

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 4th day of MARCH, 1997, 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:

4:00 P. 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.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on February 28, 1997, at 1:42 P.M.:

**(1) AUTHORIZATION TO ACCEPT AND OPEN
REQUEST FOR PROPOSALS NO. 97-02-02-1730
(DELINQUENT TAX ATTORNEY SERVICES)**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Request for Proposals No. 97-02-02-1730, were accepted and opened.

The Proposals follow:

**(2) AUTHORIZATION TO OPEN BIDS/REQUEST
FOR PROPOSALS**

Commissioner Cascos moved that the following Request for Proposals be opened:

- a) Request for Proposal No. 97-02-04 - Green Valley Farms Right-of-Way Conversion Project - Engineering and Right-of-Way Services; and
- b) Request for Proposal No. 97-02-03 - Sunny Skies Colonia Platting and Improvements Project - Engineering and Surveying Services.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Proposals follow:

(3) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 4:05 P.M. to discuss the following matters:

- a) Consultation with County Counsel on a matter involving the accrual of vacation and compensatory time in which the duty of the Attorney to the Governmental Body under the Rules of Professional Conduct of the State Bar clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(B) and (2);
- b) Confer with County Counsel on the case styled Denise Stockton Bell vs. Judge Rogelio Valdes, 103rd District Court, et. al., B-96-233, in the United States District Court for the Southern District of Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- c) Confer with County Counsel on the Country Boy Haven Subdivision and the owner of Lot No. 19, Mr. Jesus Delgado; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- d) Confer with County Counsel on the possible litigation concerning the condemnation of County Property by the Laguna Madre Water District; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- e) Confer with County Counsel on the possible litigation concerning the effluent from the Laguna Madre Water District; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A); and
- f) In the matter of conferring with County Counsel pertaining to the possible sale or trade of approximately eleven (11) acres located at the Los Indios Free Trade Bridge, Los Indios, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2). **(REJECTED)**

The Court reconvened in Regular Session at 5:05 P.M.

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At this time, Judge Hinojosa 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.

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(4) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Consultation with County Counsel on a matter involving the accrual of vacation and compensatory time in which the duty of the Attorney to the Governmental Body, under the Rules of Professional Conduct of the State Bar clearly conflicts with the Open Meetings Act.

Judge Hinojosa recommended that County Counsel should be instructed to meet with the District Attorney regarding the current Policy with respect to compensatory time implemented by the District Attorney's Office and specifically with respect to the employees who had made claims.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, County Counsel was directed to meet with the District Attorney regarding the current Compensatory Time Policy implemented by the District Attorney's Office and specifically with respect to the employees who had submitted claims.

- b) Confer with County Counsel on the case styled Denise Stockton Bell vs. Judge Rogelio Valdez, 103rd District Court, et. al., B-96-233, in the United States District Court for the Southern District of Texas.

Commissioner Matz recommended that the Status Report by County Counsel should be acknowledged regarding said matter.

Commissioner Matz moved that the Status Report by County Counsel be acknowledged regarding the case styled Denise Stockton Bell vs. Judge Rogelio Valdez, 103rd District Court, et. al., B-96-233, in the United States District Court for the Southern District of Texas.

The motion was seconded by Commissioner Benavides and carried unanimously.

- c) Confer with County Counsel on the Country Boy Haven Subdivision and the owner of Lot No. 19, Mr. Jesus Delgado.

Mr. Doug Wright, Cameron County Counsel, recommended that the expenditure, in the amount of \$2,200.00, for improvements to the roadway should be accepted, as recommended by the County Engineer, regarding said matter.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the expenditure for the improvements to the roadway, on the Country Boy Haven Subdivision and the owner of Lot No. 19, in the amount of \$2,200.00, was approved as recommended by the County Engineer.

- d) Confer with County Counsel on the possible litigation concerning the condemnation of County Property by the Laguna Madre Water District; and
- e) Confer with County Counsel on the possible litigation concerning the effluent from the Laguna Madre Water District.

Commissioner Cascos noted that Judge Hinojosa was not present for the discussion of said Items and recommended that the Status Report by County Counsel should be acknowledged and that the Water District Manager be given the opportunity to address the Court. He added that the County was willing to cooperate with the Water District's endeavor and noted that the issue regarding the effluent needed to be discussed in order to reach an Agreement.

