

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 1st day of APRIL, 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:

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:

GILBERTO HINOJOSA

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The meeting was called to order by Judge Pro-tem Carlos H. Cascos.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk
on March 27, 1997, at 1:24 P.M.:

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

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the following Bids/Request for Proposals were opened:

- a) In the matter of Request for Proposal No. 97-02-07-1308 Snack Food Concession - Andy Bowie Parks - Surfview Pavilion; (**NO PROPOSALS RECEIVED**)
- b) Request for Proposal No. 97-02-06-1320 Snack Food Concession - Isla Blanca Park - Sand Piper Pavilion;
- c) Compact Pickup Truck - Parks System Department; and
- d) Sports Utility Vehicle - Sheriff's Department.

The Bids/Request for Proposals are as follow

(1) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS

- b) REQUEST FOR PROPOSAL NO. 97-02-06-1320 SNACK
FOOD CONCESSION - ISLA BLANCA PARK - SAND
PIPER PAVILION**

THE BIDS/REQUEST FOR PROPOSALS ARE AS FOLLOW

(1) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS

**c) COMPACT PICKUP
TRUCK - PARKS SYSTEM
DEPARTMENT**

The Bids/Request for Proposals are as follow:

(1) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS

- d) SPORTS UTILITY VEHICLE - SHERIFF-S
DEPARTMENT**

The Bids/Request for Proposals is as follow:

(2) EXECUTIVE SESSION

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

- a) Confer with County Counsel concerning the potential litigation regarding the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B);
- b) Deliberation regarding the Real Property concerning the Right-of-Way acquisition of Parcel No. 15, Maverick Road; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) Confer with County Counsel concerning the potential litigation regarding the Adult Probation Office Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A&B).

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 5:10 P.M.



(3) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel concerning the potential litigation regarding the Dancy Building.

Judge Pro-tem Cascos recommended that the Status Report by County Counsel should be acknowledged.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the potential litigation regarding the Dancy Building.

- b) Deliberation regarding the Real Property concerning the Right-of-Way acquisition of Parcel No. 15, Maverick Road.

Judge Pro-tem Cascos recommended that the payment of \$1,875.00 should be offered to Estefan Longoria for the Right-of-Way as discussed in Executive Session.

Commissioner Benavides moved that the payment, in the amount of \$1,875.00, be offered to Estefan Longoria, owner, for the Real Property regarding the Right-of-Way acquisition of Parcel No. 15, Maverick Road as discussed in Executive Session.

The motion was seconded by Commissioner Matz and carried unanimously.

- c) Confer with County Counsel concerning the potential litigation regarding the Adult Probation Office Project.

Judge Pro-tem Cascos recommended that the County Judge Pro-tem should be authorized to negotiate with Terry Ray Construction on the Proposal presented for the completion of the Contract regarding said matter.

(6) APPROVAL OF THE MINUTES OF MARCH 19, 1997

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Minutes of the Special Meeting held March 19, 1997, at 4:00 P.M., were approved.



(7) ADOPTION OF A RESOLUTION HONORING MS. ANTONIA (TONI) DE LEON, ON THE OCCASION OF HER RETIREMENT FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES

Commissioner Peña moved that the Resolution honoring Ms. Antonia (Toni) De Leon, on the occasion of her retirement from the Texas Department of Human Services be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

At this time, Commissioner Peña highlighted Ms. Antonia (Toni) De Leon's career and years of service to the Texas Department of Human Services and expressed the Court's gratitude.

Ms. Antonia (Toni) De Leon expressed her gratitude to the Court and the employees of the Texas Department of Human Services.

The Resolution is as follows:

(8) ADOPTION OF A RESOLUTION DESIGNATING APRIL AS "FAIR HOUSING MONTH" IN CAMERON COUNTY, PURSUANT TO THE REQUIREMENTS OF THE TEXAS COMMUNITY DEVELOPMENT PROGRAM

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Resolution designating April as Fair Housing Month in Cameron County, pursuant to the requirements of the Texas Community Development Program was adopted.

The Resolution is as follows:

(9) **ADOPTION OF PROCLAMATION
DESIGNATING APRIL 1997, AS "CHILD ABUSE
PREVENTION MONTH" IN CAMERON COUNTY**

Commissioner Peña moved that the Proclamation designating April 1997, as a Child Abuse Prevention Month in Cameron County be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

The following individuals were introduced to the Court:

Sister Dolores Sheehan, Brownsville Child Abuse Task Force,

Ms. Mary Valdez Dougherty, Brownsville Child Abuse Task Force,

Ms. Margie Garcia, Brownsville Child Abuse Task Force, and

Ms. Elvira Ortiz, Cameron County Child Welfare Board Member.

