

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 13th day of JANUARY, 1997, there was conducted a **SPECIAL 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:

11:00 A. M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
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.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on January 10, 1996, at 9:52 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County Claims were approved as presented by the County Auditor.

The Budget Officer's Comments Report is as follows:

(2) APPROVAL OF THE SALARY SCHEDULES

At this time, Mr. Mark Yates, County Auditor, stated that Precinct No. 1 had requested a Salary increase for the Administrative Assistant and added two (2) positions, that being an Assistant Crew Leader and a Laborer Position, said funding to be allocated from the Precinct's Road Material Budget.

Commissioner Cascos expressed concern regarding the Precinct's workforce being expanded, which would be an obstacle for the Road Consolidation Project and added that the Road Material Budget might not be available for the necessary road materials, due to the cost of the additional positions.

Judge Hinojosa stated that the State Comptroller's Office noted that as a result of an efficient Road Consolidation the workforce would decrease from one hundred and fifteen to about eighty-five (85) employees, and questioned why the additional Slots were being created.

There was some discussion regarding staffing, and the fact that the proposed positions were filled and the recommendation was made to reclassify the Administrative Assistant position to an Assistant Crew Leader, with the Annual Salary in the amount of \$20,000.00, and to retain the Laborer Position as a temporary part-time Slot, with the Annual Salary in the amount of \$10,960.00.

Commissioner Benavides moved that the Salary Schedule for Maintenance and Operation, Precinct No. 1, Fund No. 15-617, regarding the reclassification of the Administrative Assistant to an Assistant Crew Leader and the retaining of the Laborer Position, as a temporary part-time Slot, be approved.

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

AYE: Commissioners Benavides, Cascos, Matz and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

The Salary Schedule is as follows:

(2) APPROVAL OF THE SALARY SCHEDULES

Commissioner Peña moved that the Salary Schedule for the Free Trade Bridge , Fund No. 78-610, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Salary Schedule is as follows:

(2) APPROVAL OF THE SALARY SCHEDULES

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

Farm Home Extension, Fund No. 10-665;

Juvenile/HHSC Match, Fund No. 31-574;

Courthouse Maintenance, Fund No. 10-514; and

Health Grant TB/PC Elimination, Fund No. 26-646.

The Salary Schedules are as follow:

(3) APPROVAL OF THE MINUTES OF JANUARY 1, 1997

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Special Meeting held January 1, 1997, at 12:00 P.M., were approved.



**(4) SELECTION OF THE PUBLIC MEMBERS FOR
THE CAMERON COUNTY GRIEVANCE
COMMITTEE IN COMPLIANCE WITH THE
TEXAS LOCAL GOVERNMENT CODE SECTION
152.014 (A) AND SECTION 152.015**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, Public Members from the Grand Jury List were selected to serve on the Cameron County Grievance Committee, in compliance with the Texas Local Government Code Section 152.014 (A) and Section 152.015.

The List is as follows:

(5) **ACCEPTANCE OF THE FUNDS IN THE AMOUNT OF \$219.25 DONATED BY FUN READINGS=LIMITED**

Commissioner Peña moved that the donation, in the amount of \$219.25, by Fun Readings= Limited be accepted.

The motion was seconded by Commissioner Benavides and carried unanimously.

(6) **AUTHORIZATION TO PURCHASE EQUIPMENT FOR CAMERON COUNTY CONSTABLES AND DEPUTY CONSTABLES**

Commissioner Cascos moved that equipment be purchased for the Cameron County Constables and the Deputy Constables.

The motion was seconded by Commissioner Peña.

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, explained that the nine (9) item Equipment List submitted to the Court were the basic requirements, in order for a Deputy Constable to perform in the field and noted that Constable Precinct No. 2 requested additional equipment, which were not basic requirements.

Upon motion duly made, Commissioner Cascos moved that the motion be amended to reflect the basic Equipment List, with the additional equipment for Precinct No. 2, that being the Polaroid camera, the fingerprint kits, the copy and fax machine and the mobile phone.

The motion was seconded by Commissioner Peña and carried unanimously.

The Lists are as follow:

(7) **APPROVAL TO ADOPT THE STATE OF TEXAS RATES ON FINES TO BE APPLIED IN THE JUSTICE COURTS AND BY THE SHERIFF-S DEPARTMENT**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the State of Texas Rates on Fines to be applied in the Justice Courts and by the Sheriff-s Department was adopted.



(8) **ACTION REGARDING THE SPECIFIC CHANGES IN THE GENERAL AND DRUG FORFEITURE FUNDS REGARDING THE DISTRICT ATTORNEY-S POSITIONS**

Commissioner Peña moved that the specific changes in the General and Drug Forfeiture Funds regarding the District Attorney-s positions be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.