Commissioner Benavides moved that the Status Report by County Counsel be acknowledged and that Mr. Eddie Hernandez, Laguna Madre Water District Manager, be given the opportunity to address the Court, noting the County's willingness to cooperate with the endeavor concerning the condemnation of the County Property by the

Laguna Madre Water District and that the matter regarding the effluent needed to be discussed in order to reach an Agreement.

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

AYE: Commissioners Benavides, Cascos, Matz and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

At this time, Mr. Eddie Hernandez, Laguna Madre Water District Manager, requested clarification as to the action taken by the Court and Judge Pro temp Cascos explained that action was being deferred, until the Manager met with County Counsel or a member of the Court, in order to resolve the effluent issue, Aif it is an issue@, noting his understanding that there was no issue.

Mr. Hernandez noted that the Aproblem, was that they want a percent , if we sell it@. He explained that the original Contract on the sale of the Plant from the County to the Water District, included the stipulation to give the effluent to the County. He noted that the County could not use the amount of effluence being produced at this time. The problem was that the Water District-s Attorney requested to be indemnified by the County, and the County Attorney objected to the indemnification. The Water District Attorney requested clarification as to that position, but it had been over a year and no agreement had been reached.

Mr. Doug Wright, Cameron County Counsel, stated AThere were numerous issues involved. One was the indemnification provision. The problem is, we can not indemnify and Mr. Magellanes and I met and we agreed that with respect to the effluent, that the County would represent the Water District if the use by the County was negligent. However, the stumbling block is that Mr. Magellanes continues to want us to indemnify or to represent, even if the emission of the effluent is not consistent with State Standard. The actual negligence is, in fact, the Water District releasing the effluent when it violates State Law; and he wrote Aas is language@into the effluent emissions, and we can not do that when the Water District is negligent in it-s emission of an effluent. And, because we use it, we rely on State Standard for them to be able to release it to us. We have no control over that and so that has been a stumbling block with respect to that issue and I think just now in our discussion, he indicated that it can be resolved.@

Mr. Hernandez responded AI do not see any problem; if he can write the language.@

Mr. Wright stated Athe other problem is, we differ as to our opinion on the original consideration and obviously, I was not around either when the original transaction took place, but the clear language that the Agreement had was that the County receive the effluent, that we would be given the effluent. And, what has happened, in the mean time is, we have not been allowed to have the effluent. We have attempted to.@

Commissioner Cascos stated ABut all that is all past, because now they are saying that Ayes, everything is cool@.@

Commissioner Matz replied ANo, that is not what he said. I do not think.@

Commissioner Cascos responded AYeah, that is what he said. Yeah, that is what you said, right Eddie?@

Mr. Wright stated AWell, the issue comes down to one of; Does the County own the effluent or does the County not own the effluent and the Water District owns the effluent?@

Mr. Hernandez responded AAccording to the Attorney from San Antonio we own, but that is not important. But, as far as we are concerned, we want the County to have the effluent. O.K.? We do not want to get in that kind of hassle. The County can't take it all. We could give it all to them tomorrow, they can't take it all. So we are willing to release the effluence that the County needs, whatever it needs, we will give you.@

Commissioner Cascos questioned AWhat about the excess?@

Mr. Hernandez responded AWell, the other problem is that now they want us to, if we sell it, if we get forty percent (40%) and we do not want to get into that. The original Contract said to have it, we will give it to you. It did not say anything about sharing and percentages or sales or anything like that. Besides that, the County can not sell. It is illegal, O.K.@

Mr. Wright stated AThat is the reason the Contract is written up where the Water District sells it and we get a percentage.@

Mr. Hernandez stated AIt does not say anything about selling on the original one.@

Mr. Wright stated AOn the original transaction, the purchase price by the Water District was substantially below market and it was given as a cooperative effort. Part of the consideration was the fact that we were going to own the effluent and that is the problem.@

Mr. Hernandez replied AWe will give it to you.@

Mr. Wright responded AWell, you do not give it to us, and if we do not use all of it, then we have no interest. Then we do not have the effluence, sir.@

Mr. Hernandez replied AWell, we will give it to you, whatever you need.@

Mr. Wright questioned AAnd then what do we do with the rest of it?@

Mr. Hernandez replied AI do not know, I mean, if you do not need it, then we will not give it to you.@

