

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 13th day of AUGUST, 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:

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 August 9, 1996, at 11:54 A.M.:

At this time, upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court recessed at 1:50 P.M., to complete the Budget Presentations for the Workshop held at 9:00 A.M..

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 2:15 P.M.

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(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented the late claims as to the Board of Children, Warrant Nos. 18611 through 18667, in the amount of \$123,918.00, for approval.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the late claims as to the Board of Children, Warrant Nos. 18611 through 18667, in the amount of \$123,918.00.

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

At this time, Mr. Mark Yates, County Auditor, reported that there were no Budget Amendments and/or Salary Schedules for approval.

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

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

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(4) AUTHORIZATION FOR VALLEY INITIATIVE FOR DEPENDENT AND ADVANCED (VIDA) TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF \$60,000.00, TO THE LEVI STRAUSS FOUNDATION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, Valley Initiative for Dependent and Advanced (VIDA) was authorized to submit a Grant Application in the amount of \$60,000.00, to the Levi Strauss Foundation.

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(5) AUTHORIZATION TO NEGOTIATE WITH LOCAL INDEPENDENT SCHOOL DISTRICTS TO ESTABLISH THE ABSENT STUDENT ASSISTANCE PROGRAM (ASAP) YEAR ROUND

At this time, Mr. Mark Yates, County Auditor, recommended that the Deputy Reserve Constables should be utilized to participate in the Program in order to avoid additional costs to the County.

Commissioner Cascos moved that the negotiations be made with the local Independent School Districts to establish the Absent Student Assistance Program (ASAP) year round.

The motion was seconded by Commissioner Peña and carried unanimously.



(6) IN THE MATTER OF SALARY INCREASES AND THE POSSIBLE WAIVER OF THE CAMERON COUNTY POLICY ON WRITTEN EVALUATION FOR EACH DISTRICT ATTORNEY EMPLOYEE RECEIVING A SALARY INCREASE (TABLED)

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



(7) APPOINTMENT OF THE EVALUATION COMMITTEE TO REVIEW THE PROPOSALS OR THE ROADWAY ROUTE STUDIES, ENVIRONMENTAL REVIEWS, AND RIGHT-OF-WAY MAP DEVELOPMENT SERVICES

Commissioner Matz moved that the following Evaluation Committee be appointed to review the Proposals or the Roadway Route Studies, Environmental Reviews, and Right-of-Way Map Development Services:

- Honorable Gilberto Hinojosa, County Judge,
- Mr. Carlos Castillo, County Engineer,
- Mr. Mark Yates, County Auditor,
- Mr. Douglas Wright, County Attorney,
- Mr. Mark Lund, Brownsville Planning and Zoning,
- Mr. Anthony Tangwa, Harlingen Planning and Zoning,
- Mr. Roy Rodriguez, P.E., Harlingen Engineering,
- Mr. John Vidaurri, San Benito City Manager,
- Mr. Joe Galvan, Bridge Systems Director, and
- Representative of the Texas Department of Transportation.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.



(8) INTERIM REPORT ON INVESTMENTS OF COUNTY FUNDS THROUGH JUNE 30, 1996; REPORT IS IN ACCORDANCE WITH PROVISIONS OF GOVERNMENT CODE 2256, THE PUBLIC FUNDS INVESTMENT ACT, REQUIRING TIMELY REPORTS

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Interim Report on Investments of County Funds through June 30, 1996, was acknowledged, said report in accordance with provisions of Government Code 2256, the Public Funds Investment Act.

The Report is as follows:

(9) IN THE MATTER TO ACCEPT THE LOWEST BID FOR ASBESTOS ABATEMENT AND DISPOSAL OF ASBESTOS CONTAINING MATERIALS LOCATED WITHIN CAMERON COUNTY TRUSTEE PROPERTY

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, this Item was **TABLED**.

