, and Peña

NAY: None

ABSTAINED: Commissioner Cascos.

**(4) ADOPTION OF A RESOLUTION SUPPORTING
THE DISABLED AMERICAN
VETERANS/VETERANS ADMINISTRATION
VOLUNTEER TRANSPORTATION NETWORK
FOR CAMERON AND WILLACY COUNTIES**

Commissioner Rosenbaum moved that the Resolution supporting the Disabled American Veterans/Veterans Administration Volunteer Transportation Network be adopted for Cameron and Willacy Counties.

The motion was seconded by Commissioner Peña and carried unanimously.

The Resolution is as follows:

**(5) ADOPTION OF A PROCLAMATION
DECLARING THE WEEK OF MAY 19-25, 1996,
AS HURRICANE AWARENESS WEEK IN
CAMERON COUNTY**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Proclamation, declaring the week of May 19-25, 1996, as Hurricane Awareness Week in Cameron County, was adopted.

The Proclamation is as follows:

**(6) PRESENTATION OF THE SECOND QUARTER
REPORT ON THE INTERNATIONAL BRIDGE
SYSTEM-GATEWAY INTERNATIONAL BRIDGE
AND FREE TRADE BRIDGE**

At this time, Mr. Joe Galvan, Bridge System Director, highlighted the Second Quarterly Report regarding the Cameron County International Bridge System, that being the Gateway International Bridge at Brownsville and the Free Trade Bridge at Los Indios.

There was some discussion concerning the status of the 509 Project and Judge Hinojosa recommended that a meeting be scheduled with the City of Brownsville and representatives of Tamaulipas, Mexico, to discuss said Project and suggested that the opening of the 509 Project to the Free Trade Bridge be publicized in order to increase crossing revenues.

Commissioner Cascos moved that the Presentation of the Second Quarterly Report on the International Bridge System - Gateway International Bridge and Free Trade Bridge, be acknowledged.

The motion was seconded by Commissioner Matz and carried unanimously.

The Reports are as follow:

(7) **IN THE MATTER OF THE POLICY AND PROCEDURES FOR APPOINTMENTS TO THE TROPICAL TEXAS CENTER FOR MENTAL HEALTH AND MENTAL RETARDATION (TABLED)**

At this time, Judge Hinojosa suggested that this Item be tabled in order for the Policy Procedures to be submitted and reviewed by the Policy Committee.

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



(8) **ACKNOWLEDGMENT OF CERTIFICATE OF COMPLETION CONTINUING EDUCATION PROVISION FOR COMMISSIONER HECTOR PEÑA**

Commissioner Peña moved that the Certificate of Completion Continuing Education Provision for Commissioner Hector Peña be acknowledged.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Certificate is as follows:

(9) APPROVAL TO HIRE A MOTOR GRADER OPERATOR AND TWO (2) ROAD AND BRIDGE TECHNICIANS TO FILL VACANT POSITIONS

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, a Motor Grader Operator and two (2) Road and Bridge Technicians were retained to fill the vacant positions in Precinct No. 4.

(10) APPROVAL TO REFUND TAXES TO MR. JORGE DE LOS REYES IN THE AMOUNT OF \$521.97

(11) APPROVAL TO REFUND TAXES TO CAPRICITOS FARM IN THE AMOUNT OF \$521.97

Commissioner Cascos moved that the Taxes be refunded to Mr. Jorge De Los Reyes, Brownsville, Texas, in the amount of \$2,741.42, and to Capricitos Farm, Harlingen, Texas, in the amount of \$521.97.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(12) APPROVAL OF THE CONTRACT BETWEEN CAMERON COUNTY AND VALLEY PROUD ENVIRONMENTAL COUNCIL FOR ALL "VALLEY RECYCLING DAY", "DUNES DAY" AND "TIRE AMNESTY DAY"

Commissioner Cascos moved that the Contract between Cameron County and the Valley Proud Environmental Council, be approved for the "Valley Recycling Day", the "Dunes Day", and the "Tire Amnesty Day".

The motion was seconded by Commissioner Matz and carried unanimously.

The Contract is as follows:

**(13) APPROVAL OF A RESERVE DEPUTY
CONSTABLE FOR PRECINCT NO. 7**

At this time, Ms. Margarita Salazar, Health Benefits Specialist, stated that the Reserve Deputy Constable would replace a Reserve Deputy that was approved by the Court on December 22, 1995, for Precinct No. 7, and noted that the Bond and the appropriate requirements were on file in the Personnel Department.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the appointment of Mr. David S. Longoria, Reserve Deputy Constable, was approved for Precinct No. 7.