Commissioner Cascos stated ATime out. I will tell you what. Let us do this, because we have a long Agenda.@

Mr. Hernandez stated AWhat I am trying to do is divert, put them aside, because we need to build that Plant. All we need is to purchase the property. You all have no use for it and in your plans. I had asked two year ago and no

plans to do anything there. And, all we are asking is that we purchase it at the market value price and you should decide to this because some attorneys can get together and we are trying to give them the effluent and they are trying to work deals. And, what you need is to be using that effluence. That is what we want you to do.®

Mr. Wright stated ACounty personnel has been trying to get hooked on to this effluent for for over a year. We are never going to get off the dime on this thing.®

Mr. Hernandez replied AIt is already hooked up. I do not see why we can not get together in the language as far as the indemnification and stuff like that.®

Commissioner Cascos suggested ALet me take a look at that Contract and let me give you a call.®

Mr. Hernandez stated ABut, I think we need to get ahead on this, or else we are going to build the plant somewhere else.®

Commissioner Cascos stated ALet me give you a call first thing tomorrow morning. And we will set up a meeting up for may Monday of next week. And that is all we can do today, set us a meeting. Leave these guys out. Let-s you and I get together and read it.®

f) In the matter of conferring with County Counsel pertaining to the possible sale or trade of approximately eleven (11) acres located at the Los Indios Free Trade Bridge, Los Indios, Texas. **(REJECTED)**

Judge Hinojosa recommended that the requested sale or trade should be rejected regarding said matter.

Commissioner Cascos moved that the requested sale or trade be rejected regarding approximately eleven (11) acres located at the Los Indios Free Trade Bridge, Los Indios, Texas.

The motion was seconded by Commissioner Benavides and carried unanimously.

(5) **NAMING OF THE CAMERON COUNTY BUILDING LOCATED AT 186 N. SAM HOUSTON, SAN BENITO, TEXAS, FOR JUDGE TOMAS AGUIRRE, JR., JUSTICE OF THE PEACE**

Upon motion by Judge Hinojosa, seconded by Commissioner Peña and carried unanimously, the Cameron County Building, located at 186 N. Sam Houston, San Benito, Texas, was named in honor of Judge Tomas Aguirre, Jr., Justice of the Peace.

At this time, Judge Hinojosa expressed gratitude to Judge Tomas Aguirre, Jr., for his years of service and commitment to the County.

Judge Tomas Aguirre, Jr., Justice of the Peace, expressed his gratitude for the honor and recognition from the Commissioners= Court and the community.

(22) **AUTHORIZATION TO CONTRACT WITH CROSLIN AND ASSOCIATES, INCORPORATED FOR THE ARCHITECTURAL DESIGN SERVICES OF THE CAMERON COUNTY BOOT CAMP AND EDUCATION CENTER**

At this time, Mr. Mark Yates, County Auditor, stated that the amount of the Project was \$113,642.00, which was a Fixed Fee, based on an estimated budget, with a scope increase which would be further negotiated.

Judge Hinojosa stated that the scope increase would be proposed for Croslin and Associates, Incorporated, to handle the Armory Architecture and added that a modification would be made to the current Contract as opposed to advertising for Request for Proposals.

Commissioner Cascos questioned whether the Fixed Fee would be locked if the cost exceeded the stated amount and Mr. Doug Wright, Cameron County Counsel, responded that an eight and three quarter percent (8.75%) Fee was set for the Project.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Contract with Croslin and Associates, Incorporated, was approved for the Architectural Design Services of the Cameron County Boot Camp and Education Center.

The Contract is as follows:

(6) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, recommended that the Warrant No. 30410, as to Miller Management Services, in the amount of \$7,065.00, should be accepted and withdrawn from the claims list and presented an additional claim as to Albert Treviño, Warrant No. 30624, in the amount of \$350.00.

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 additional Warrant No. 30624, in the amount of \$350.00.



(7) APPROVAL OF THE BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

At this time, Commissioner Benavides stated that the Operator Positions were being increased, in order to bring the salaries up to par, and added that the salary for the Right-of-Way Agent should be increased, due to the additional duties, noting that the funds should be allocated from Lapsed Salaries.