(10) APPROVAL FOR THE COMMISSIONERS' COURT TO NEGOTIATE THE CONTRACT WITH THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES AS AUTHORIZED BY SECTION 40.058 OF THE TEXAS HUMAN RESOURCES CODE

At this time, Remberto Arteaga, Child Welfare Protective Services, stated that the Contract would modify and reduce the major responsibilities of the County, that being the up-front reimbursements to the Foster Parents and added that it would allow additional reimbursements of maintenance to the County.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Contract with the Texas Department of Protective and Regulatory Services, as authorized by Section 40.058 of the Texas Human Resources Code, was approved.

(11) APPROVAL OF CHANGE ORDER NO. 1, FOR ISLA BLANCA PARK REGISTRATION OFFICE/SEA RANCH RESTAURANT, REDUCING TOTAL CONTRACT FROM \$973,140.00 TO \$964,804.00

Commissioner Rosenbaum moved that Change Order No. 1 be approved for Isla Blanca Park Registration Office/Ranch Restaurant, said change to reduce the total Contract cost from \$973,140.00 to \$964,804.00.

The motion was seconded by Commissioner Peña and carried unanimously.

The Change Order is as follows:

(12) AUTHORIZATION TO APPROVE RENEWAL OF MOBILE VENDOR'S PERMIT TO EL REY DEL ELOTE NO. 1

(13) AUTHORIZATION TO APPROVE RENEWAL OF MOBILE VENDOR'S PERMIT TO EL REY DEL ELOTE NO. 2

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Mobile Vendor's Permits for El Rey Del Elote Nos. 1 and 2, Brownsville, Texas, were renewed.

(14) AUTHORIZATION TO ISSUE MOBILE VENDOR'S PERMIT TO JOSEPH NALLEY, DOING BUSINESS AS, AUTO CLINIC, FOR ON AND OFF ROAD TOWING SERVICES

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Mobile Vendor's Permit was issued to Mr. Joseph Nalley, doing business as, Auto Clinic, for on and off Road Towing Services, Port Isabel, Texas.

At this time, Judge Hinojosa expressed some concern regarding the fees being charged by the Towing Services and requested that the Parks System Director conduct an audit in order to identify the Vendors exceeding the maximum amount allowed, and suggested that the towing charges should be regulated.

(15) ACKNOWLEDGMENT OF THIRD QUARTER SUMMARY OF PARK RANGER ACTIVITIES FROM APRIL, MAY, AND JUNE, 1996

Commissioner Matz moved that the Third Quarter Summary of the Park Rangers Activities from April, May, and June, 1996, be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

The Report is as follows:

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:

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

- a) Narcotic Officer to attend the "Texas Narcotics Officer Training" in Dallas, Texas, on August 5-8, 1996;
- b) Constable Precinct No. 4 and one (1) Deputy to attend an "Eight (8) Hour School on Truancy Prevention and Absent Student Assistance Program (ASAP)" in Galveston, Texas, on August 8, 1996;
- c) Chief Juvenile Probation Officer to attend the "Texas Probation Association 1996 Legislative Conference and Legislative Committee Meetings" in Austin, Texas, on 17-21, 1996;
- d) Two (2) Computer Center employees to attend the "Secretary of State 14th Annual Election Law Seminar" in Austin, Texas, on July 31, 1996, through August 2, 1996; and
- e) One (1) County Health employee to attend the "1996 Texas HIV/STD Conference" in Austin, Texas, on August 25-29, 1996.

(17) AUTHORIZATION TO

- a) **OPEN REQUEST FOR PROPOSAL NO. 96-07-04 FOR ROADWAY ROUTE STUDIES, ENVIRONMENTAL REVIEWS AND RIGHT-OF-WAY MAP DEVELOPMENT SERVICES**
- b) **APPROVAL OF EVALUATION COMMITTEE (NO ACTION TAKEN)**
- c) **APPROVAL OF NEGOTIATIONS TOWARDS AWARD RECOMMENDATION (NO ACTION TAKEN)**

The Request for Proposal follows:

(18) AUTHORIZATION TO

- a) **OPEN ANNUAL REQUEST FOR PROPOSAL NO. 96-07-05-1230 FOR STRUCTURAL INSPECTION SERVICES FOR GATEWAY AND FREE TRADE INTERNATIONAL BRIDGES**

- b) **APPROVE EVALUATION COMMITTEE;**
MR. CARLOS SANCHEZ, COUNTY ENGINEER,
MR. JOE GALVAN, BRIDGE SYSTEMS DIRECTOR, AND
MR. MIKE FORBES, PURCHASING AGENT.