At this time, Ms. Margie Garcia, Brownsville Child Abuse Task Force, stated that the Child Abuse Prevention Month would kick off the campaign with a candlelight ceremony on Thursday, April 3, 1997, and added that the ceremony would allow Brownsville residents to join together and break the darkness, in order to express their support and efforts for child abuse prevention.

The Proclamation is as follows:

(10) IN THE MATTER FOR THE CAMERON COUNTY PRO BONO PROJECT TO UTILIZE THE GARCIA ROOM, 4TH FLOOR CAMERON COUNTY COURTHOUSE, ADMINISTRATIVE BUILDING FOR OFFICE SPACE (TABLED)

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

(25) AUTHORIZATION OF THE RENOVATIONS TO THE THIRD FLOOR VAULT, DISTRICT CLERK-S OFFICE AT THE CAMERON COUNTY COURTHOUSE, JUDICIAL BUILDING, BROWNSVILLE, TEXAS

At this time, Mr. Pete Blanco, Maintenance Superintendent, stated that there had been funds set aside for said Project but were utilized for purposes other than the renovations to the vault, and added that the renovation project would begin after July, 1997.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the renovations to the third floor vault, District Clerk-s Office at the Cameron County Courthouse, Judicial Building, Brownsville, Texas, were approved.

(11) IN THE MATTER OF THE PROPOSED FLOOR PLANS AND RENOVATIONS FOR THE CONSOLIDATION OF COUNTY OFFICES AT 313 QUEEN ISABELLA (HIGHWAY 100), PORT ISABEL, TEXAS (TABLED)

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, this Item was (TABLED).

(12) PRESENTATION AND DISCUSSION OF THE INTERIM REPORT ON THE INVESTMENTS OF COUNTY FUNDS THROUGH DECEMBER 31, 1996

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the presentation and discussion of the Interim Report on the investment of County Funds through December 31, 1996, were acknowledged.

The Report is as follows:

(13) APPROVAL OF THE PURCHASE WITHOUT THE PURCHASE ORDER, IN THE AMOUNT OF \$3.00, FROM YBARRA TIRES

Commissioner Peña moved that the purchase without the Purchase Order, in the amount of \$3.00 from Ybarra Tires, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

(14) APPROVAL OF THE TAX REFUND TO THE TEXAS COMMERCE BANK, IN THE AMOUNT OF \$2,461.40

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the tax refund to the Texas Commerce Bank, in the amount of \$2,461.40, was approved.

(15) AUTHORIZATION OF THE WAIVER OF HOTEL REIMBURSEMENT LIMIT FOR THE HURRICANE CONFERENCE IN HOUSTON, TEXAS, ON APRIL 21-25, 1997

Commissioner Benavides moved that the waiver of hotel reimbursement limit for the Hurricane Conference in Houston, Texas, on April 21-25, 1997, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

(16) APPROVAL OF BOTH THE CAMERON COUNTY ROAD AND BRIDGE AND THE CAMERON COUNTY SHERIFF-S DEPARTMENT ACCIDENT PREVENTION PLANS, IN ACCORDANCE WITH THE TEXAS LABOR CODE, SECTION 411.041, NOTIFICATION OF EXTRA-HAZARDOUS EMPLOYER

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Cameron County Road and Bridge and the Cameron County Sheriff-s Department Accident Prevention Plan, in accordance with the Texas Labor Code, Section 411.041, Notification of Extra-Hazardous Employer, were approved.

The Plans are as follow:

(17) **APPROVAL OF THE ENGINEERING CONTRACT WITH GONZALES ENGINEERING AND SURVEYING, INCORPORATED, PURSUANT TO CERTAIN DISASTER RELIEF ROAD REPAIRS (TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 716097)**

Commissioner Peña moved that the Engineering Contract with Gonzales Engineering and Surveying, Incorporated, be approved pursuant to certain disaster relief road repairs (Texas Community Development Program Contract No. 716097).