There was some discussion regarding the Budget Amendments not reflecting said Salary Schedules and the County Auditor recommended that the Salary Schedules be approved before creating the Budget Amendments, in order for the Budget Amendment to reflect only those Salary Schedules approved by the Court.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Fiscal Year 1997 Budget Amendment No. 97-12 and the following Salary Schedules were approved:

Maintenance and Operation Precinct No. 1 - Fund No. 15-617;

T. B. Program Income - Fund No. 27-642;

IMM Action Plan - Fund No. 24-638;

Title V - Part B - Fund No. 27-647;

Tuberculosis - Fund No. 26-646; and

County Judge - Fund No. 10-401.

The Budget Amendment and Salary Schedules are as follow:

(8) APPROVAL OF THE MINUTES OF FEBRUARY 11, 1997, AND FEBRUARY 18, 1997

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held February 11, 1997, at 4:00 P.M., and the Regular Meeting held February 18, 1997, at 4:00 P.M., were approved, subject to the correction of Item No. 2 Ac@ of the Minutes of February 11, 1997.

At this time, Judge Hinojosa reported that the United States Customs had approved the opening of the Free Trade Bridge at Los Indios, from 6:00 A.M. to 12:00 A.M., noting that the hour change would be implemented for a one (1) year trial period.



(9) PRESENTATION OF THE SOLID WASTE ENFORCEMENT ACTIVITIES BY CONSTABLE CONRADO CANTU, PRECINCT NO. 2 (NO ACTION TAKEN)

At this time, Constable Conrado Cantu, Precinct No. 2, highlighted the functions and achievements of the Solid Waste Enforcement Activities and fines collected in the first quarter of the Fiscal Year 1996-1997.

Judge Hinojosa stated that Constable Cantu was entitled to six (6) more Reserve Deputies on the two (2) Enforcement Officers, which would increase the percentage of fines and arrests.

The Reports are as follow:

**(10) ADOPTION OF A RESOLUTION IN SUPPORT OF
A TEXAS DEPARTMENT OF TRANSPORTATION
COST SHARING PROGRAM AT THE FREE
TRADE BRIDGE AT LOS INDIOS**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Resolution in support of a Texas Department of Transportation Cost Sharing Program at the Free Trade Bridge at Los Indios, was adopted.

The Resolution is as follows:

(11) AUTHORIZATION TO REALLOCATE FUNDS DESIGNATED FOR THE COMPUTER HARDWARE TO PERSONNEL COST OF THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

At this time, Judge Hinojosa stated that a State Grant received, in the amount of \$178,000.00, was to provide funding for various functions, including the purchase of educational materials and equipment and added that the enrollment of youths had been less than expected. He stated that the Program received funds from the participating School Districts and added that the reallocation of funds would pay for the personnel salaries at the Juvenile Justice Alternative Education Program.

Commissioner Cascos moved that the Funds designated for the Computer Hardware be reallocated to the Personnel cost of the Juvenile Justice Alternative Education Program.

The motion was seconded by Commissioner Peña and carried unanimously.

(12) IN THE MATTER OF THE DISCUSSION OF A PROPOSED STUDY PERTAINING TO THE IMPLEMENTATION OF THE VALLE ESCONDIDO DRAINAGE PROJECT (TABLED)

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

(13) IN THE MATTER TO RECONSIDER THE FEBRUARY 18, 1997, COMMISSIONERS=COURT AGENDA ITEM NO. 16: AUTHORIZATION FOR IMPROVEMENTS TO A CERTAIN ROAD PROVIDING ACCESS TO LEAL SUBDIVISION, RANGERVILLE, TEXAS, CAMERON COUNTY, PRECINCT NO. 4 (RESCINDED)

At this time, Commissioner Cascos questioned AHector, that was move Peña to rescind on that Item?@

Commissioner Peña replied AYes.@

Commissioner Cascos responded ASecond.@

Commissioner Peña responded AWait, wait, wait.@

Commissioner Cascos stated AWell, I seconded it.@

Commissioner Peña stated AI just have one question. On the Agenda Item it says that the road is a private and has no name.@

Commissioner Matz replied ARight.@

Commissioner Peña stated AO.K. I guess that was the issue when we discussed whether it was public or private at that time.®

Commissioner Matz stated AI was talking about easements. Public easements and that sort of thing.®

