

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 15th day of **OCTOBER, 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:**  
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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 October 11, 1996, at 2:34 P.M., and the Supplemental Agenda posted and filed on October 11, 1996, at 3:57 P.M.:

**(1) APPROVAL OF COUNTY CLAIMS**

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

Warrant No. 22248, as to Texas Commerce Bank, in the amount of \$150.00,

Warrant No. 22249, as to Texas Commerce Bank, in the amount of \$192,828.00,

Warrant No. 22252, as to Los Tomates I&S, in the amount of \$192,848.06,

Warrant No. 22250, as to International Toll Bridge I&S, in the amount of \$358,210.40, and

Warrant No. 22251, as to International Toll Bridge I&S, in the amount of \$201,493.35.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the following additional late claims:

Warrant No. 22248, as to Texas Commerce Bank, in the amount of \$150.00,

Warrant No. 22249, as to Texas Commerce Bank, in the amount of \$192,828.00,

Warrant No. 22252, as to Los Tomates I&S, in the amount of \$192,848.06,

Warrant No. 22250, as to International Toll Bridge I&S, in the amount of \$358,210.40, and

Warrant No. 22251, as to International Toll Bridge I&S, in the amount of \$201,493.35.

**The Budget Officer's Comments Report is as follows:**

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

At this time, Mr. Mark Yates, County Auditor, reported that there were no Budget Amendments for approval and added that on July 1, 1997, the minimum wage would increase \$5.25 an hour, noting that several of the slots presented by the Toll Bridge Systems were earning less than the proposed minimum wage. He recommended that said slots should be adjusted to reflect the mandated minimum wage salary with the additional three percent (3%) increase and added that a Salary Matrix would be presented to the Court by March 1997.

Mr. Joe Galvan, Bridge Systems Director, stated that the intent of the Toll Bridge System was to rectify the low salaries in order to compensate for the Job Descriptions and responsibilities being performed by the employees. He expressed his support for the Salary Matrix, but stated that the Toll Bridge System employees should not be penalized for a Project that has not been addressed or implemented.

Commissioner Matz expressed his support for the Salary Increases regarding the Security Guard Slots, which were at or below the minimum wage, and added that the remaining Toll Bridge System Salary Schedule should be deferred until the issues were examined further.

Judge Hinojosa recommended that the entire Toll Bridge System Salary Schedule should be approved, in order to reallocate and compensate the slots accordingly as other Departments had done.

Commissioner Matz moved that the Toll Bridge Systems Salary Schedules for the Security Guard Slots be approved.

The motion was seconded by Commissioner Cascos.

Judge Hinojosa moved that the motion be amended to include all the slots presented in the Toll Bridge Systems Salary Schedules.

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

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

**NAY:** Commissioner Matz

**ABSTAINED:** Commissioner Cascos.

At this time, Commissioner Cascos expressed concern as to when the Salary Matrix would be completed and implemented, and the County Auditor responded that the Salary Matrix would be submitted by the Personnel Committee by March, 1997.

Judge Hinojosa moved that the entire Salary Schedules for the Gateway International Bridge - Fund No. 80-610, and the Free Trade Bridge at Los Indios - Fund No. 77-610, be approved.

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

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

**NAY:** Commissioner Matz

**ABSTAINED:** Commissioner Cascos.

Upon motion by Commissioner Matz seconded by Commissioner Peña and carried unanimously, the following Salary Schedules were approved:

Computer Center - Fund No. 10-408,

Women's, Infants and Children - Fund No. 32-630,

County Engineer - Fund No. 15-622, and

County Extension Service - Fund No. 10-665.

**The Salary Schedules are as follow:**

**(3) APPROVAL OF THE MINUTES OF OCTOBER 1, 1996**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held October 1, 1996, at 1:30 P.M., were approved, subject to the correction noted on Item No. 5.