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

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Interlocal Agreement between Cameron County and the City of Primera was executed.

The Agreement is as follows:

(10) ADOPTION OF A RESOLUTION ON SEEKING PROPOSALS FOR THE COLLECTION OF DELINQUENT TAXES

At this time, Mr. Mark Yates, County Auditor, explained that the Resolution was intended to establish a better coordination for the process of obtaining a new firm between the Sheriff's Department, the County Clerk's Office, and the District Clerk's Office, in order to use the same data systems, as opposed to multiple data systems, noting that the Request for Proposals and hiring of a Firm would be effective on or before June 1998.

Mr. Jim Solis, Heard, Goggan, Blair and Williams Delinquent Tax Attorney, suggested that the matters be discussed with the County Auditor, in order to establish a relationship with the County.

Commissioner Matz moved that the Resolution on seeking Proposals for the Collection of Delinquent Taxes be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.

Commissioner Matz presented the following letter submitted by Ms. JuaNita Brodecky, Rio Hondo resident, as to her objection of the extension of any agreement between the County and the Law Firm of Heard, Goggan, Blair and Williams:

The Resolution and Letter are as follow:

(11) **AUTHORIZATION TO INCREASE SLOT NO. 04 -
DEPUTY CLERK FROM AN ANNUAL SALARY
OF \$12,851.00 TO \$15,000.00**

NOTE: COMMISSIONER PEÑA LEFT THE COURT ROOM.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, Slot No. 04 - Deputy Clerk was increased from the Annual Salary, in the amount of \$12,851.00 to \$15,000.00, said funding source to be allocated from Lapsed Salary.

NOTE: COMMISSIONER PEÑA LEFT THE COURT ROOM.

(12) **AUTHORIZATION FOR THE COUNTY JUDGE
TO EXECUTE THE AGREEMENT FOR THE
FEDERAL EQUITABLE SHARING AGREEMENT**

Commissioner Cascos moved that the County Judge be authorized to executed the Agreement for the Federal Equitable Sharing Agreement.

The motion was seconded by Commissioner Matz and carried unanimously.

(13) **APPROVAL TO OPEN THE FOLLOWING DDA
AND MONEY MARKET ACCOUNTS WITH THE
INTERNATIONAL BANK OF COMMERCE**

Commissioner Matz moved that the following DDA and Money Market Account be opened with the International Bank of Commerce:

- a) Cameron County Treasurer, Los Indios EDA Grant Fund No. 78.

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

AYE: Commissioners Benavides, Cascos, Matz and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

The Resolution is as follows:

(14) APPROVAL OF THE CONTRACTS FOR THE PROVIDERS OF THE RESIDENTIAL, CHILD CARE SERVICES FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT FOR FISCAL YEAR 1996 THROUGH 1997

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Contracts for the Providers of the Residential, Child Care Services for the Cameron County Juvenile Probation Department for the Fiscal Year 1996 through 1997, was approved, subject to Legal review.

The Contracts are as follow:

(15) **APPROVAL OF THE TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA SELF-HELP CENTER TRI-PARTY AGREEMENT BETWEEN CAMERON/WILLACY COUNTIES, THE COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE AND THE NON-PROFIT HOUSING RESOURCE GROUP, AND THE TEXAS STATE AFFORDABLE HOUSING CORPORATION**

Commissioner Cascos moved that the Texas Community Development Program Colonia Self-Help Center Tri-Party Agreement be approved between Cameron/Willacy Counties, the Community Development Corporation of Brownsville and the Non-Profit Housing Resource Group, and the Texas State Affordable Housing Corporation.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Agreement is as follows:

**(16) AUTHORIZATION TO CONDUCT A COUNTY
ON FEBRUARY 8, 1997**

Commissioner Cascos moved that the County Auction be conducted on February 8, 1997.

The motion was seconded by Commissioner Peña and carried unanimously.

**(17) IN THE MATTER OF THE ORGANIZATIONAL
CHART, GENERAL OVERVIEW OF THE
CORRECTIONAL FACILITIES CLINIC
SUPERVISOR, AND MECHANISM BY WHICH
THE CORRECTIONAL FACILITY HEALTH
CLINIC WILL MAKE PURCHASES THROUGH
THE HEALTH DEPARTMENT (TABLED)**

**(18) APPROVAL OF THE CONTRACT BETWEEN
THE CAMERON COUNTY HEALTH
DEPARTMENT AND TAHER KHALIL, M.D., TO
PROVIDE STD TREATMENT AT THE MARY B.
LUCIO CLINIC IN BROWNSVILLE AT THE
RATE OF \$700.00 PER MONTH (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, this Items were (TABLED).

At this time, Commissioner Matz suggested that the Agenda Item Request Procedures be placed on the Agenda for ratification, in order to reiterate the process to the Departments.