Commissioner Peña questioned AThe road, you said the road is private and has no name.®

Commissioner Matz replied AI is not a County Road.®

Commissioner Peña questioned AO.K. Well, but it is a public road?®

Commissioner Cascos replied AApparently not. If it is private, it is not a public road.®

Commissioner Peña stated AO.K. That was, I think that was what we were trying to determine, whether it was public or private. O.K. Then, I do not know, did we have a fact to find at that time?®

Mr. Doug Wright, Cameron County Counsel stated AYou all looked at the possibility of it being a public road, based on the public use. You or the County Engineer had a an Affidavit which he reviewed to determine the appropriateness of the Affidavit as to the use of the road for a ten (10) year period. That was what State Law required.®

At this time, Mr. Juan Bernal, County Engineer, stated AI was supposed to check the Affidavit, and that is what I did.®

Commissioner Cascos AI think you did exactly what the Court instructed you to do, I just do not know if the Court told you to do the right thing. You did what we told you to do. O.K. But, I think that when I voted, I supported initially and it was because the representations were made that it was a public road. Subsequent to that, information came when Commissioner Valencia had tried to get this through back in 1993, I believe, and the Court denied it as well for the same reasons. So, I think Commissioner Peña...®

Commissioner Peña stated ASo basically what you are saying is that, I thought we had presented enough evidence to indicate that it was a public road.®

Commissioner Cascos stated AWell, apparently not.®

Commissioner Peña replied AO.K. Well...®

Judge Hinojosa stated AWell, that, I mean, that is for us to decide.®

Commissioner Peña stated AThat is what I was looking at.®

Judge Hinojosa AYes sir?®

At this time, Former Commissioner Tivie Valencia, Precinct No. 4, questioned AJudge, can I say a couple of words.®

Judge Hinojosa replied ASure, come on up.®

Commissioner Valencia stated AJudge and Commissioners, my name is Tivie Valencia. For the record, I used to be the Precinct No. 4 Commissioner. Judge and Commissioners, I think last week there was an Item, that some people had presented some letters. I would like for the record again to be clear that during my time, eight (8) years, that we never worked on that road. We did one time, bring it the Commissioners=Court to see if we were able to work on it. It was denied and that was it. Right now, I do not know what you all are to do right now.®

Commissioner Peña replied ABasically we are just finding the fact whether it is public or not. That is what we are doing right now.®

Commissioner Valencia stated AO.K. Well, it has never been a public. If there is any additional information you would need, I will be of assistance.®

Commissioner Peña questioned AYou looked at the Affidavits right? Called those people and they said what?®

Mr. Juan Bernal responded AI called and talked to them and they swear by the Affidavit.®

Judge Hinojosa questioned AAlright, do I hear a motion of anything?®

Commissioner Cascos stated AHe made a motion, I seconded it.®

Commissioner Matz stated AWell, I will make a motion to rescind the motion, there are a lot of considerations here and they are spelled out in the back up and I do not know that we want to have an extended discussion.®

Commissioner Peña stated ARight, I think if we could look at it administrative.®

Commissioner Matz moved that the February 18, 1997, Commissioners= Court Agenda Item No. 16: AAuthorization for improvements to a certain road providing access to Leal Subdivision, Rangerville, Texas, Cameron County, Precinct No. 4", be rescinded.

The motion was seconded by Commissioner Cascos.

At this time, former Commissioner Valencia stated AIf you are going to rescind this motion Commissioners and Judge, I think that the Commissioners should make well aware that the work has already been done up there.®

Judge Hinojosa questioned AAny more discussion?®

Commissioner Peña replied AOne more discussion. Can I have one more discussion, Judge?®

Upon motion duly made by Commissioner Matz that the February 18, 1997, Commissioners= Court Agenda Item No. 16: AAuthorization for improvements to a certain road providing access to Leal Subdivision, Rangerville, Texas, Cameron County, Precinct No. 4", be rescinded.

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

AYE: Commissioners Benavides, Cascos and Matz

NAY: Commissioner Peña and Judge Hinojosa.

(14) AUTHORIZATION TO PURCHASE A MOBILE PHONE FOR CONSTABLE PRECINCT NO. 1

At this time, Commissioner Cascos recommended that this Item should be approved, subject to the availability of funds within the Constable Precinct No. 1 Budget, and suggested that if the funds were not available, the funds should be allocated from the Surplus Fund.