**(4) IN THE MATTER OF THE APPOINTMENT OF A CAMERON COUNTY RESIDENT TO SERVE ON THE TROPICAL TEXAS CENTER FOR MENTAL HEALTH AND MENTAL RETARDATION PUBLIC RESPONSIBILITY COMMITTEE (TABLED)**

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

**(5) APPROVAL OF THE PURCHASE WITHOUT THE PURCHASE ORDER FROM COOPER EQUIPMENT COMPANY, IN THE AMOUNT OF \$75.70**

**(6) APPROVAL OF A PURCHASE WITHOUT THE PURCHASE ORDER FROM SUPERIOR ALARMS, IN THE AMOUNT OF \$15.00**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Purchases without the Purchase Orders from Cooper Equipment Company, San Antonio, Texas, in the amount of \$75.70, and Superior Alarms, McAllen, Texas, in the amount of \$15.00, were approved.

**(7) APPROVAL TO HIRE A ROAD AND BRIDGE TECHNICIAN FOR PRECINCT NO. 4**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, a Road and Bridge Technician was retained for Precinct No. 4.

**(8) APPROVAL OF THE PURCHASES WITHOUT PURCHASE ORDERS**

Commissioner Peña moved that the following Purchases without Purchase Orders be approved:

- a) Gulf Coast Paper Company, in the amount of \$75.60;
- b) Mission Auto Electric, in the amount of \$29.90;
- c) Texas Recreation and Park Society, in the amount of \$25.00;
- d) City of Port Isabel, in the amount of \$810.00;
- e) City of Port Isabel, in the amount of \$690.00;
- f) Pronto Delivery Service, in the amount of \$15.40; and
- g) Mission Auto Electric, in the amount of \$27.55.

The motion was seconded by Commissioner Matz and carried unanimously.

(9) **AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR THE ANNUAL BEACH CLEANING CONTRACT FOR PUBLIC BEACHES**

(10) **AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR A MOBILE VENDOR FOR FOOD AND BEACH RENTAL EQUIPMENT TO OPERATE AT E.K. ATWOOD COUNTY PARK AND THE BEACH POCKET PARKING AREA**

Commissioner Matz moved that the Proposals for the Annual Beach Cleaning Contract for Public Beaches, and the Mobile Vendor for food and beach rental equipment to operate at E.K. Atwood County Park and the Beach Pocket Parking Area, be advertised.

The motion was seconded by Commissioner Peña and carried unanimously.

(13) **APPROVAL FOR THE COUNTY TO MAINTAIN PAVEMENT MARKINGS AND ADVANCE WARNING SIGNS AND VISIBILITY AT THE UNION PACIFIC RAILROAD CROSSINGS ON PALMITO ROAD AND MESQUITE DRIVE IN OLMITO**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the County was approved to maintain pavement markings and advanced warning signs and visibility at the Union Pacific Railroad Crossings on Palmito Road and Mesquite Drive in Olmito.

At this time, Judge Hinojosa reported that the railroad companies were opposed to the development of infrastructure regarding the Railroad Relocation Project and added that the companies would not be contributing their share of funds for the Project.

(14) **IN THE MATTER OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND THE HORIZON YOUTH CENTER AND FAMILY CRISIS CENTER (TABLED)**

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

**(15) APPROVAL OF THE CONTRACT FOR SERVICES BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND LARRY ESPARZA PEST CONTROL, FOR THE PERIOD OF OCTOBER 1, 1996, THROUGH SEPTEMBER 30, 1997**

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Contract was approved for services between the Cameron County Health Department and Larry Esparza Pest Control, for the period of October 1, 1996, through September 30, 1997.

**The Contract is as follows:**

**(16) APPROVAL OF REFUND TAXES**

Commissioner Matz moved that Taxes be refunded to the following entities:

- a) Southern Public Service Company, in the amount of \$939.01, to remove improvements due to Double Assessment;
- b) Cardenas Development, in the amount of \$538.54, for erroneous payment;
- c) International Bank of Commerce, in the amount of \$896.01, for change value due to split of property; and
- d) Herminio Rosales, in the amount of \$1,797.68, to remove improvements due to Double Assessment.