The Bond is as follows:

(14) **IN THE MATTER OF THE CONTRACT WITH STORAGE DEPOT TO LEASE WAREHOUSE SPACE FOR THE STORAGE OF RECORDS AND OTHER RELATED USES (TABLED)**

At this time, Ms. Grace Salinas, Assistant Administrator, stated that there were approximately 1,600 boxes of records that needed to be removed from the Old Courthouse and noted that the storage at the Armory Guard was limited to three (3) office spaces. She suggested that the files be stored in a centralized area and added that the District Clerk's Office was examining the possibility of microfilming the records in order to eliminate the problem. Ms. Salinas reported that Storage Depot, Brownsville, Texas, had the best location and price for storage and she recommended that the files be stored in said facility, in order to avoid any damages to the files.

Judge Hinojosa suggested that the District Clerk's Office submit a Proposal on the microfilming of the files as soon as possible, in order to determine whether a storage facility was needed to store the files and to determine the funding source for the Project.

Mr. Doug Wright, Cameron County Counsel, reported that County Counsel and the Property Management Coordinator were not in agreement with the legal terms and conditions of the document and the suggestion was made to Table the Item.

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

At this time, Ms. Aurora De La Garza, District Clerk, stated that a Proposal would be submitted to the Commissioners' Court in two (2) weeks regarding the microfilming of the files.

There was some discussion regarding the scanning of the Voting Ballots as opposed to utilizing Voting Machines for Elections, which would allow the currently utilized warehouse space to store said files and the County Auditor reported that the it would cost the County the amount of \$125,00.00 to purchase the scanners to service all the Precincts in the County.

Judge Hinojosa stated that the Proposal for the scanners would pay for itself over a period of time and noted that a meeting was scheduled with the Elections Commission concerning the scanning of the Voting Ballots.



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 Rosenbaum, seconded by Commissioner Peña and carried unanimously, the "Consent" Agenda Items were approved as follow, subject to funds in their Budget:

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

- a) Sheriff's Dispatcher to attend the "Tele-Type Training Instructor's Course" in Austin, Texas, on May 20-24, 1996;
- b) Tax Assessor Collector and Chief Deputy to attend the "Instructor Training Course" in Austin, Texas, on June 23-27, 1996;
- c) County Clerk Chief Administrator and Deputy Clerk to view the "Collections Program" in Dallas, Texas, on May 8-9, 1996;
- d) County Court at Law No. 2 Judge and Court Administrator to attend the "Collections Program" in Dallas, Texas, on May 8-9, 1996;
- e) County Historical Commissioner Chairman and Secretary to attend the "1996 Annual Historic Conference" in Amarillo, Texas, on May 2-4, 1996;
- f) Deputy Constable Precinct No. 4 to attend the "Civil Process Seminar" in Houston, Texas, on May 7-10, 1996;
- g) Deputy Constable Precinct No. 5 to attend the "Civil Process Seminar" in Houston, Texas, on May 7-10, 1996;
- h) Deputy Constable Precinct No. 8 to attend the "Civil Process Seminar" in Houston, Texas, on May 7-10, 1996;
- I) Three (3) Texas A&M Extension Family Consumer Service Agents (FCS) to attend the "Family Consumer Service Meeting" in Laredo, Texas, on May 13-15, 1996;
- j) Property Management Coordinator to preview and familiarize with the "Procedures of Heard, Goggan, Blair, and Williams' Main Office" in San Antonio, Texas, on June 7, 1996;
- k) Justice of the Peace Precinct No. 6, Place No. 1, and two (2) clerks to attend the "1996 State Justice of the Peace and Constable Convention" in South Padre Island, Texas, on June 5-8, 1996;

- l) Commissioner Precinct No. 3 to attend the "Texas Natural Resource Conservation Commissioner Meeting" in Austin, Texas, on June 13-14, 1996;
- m) Four (4) Juvenile Probation Officers to attend the "Texas Corrections Association 1996 Annual Conference" in Corpus Christi, Texas, on June 9-12, 1996;
- n) Chief Juvenile Probation Officer to attend the "Boot Camp Proposal for Cameron County" in Austin, Texas, on June 6-7, 1996; and
- o) Chief Juvenile Probation Officer to attend the "Texas Corrections Association 1996 Annual Conference" in Corpus Christi, Texas, on June 8-12, 1996.