Mr. Mark Yates, County Auditor, recommended that the Lapsed Salaries should be considered before allocating the funds from the Surplus Fund.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, Constable Precinct No. 1 was authorized to purchase a mobile phone, said funding to be allocated from the Lapsed Salaries or the Surplus Fund.

(15) APPROVAL OF THE CONTRACT CONFIRMING THE EMPLOYMENT OF MS. A. ANN GANN, IN THE POSITION OF FIRST ASSISTANT DISTRICT ATTORNEY, FOR A PERIOD OF SIX MONTHS BEGINNING THE 2ND DAY OF JANUARY 1997, AND ENDING THE 30TH DAY OF JUNE, 1997

At this time, Mr. Mark Yates, County Auditor, stated that the Contract be changed from an Employment Contract to a Professional Services Contract, as recommended by County Counsel.

Mr. Doug Wright, Cameron County Counsel, stated that the District Attorney recommended to retain the Contract as it currently existed.

Ms. Yolanda de Leon, District Attorney, recommended that the term "Employee" be altered to "Provider" on the Contract.

Commissioner Peña moved that the Contract confirming the employment of Ms. A. Ann Gann, in the Position of First Assistant District Attorney, for a period of six (6) months, beginning the 2nd day of January, 1997, and ending the 30th day of June, 1997, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

**(16) APPROVAL OF THE CAMERON COUNTY
EQUIPMENT LIST**

At this time, Mr. Mark Yates, County Auditor, recommended that an amendment be made to the Equipment List in the County Judge's Office as to the two (2) personal computers and a printer and stated that GE Capitol would finance for a three (3) year period, with the payments beginning October 1, 1997.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Cameron County Equipment List was approved.

NOTE: COMMISSIONER CASCOS LEFT THE COURT ROOM.

The List is as follows:

(18) AUTHORIZATION TO INCREASE THE SALARY FOR THE POSITION OF THE CONSTRUCTION MANAGER FOR THE COUNTY ENGINEERING DEPARTMENT

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Salary was increased from \$42,000.00 to \$46,000.00, plus car allowance, for the Position of Construction Manager for the County Engineering Department.

(17) AUTHORIZATION TO AWARD THE CONTRACT TO THE SECOND LOW BID, IN THE AMOUNT OF \$4,725.00, TO JIMMY CLOSNER AND SONS CONSTRUCTION COMPANY, FOR PAVING AND RESURFACING OF THE GATEWAY INTERNATIONAL BRIDGE PARKING LOT

Commissioner Matz moved that the Contract be awarded to the second low Bid, in the amount of \$4,725.00, to Jimmy Closner and Sons Construction Company, Mercedes, Texas, for the paving and resurfacing of the Gateway International Bridge Parking Lot.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

**(19) APPROVAL OF THE TEXAS DEPARTMENT OF
HEALTH DOCUMENT NO. 7460004207 97,
CHANGE NO. 06: ATTACHMENT NO. 08:
PUBLIC HEALTH REGION 11 - BORDER**

Commissioner Matz moved that the Texas Department of Health Document No. 7460004207 97, Change No.

06: Attachment No. 08: Public Health Region 11 - Border, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Document is as follows:

(20) AUTHORIZATION TO ESTABLISH OPENING AND CLOSURE TIMES FOR THE SANTA MARIA, SANTA ROSA AND ESPARZA COUNTY PARKS FOR PURPOSES OF PUBLIC SAFETY AND VANDALISM REDUCTION

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the opening time of 6:00 A.M. and the closure time of 10:00 P.M. were established for the Santa Maria, Santa Rosa and the Esparza County Parks for purposes of public safety and vandalism reduction.

(21) AUTHORIZATION TO RESTRUCTURE DAY-USE ENTRANCE FEE AT E. K. ATWOOD COUNTY PARK AND PUBLIC BEACH ENTRY

At this time, Mr. Kenneth Conway, Parks System Director, stated that the flat rate, in the amount of \$2.00, was a reduction for the use of E. K. Atwood Park, with a refundable amount of \$.50, upon return of the litter bag.