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

**AYE:** Commissioners Rosenbaum, Cascos, Matz, and Peña

**NAY:** None

**ABSTAINED:** Judge Hinojosa, as to Item "c".

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

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

- a) County Extension Agent to meet with the Extension Director in Conroe, Texas, on October 9, 1996;
- b) Planning, Development and Management Director to attend the "Texas Department of Housing and Community Affairs 1996 Housing Conference" in Austin, Texas, on November 18-20, 1996;
- c) Bridge System Director, Bridge Manager and Bridge Supervisor to attend the "Seminar on Fundamentals of Personnel" in McAllen, Texas, on November 22, 1996;
- d) Community Development Coordinator to attend the "Professional Advisory Review Panel Meeting" in McAllen, Texas, on October 9, 1996;
- e) Jail Administrator, Office Manager and Administrative Secretary to survey "Personnel Attendance Procedures" in Nueces and Travis County and/or Webb County, on October 22, 1996;



- f) Health Department employee to attend the "South Texas Regional Meeting sponsored by the Texas Public Health Association" in Laredo, Texas, on October 10-11, 1996;
- g) Two (2) Juvenile employees to attend the "Training for the Caseworker/4 Program in the Hidalgo County Juvenile Department" in Edinburg, Texas, on October 14-17, 1996; and
- h) Health Department employee to attend the "TALWD Annual Meeting" in Amarillo, Texas, on October 28-31, 1996.

**(18) PRELIMINARY AND FINAL APPROVAL**

- a) **Precinct No. 4**  
H & E Lehman Subdivision - being a replat of 5.0 acres out of Block No. 212, Adams Gardens Subdivision "C".

**(19) AUTHORIZATION TO AWARD ANNUAL BIDS NO. 240, FOR LASER PRINTERS**

**CGES - Bloomingdale, Illinois**  
**\$69,668.45**

**(20) APPROVAL OF THE FOLLOWING EVALUATION COMMITTEE FOR REQUEST FOR PROPOSAL NO. 96-08-01-240 - PERSONAL COMPUTERS TO INCLUDE AUTHORIZATION TO NEGOTIATE TOWARDS FINAL RECOMMENDATION:**

**Mr. Eric Garza - District Clerk's Office,  
Mr. Rudy Juarez - Data Processing,  
Mr. Manual Salinas - Data processing,  
Mr. Marco Gaytan - Unified Intelligence Narcotics Task Force, and  
Mike Forbes - Purchasing Agent.**

**(21) AUTHORIZATION TO OPEN REQUEST FOR PROPOSALS**

- a) **ANNUAL REQUEST FOR PROPOSAL NO. 96-10-01-1200 - AUCTIONEER SERVICES**
- b) **REQUEST FOR PROPOSAL NO. 96-07-08 - DEVELOPMENT OF BEACH FRONT PROPERTY AT ISLA BLANCA PARK**
- c) **REQUEST FOR PROPOSAL NO. 96-07-10 - DEVELOPMENT OF DOCK FACILITY - SOUTH PADRE ISLAND**

**The Request for Proposals follow:**

**(22) AUTHORIZATION TO ADVERTISE FOR BIDS/REQUEST FOR PROPOSALS**

- a) **PATROL CARS - (QUANTITY - 8) SHERIFF'S DEPARTMENT**
- b) **REQUEST FOR PROPOSAL NO. 96-10-05 - ARCHITECTURAL AND ENGINEERING SERVICES FOR JUVENILE JUSTICE BOOT CAMP FACILITY**