**(19) AUTHORIZATION TO ISSUE A MOBILE
VENDOR-S RENEWAL PERMIT TO FRANCISCO
TORRES, DOING BUSINESS AS, EL REY DEL
ELOTE III**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Mobile Vendor-s Renewal Permit was issued to Mr. Francisco Torres, doing business as, El Rey Del Elote III.

**(20) APPROVAL TO APPLY FOR A CONTINUING
GRANT FOR AOPERATION PLAGUE®,
THROUGH THE OFFICE OF THE NATIONAL
DRUG CONTROL POLICY (ONDCP)**

Commissioner Cascos moved that the Continuing Grant for AOperation Plague® be submitted through the Office of the National Drug Control Policy (ONDCP), said funding to be allocated from Drug Forfeiture Fund No. 90.

The motion was seconded by Commissioner Peña and carried unanimously.

(21) AUTHORIZATION OF THE PURCHASE WITHOUT THE PURCHASE ORDER, IN THE AMOUNT OF \$656.50, AS TO RIO RADIO SUPPLY, INCORPORATED

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Purchase without the Purchase Order, in the amount of \$656.50, as to Rio Radio Supply, Incorporated, was approved.

(22) APPROVAL OF TRAVEL AND/OR TRAVEL EXPENSES, SUBJECT TO FUNDS IN THEIR BUDGET

Upon motion by Commissioner Cascos, seconded by Commissioner Peña, and carried unanimously the following travel and/or travel expenses were approved, subject to funds in their Budget:

- a) Chief Juvenile Probation Officer to attend the ATexas Probation Association Legislative Committee Meeting and the Texas Juvenile Probation Commission Legislative Update@and to meet with Southwest Key Personnel in Reference to the Juvenile Education Program and the Juvenile Boot Camp, in Austin, Texas, on January 22-25, 1997;
- b) Two (2) Health Department employees to attend an AImmunization Training In Service@in Corpus Christi, Texas, on January 9, 1997;
- c) Health Administrator to serve as a Member of the Steering Committee for the Children-s Health Transition Project in Austin, Texas, on January 13, 1997;
- d) Health Administrator to serve as a Member of the Steering Committee for the Children-s Health Transition Project in Austin, Texas, on January 20, 1997;
- e) Health Administrator to serve as a Member of the Steering Committee for the Children-s Health Transition Project@ in Austin, Texas, on January 27, 1997;
- f) Chief Sanitarian - Health Department to attend the AOn-site Sewage Facilities Certification Program@in Austin, Texas, on January 14-15, 1997;
- g) County Court at Law Judge and Court Administrator to attend the ATexas College of Probate Judges Seminar@ in San Antonio, Texas, on March 4-7, 1997;
- h) County Extension Agent to attend the ADistrict 12 4-H Meeting@in Alice, Texas, on January 4, 1997;
- I) County Extension Agent to attend the ABeltwide Cotton Conference@in New Orleans, Louisiana, on January 6-8, 1997;
- j) County Extension Agent to attend the AMarine Advisory Service Staff Conference@ in College Station, Texas, on January 8-10, 1997;

- k) Commissioners- Court to attend the ACounty Judges and Commissioners-Seminar@in Austin, Texas, on January 28-31, 1997;
- l) Parks System Director to attend a ATexas Recreation and Parks System Legislative Retreat@ in Austin, Texas, on January 21-24, 1997; and
- m) County Judge, Administrative Assistant, Chief Juvenile Officer, Juvenile employee and three (3) Public Members of the Boot Camp Committee to tour Sheffield Boot Camp Facility in Midland, Texas, on January 17, 1997.

(23) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 12:20 P.M. to discuss the following matters:

- a) To discuss claim and settlement of the case styled Manuel Hinojosa, III vs. Cameron County and Mike Barberena; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B); and
- b) To hear and discuss complaint regarding Chief Administrator for the County Clerk, Criminal Division; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(2).

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 2:50 P.M.

(24) ACTION RELATIVE TO EXECUTIVE SESSION

- a) To discuss claim and settlement of the case styled Manuel Hinojosa, III vs. Cameron County and Mike Barberena.

Judge Hinojosa recommended that the Status Report by County Counsel should be acknowledged regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the case styled Manuel Hinojosa, III vs. Cameron County and Mike Barberena.

- b) To hear and discuss the complaint regarding the Chief Administrator for the County Clerk, Criminal Division.

Judge Hinojosa recommended that County Counsel should confer with the County Clerk regarding the Personnel issues.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, County Counsel was directed to confer with the County Clerk regarding the Personnel issues concerning the complaint regarding the Chief Administrator for the County Clerk, Criminal Division.

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 21st day of **January, 1997**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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