Commissioner Matz moved that the Day-Use Entrance Fee at E. K. Atwood County Park and Public Beach Entry be restructured to a \$2.00 flat rate, with the refundable amount of \$.50, upon return of the litter bag.

The motion was seconded by Commissioner Peña carried unanimously.

(23) APPROVAL TO ACCEPT REIMBURSEMENT OF THE FEDERAL SHARE, IN THE AMOUNT OF \$20,777.38, FOR THE COUNTY'S EXPENDITURES UNDER THE EMERGENCY MANAGEMENT ADMINISTRATIVE PROGRAM FOR THE PERIOD OF OCTOBER 1, 1995, THROUGH SEPTEMBER 30, 1996

Commissioner Matz moved that the reimbursement of the Federal Share, in the amount of \$20,777.38, be accepted for the County's expenditures under the Emergency Management Administrative Program for the period of October 1, 1995, through September 30, 1996.

The motion was seconded by Commissioner Peña and carried unanimously.

CONSENT AGENDA ITEM

THE FOLLOWING ITEMS WERE RECOMMENDED FOR ACONSENT® 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 AConsent® Agenda Items were approved as follow:

At this time, Judge Hinojosa reported that the Detroit and Cincinnati Major League Baseball Teams were interested in having the Spring Training in South Texas.

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

- a) Health Department employee to attend the ARe-Engineering and Re-Designing Health Care Delivery Seminar® in Austin, Texas, on March 9-10, 1997;
- b) Chief Juvenile Officer, Assistance Chief, and Juvenile Program Specialist to attend the A1997 Texas probation Association Annual Conference® in Austin, Texas, on March 22-27, 1997;
- c) County Treasurer to attend the AAnnual County Treasurers-Continuing Education Seminar® in College Station, Texas, on April 13-18, 1997;
- d) Community Development Coordinator to attend a ATexas Development of Housing and Community Affairs Home Workshop® in Edinburg, Texas, on March 5, 1997;
- e) Gateway International Bridge Manager and Free Trade Bridge Supervisor to attend the AHow to Lead Your Team to Success Seminar® in McAllen, Texas, on April 7, 1997;
- f) Sheriff-s Department Major and Floor Sergeant to attend the AAnnual Texas Jail Association Conference® in Austin, Texas, on April 25, 1997, through May 1, 1997;
- g) County Judge, County Judge Administrative Assistant, County Engineer and Bridge Systems Director to meet with Mexican Officials on the Los Tomates International Bridge Project in Mexico City, District Federal, on March 5-6, 1997; and
- h) Acting Emergency Management Coordinator and County Judge Administrative Assistant to attend the ANational Hurricane Conference® in Houston, Texas, on April 22-25, 1997.

(25) AUTHORIZATION TO AWARD BIDS/PROPOSALS FOR ANNUAL BID NO. 2014 COMMISSARY - SNACKS

OROZCO-S PRODUCE - La Feria, Texas

Total Cost - \$781.47

MARTIN MARQUEZ - Brownsville, Texas

Total Cost - \$620.43

C & C BAKERY - Mercedes, Texas

Total Cost - 440.00

PRESIDENT BAKING COMPANY - Grand Prairie, Texas

Total Cost - \$1,590.92

KEEFE SUPPLY COMPANY - St. Louis, Missouri

Total Cost - \$2,628.09

LANCE INCORPORATED - Charlotte, North Carolina

Total Cost - \$1,169.90

- (26) AUTHORIZATION TO AWARD BIDS/PROPOSALS FOR ANNUAL BID NO. 1520 - MICROFILMING SERVICES

COMGRAPHIX - San Antonio, Texas

Estimated Total - \$13,066.00

- (27) AUTHORIZATION TO AWARD BIDS/PROPOSALS FOR ANNUAL BIDS NO. 2000 - COMMISSARY - HEALTH AND HYGIENE

CRAWFORD SUPPLY - St. Louis, Missouri

Total - \$1,223.01

- (28) PRELIMINARY AND FINAL APPROVAL

- a) Precinct No. 3

McLaughlin Subdivision - being a replat of Lot No. 1, Block No. 1, of Bearden Subdivision; and

- (b) Precinct No. 3

F & C Muñoz Subdivision - being a 1.00 acre tract of land situated in and part of Block No. 88, Wilson Tract.

[REDACTED]

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 25th day of March, 1997.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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