(16) AUTHORIZATION TO AWARD BIDS

- a) **AIR CONDITIONER UNITS - (QTY - 3) INSTALLED
(MAINTENANCE - DETENTION NO. 1)**

CONTRACT SERVICES AND SUPPLY - South Padre Island, Texas
Air Conditioner - 15 ton (quantity-3) and labor - \$25,007.78

(17) AUTHORIZATION TO OPEN BIDS

- a) **LOS CUATES SUBDIVISION WASTE WATER PROJECT**
- b) **FREE TRADE BRIDGE AT LOS INDIOS - BRIDGE IMPROVEMENT**

The Bids received and opened follow:

(18) APPROVAL OF "SOLE" SOURCE ITEM PURCHASE OF MEDICAL SUPPLIES

HARTMAN MEDICAL - Plano, Texas



(17) AUTHORIZATION TO OPEN BIDS

**a) LOS CUATES SUBDIVISION WASTE
WATER PROJECT**

The Bids received and opened follow:

(17) AUTHORIZATION TO OPEN BIDS

- a) FREE TRADE BRIDGE AT LOS
INDIOS - BRIDGE IMPROVEMENT**

The Bids received and opened follow:

At this time, Commissioner Matz stated that the Texas Association of Counties (TAC) was scheduled to meet with the County Commissioners of Cameron, Hidalgo, and Willacy, on June 11, 1996, to discuss the Legislative Agenda and other critical issues and the suggestion was made to schedule the Meeting as a Workshop.

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(19) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:15 P.M. to discuss the following matters:

- a) Confer with County Counsel on issues associated with Retroactive Compensation for County employees; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).
- b) Confer with County Counsel concerning possible litigation involving Cole Tract Subdivision, Block Nos. 15 and 16 - Tract No. 6; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1&2);
- c) Discuss new case and authorize representation for Sheriff Alex Perez and Major Gus Reyna regarding the case styled Antonio Escobar vs. County B-95-143, 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(A);
- d) Confer with County Counsel regarding the possible sale of the Brownsville Original Townsite, Front Northwest 39.25 X 60.47, Lot No. 4, Block No. 110; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- e) Confer with County Counsel for deliberation of personnel matters regarding Olga Cisneros, Case Management Worker of the Child Welfare Department; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(A)(1&2).

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 3:30 P.M.

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(20) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel on issues associated with Retroactive Compensation for County employees.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that the Salary Increase for the County employees should be effective upon the pay period as of the date approved by the Commissioners' Court.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Salary Increase was effective upon the pay period as of the date approved by the Commissioners' Court, noting that the Salary

Increase would not be retroactive to November, 1995, and County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session.

- b) Confer with County Counsel concerning possible litigation involving Cole Tract Subdivision, Block Nos. 15 and 16, Tract No. 6.

The County Attorney reported that after some discussion, it was the consensus of the Court as determined by polling, that the Report of Counsel should be acknowledged and that a letter should be sent to notify all the Real Estate Agencies, the Banking Institutions, and other entities affected by the transactions regarding said matter.

Commissioner Peña moved that the Report of County Counsel be acknowledged and that a letter be drafted to notify all the Real Estate Agencies, the Banking Institutions, and other entities affected by the transactions and regarding the possible litigation involving Cole Tract Subdivision, Block Nos. 15 and 16, Tract No. 6, and that County Counsel be directed to proceed along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Cascos and carried unanimously.

- c) Discuss new case and authorize representation for Sheriff Alex Perez and Major Gus Reyna regarding the case styled Antonio Escobar vs. County B-95-143, in the United States District Court for the Southern District of Texas, Brownsville Division.

The County Attorney reported that after some discussion, it was the consensus of the Court as determined by polling, that the District Attorney's Office should represent the defendants, that being Sheriff Alex Perez and Major Gus Reyna, on the case styled Antonio Escobar vs. County B-95-143.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the District Attorney's Office was directed to represent the defendants, that being Sheriff Alex Perez and Major Gus Reyna, on the case styled Antonio Escobar vs. County B-95-143, in the United States District Court for the Southern District of Texas, Brownsville Division.

- d) Confer with County Counsel regarding the possible sale of the Brownsville Original Townsite, Front Northwest 39.25 X 60.47, Lot No. 4, Block No. 110.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court as determined by polling, that the Property Management Coordinator should be authorized to negotiate and enter into the sale regarding the Brownsville Original Townsite, Front Northwest 39.25 X 60.47, Lot No. 4, Block No. 110.

Commissioner Rosenbaum moved that the Property Management Coordinator be authorized to negotiate and enter into the sale of the Brownsville Original Townsite Front Northwest 39.25 X 60.47, Lot No. 4, Block 110, and that County Counsel be directed 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 regarding deliberation of personnel matters regarding Ms. Olga Cisneros, Case Management Worker of the Child Welfare Department.

The County Attorney reported that after some discussion, it was the consensus of the Court as determined by polling, that the appropriate disciplinary action should be taken by the discretion of the Immediate Supervisor with respect to the deliberation of personnel matters regarding Ms. Olga Cisneros, Case Management Worker of the Child Welfare Department.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Immediate Supervisor was directed to take appropriate disciplinary action in respect to the deliberation of personnel matters regarding Ms. Olga Cisneros, Case Management Worker of the Child Welfare Department.



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 **21st** day of **May, 1996**.

COUNTY JUDGE

ATTEST:

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