- c) **APPROVE NEGOTIATIONS TOWARDS AWARD**
RECOMMENDATION

The Request for Proposal follows:

(17) AUTHORIZATION TO

- a) OPEN REQUEST FOR PROPOSAL
NO. 96-07-04 FOR ROADWAY ROUTE
STUDIES, ENVIRONMENTAL
REVIEWS AND RIGHT-OF-WAY MAP
DEVELOPMENT SERVICES**

The Request for Proposal is as follows:

(18) AUTHORIZATION TO

- a) OPEN ANNUAL REQUEST FOR PROPOSAL NO. 96-07-05-1230 FOR STRUCTURAL INSPECTION SERVICES FOR GATEWAY AND FREE TRADE INTERNATIONAL BRIDGES**

The Request for Proposal is as follows:

(19) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:35 P.M. to discuss the following matters:

- a) Discuss acquisition of certain tract of land in the Cameron Park Subdivision; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Confer with County Counsel to discuss a proposed Lease for the County Engineering Department and authorization to enter into a Lease Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- c) Confer with County Counsel on the possible litigation regarding the Adult Detention Center II; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(a);
- d) Request relinquished of Right-of-Way on Stuart Place Road for Parcel No. 26-B; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Request authorization for settlement on condemnation case concerning Parcels No. S 025-029 and 030 for County Clerk's cost on FM 509 Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- f) In the matter of conducting a performance evaluation on Cameron County International Bridge Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074. **(TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 4:35 P.M.



(20) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Discuss acquisition of certain tract of land in the Cameron park Subdivision.

Mr. Doug Wright, Cameron County Counsel, recommended that Status Report by the Program, Development and Management Director and the Parks System Director should be acknowledged regarding said matter.

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Status Report by the Program, Development and Management Director and the Parks System Director regarding the acquisition of a certain tract of land in the Cameron Park Subdivision was acknowledged.

- b) Confer with County Counsel to discuss a proposed Lease for the County Engineering Department and authorization to enter into a Lease Agreement.

The County Attorney recommended that the County Judge should be authorized to sign the Lease Agreement regarding space for the County Engineering Department, subject to Legal review.

Commissioner Peña moved that the County Judge be authorized to sign the Lease Agreement for space for the County Engineering Department, subject to Legal review.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Lease Agreement is as follows:

- c) Confer with County Council on the possible litigation regarding the Adult Detention Center II.

Mr. Doug Wright, Cameron County Counsel, recommended that County Council should retain outside Counsel in the amount of \$5,000.00, regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, County Council was authorized to retain outside Counsel, in the amount of \$5,000.00, for the litigation concerning the Adult Detention Center II.

- d) Request relinquished of Right-of-Way on Stuart Place Road for Parcel No. 26-B.

The County Attorney recommended that the Engineering Department should relinquish the donation of Stuart Place.

Commissioner Matz moved that the Right-of-Way on Stuart Place Road for Parcel No. 26-B, be relinquished by the County Engineering Department.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Authorization for settlement on condemnation case concerning Parcels No. S 025-029 and 030, for County Clerk's cost on FM 509 Project.

Mr. Doug Wright, Cameron County Counsel, recommended that the payment of cost for the condemnation regarding said matter should be authorized.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the settlement on the condemnation case concerning Parcels No. S 025-029 and 030, for County Clerk's Cost on FM 509 Project, was approved.

- f) In the matter of conducting a performance evaluation on Cameron County International Bridge Systems Director. **(TABLED)**

Commissioner Cascos recommended that this Item should be Tabled until the Proposed Budget was reviewed by the County Auditor's Office.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, this Item was **TABLED**, subject to further review on the Proposed Budget by the County Auditor's 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 **20th** day of **August, 1996**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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