**(21) AUTHORIZATION TO OPEN REQUEST FOR PROPOSALS**

- a) ANNUAL REQUEST FOR PROPOSAL  
NO. 96-10-01-1200 - AUCTIONEER  
SERVICES**

**The Request for Proposal is as follows:**

**(23) 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 the possible litigation involving the Restoration of the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) and (2);
- b) Confer with County Counsel to discuss potential litigation under the Fair Labor Standards Act concerning overtime compensation of Jailer/Deputies; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- c) Confer with County Counsel on Right-of-Way acquisition on FM/1419, for Parcel No. 039; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Confer with County Counsel for authorization to pay expenses for the Irrigation Pipeline for FM/1419; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 51.072;
- e) Evaluation of Mr. Pete Blanco, in the capacity of Building Supervisor; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551074 (a)(1&2);
- f) Evaluation of Mr. Mariano Ayala, in the capacity of Personnel/Safety Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section (a)(1&2); and
- g) Interview applicants for the position of County Engineer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(1).

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

**(24) ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Confer with County Counsel on the possible litigation involving the Restoration of the Dancy Building;
- b) Confer with County Counsel to discuss potential litigation under the Fair Labor Standards Act concerning overtime compensation of Jailers/Deputies;
- c) Confer with County Counsel on the Right-of-Way acquisition on FM/1419, for Parcel No. 039; and
- d) Confer with County Counsel for authorization to pay expenses for the Irrigation Pipeline for FM/1419.

Judge Hinojosa recommended that the Status Reports by County Counsel should be acknowledged regarding said matters.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Status Report by County Counsel were acknowledged regarding the possible litigation involving the Restoration of the Dancy Building, the potential litigation under the Fair Labor Standards Act concerning overtime compensation of Jailers/Deputies, the Right-of-Way acquisition on FM/1419, for Parcel No. 039, and the authorization to pay expenses for the Irrigation Pipeline for FM/1419.

- e) Evaluation of Mr. Pete Blanco, in the capacity of Building Supervisor; and
- f) Evaluation of Mr. Mariano Ayala, in the capacity of Personnel/Safety Director.

Judge Hinojosa recommended that the Evaluations of Mr. Pete Blanco, in the capacity of Building Supervisor, and Mr. Mariano Ayala, in the capacity of Personnel/Safety Director, should be acknowledged.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Evaluations of Mr. Pete Blanco, in the capacity of Building Supervisor, and Mr. Mariano Ayala, in the capacity of Personnel/Safety Director, were acknowledged.

- g) Interview applicants for the position of County Engineer.

Judge Hinojosa recommended that an offer should be made to Mr. Juan Bernal, Laredo, Texas, and that the terms of the Contract should be negotiated, regarding said matter.

Judge Hinojosa moved that an offer be made to Mr. Juan Bernal, Laredo, Texas, for the position of County Engineer, and that the terms of the Contract be negotiated.

The motion was seconded by Commissioner Cascos and carried unanimously.

## Supplemental Agenda

### (1) EXECUTIVE SESSION

- a) In the matter of conferring with County Counsel pertaining to Cameron County Isla Blanca Park Concessionaire's Lease Policy; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2). **(TABLED)**

### (2) ACTION RELATIVE TO EXECUTIVE SESSION

- a) In the matter of conferring with County Counsel pertaining to Cameron County Isla Blanca Park Concessionaire's Lease Policy. **(TABLED)**

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

- (11) **AUTHORIZATION FOR CAMERON COUNTY TO ENTER INTO A POSSIBLE MAINTENANCE AGREEMENT FOR A GOLF CART TUNNEL ACROSS FM/510, WITH THE TEXAS DEPARTMENT OF TRANSPORTATION**
  
- (12) **AUTHORIZATION FOR CAMERON COUNTY TO ENTER INTO A POSSIBLE MAINTENANCE AGREEMENT FOR A GOLF CART TUNNEL ACROSS FM/510 WITH THE SOUTH PADRE ISLAND GOLF CLUB, L.P.**

Commissioner Rosenbaum moved that Cameron County enter into a Maintenance Agreement, for a Golf Cart Tunnel across FM/510, with the Texas Department of Transportation and the South Padre Island Golf Club, L.P., subject to Legal review.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Agreements 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**.

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**APPROVED** this **29th** day of **October, 1996**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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