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

(18) APPROVAL OF A RESOLUTION ADOPTING GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENTS IN THE CITY OF BROWNSVILLE REINVESTMENT ZONES AND/OR ENTERPRISE ZONES

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the adoption of Policies and Guidelines was essential to process Tax Abatement Agreements with companies in the future and added that nine (9) more Reinvestment Zones had been created along with the current Enterprise Zone, which was also by law, considered a Reinvestment Zone. Mr. Bejarano explained that the Tax Abatement Process would have to be negotiated first with the City of Brownsville for those companies in the Reinvestment Zones and that the County would only have the option of deciding whether or not to abate the company, and negotiate the duration and amount of property to be abated.

Commissioner Matz clarified that the tax abatement would be on the increase in value of that property and not on the base value of the property, noting that rollback taxes were not included either.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Resolution adopting guidelines and criteria governing Tax Abatement Agreements in the City of Brownsville Reinvestment Zones and/or Enterprise Zones was adopted.

The Resolution is as follows:

(19) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT AND ENGINEERING DEPARTMENTS TO NEGOTIATE THE ENGINEERING SERVICES CONTRACT WITH CARTER AND BURGESS, INCORPORATED, PURSUANT TO THE SUNNY SKIES COLONIA PLATTING AND IMPROVEMENT PROJECT (TEXAS COMMUNITY DEVELOPMENT PROJECT CONTRACT NO. 716035)

Commissioner Peña moved that the Program Development and Management and Engineering Departments be authorized to negotiate the Engineering Services Contract with Carter and Burgess, Incorporated, pursuant to the Sunny Skies Colonia Platting and Improvement Project (Texas Community Development Project Contract No. 716035).

The motion was seconded by Commissioner Benavides and carried unanimously.

(20) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT AND ENGINEERING DEPARTMENTS TO NEGOTIATE THE ENGINEERING SERVICES CONTRACT WITH MARTIN-BROWN ENGINEERING AND SURVEYING, PURSUANT TO THE GREEN VALLEY FARMS RIGHT-OF-WAY CONVERSION PROJECT (TEXAS COMMUNITY DEVELOPMENT PROJECT CONTRACT NO. 716045)

Upon motion by Commissioner Peña , seconded by Commissioner Matz and carried unanimously, the Program Development and Management and Engineering Departments were authorized to negotiate the Engineering Services Contract with Martin-Brown Engineering and Surveying, pursuant to the Green Valley Farms Right-of-Way Conversion Project (Texas Community Development Project Contract No. 716045).

(21) APPROVAL OF THE AMENDMENT TO THE ENGINEERING CONTRACT WITH MEJIA AND ROSE, INCORPORATED, TO PREPARE PLAT OF RECORD FOR THE PROPOSED SITE OF CAMERON COUNTY RECREATION PROJECT

Commissioner Peña moved that the Amendment to the Engineering Contract with Mejia and Rose, Incorporated, be approved for the Proposed Site of the Cameron County Recreation Project.

The motion was seconded by Commissioner Matz and carried unanimously.

The Amendment is as follows:

(22) **AUTHORIZATION TO NEGOTIATE A SUPPLEMENTAL AGREEMENT TO THE S & B ENGINEERING CONTRACT FOR THE CONSTRUCTION MANAGEMENT OF THE LOS TOMATES BRIDGE PROJECT**

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Supplemental Agreement to the S & B Engineering Contract was negotiated for the Construction Management of the Los Tomates Bridge Project.

(23) **AUTHORIZATION TO APPROVE THE EXTENSION OF THE CONTRACT COMPLETION DATE FOR THE CONSTRUCTION OF THE PORT ISABEL HEALTH CENTER THROUGH OCTOBER 1997**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Contract completion date was extended through October 1997, for the construction of the Port Isabel Health Center.

(24) **IN THE MATTER OF THE STANDARD LEASE AGREEMENT (NINE {9} MONTHS) FOR THE MOBILE VENDOR SOUTHERN CHEF CATERING FOR THE ATWOOD COUNTY PARK AS RECOMMENDED BY THE LEASE SELECTION COMMITTEE (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, this Item was (TABLED).

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:

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

- a) District Clerk and three (3) Deputies to attend the A25th Annual County and District Clerks- Continuing Education Seminar® in College Station, Texas, on March 18-21, 1997;
- b) Health Department employee to attend a ABusiness Writing Seminar® in McAllen, Texas, on April 22, 1997;

- c) Health Department employee to attend the AFifth Annual Rio Grande Valley Medical Education Conference@in South Padre Island, Texas, on April 25-26, 1997;
- d) Health Department employee to attend a AFood Delivery Committee Meeting@ in Austin, Texas, on April 22, 1997;
- e) Justice of the Peace Precinct No. 3, Place 2, to attend the AJustice of the Peace Twenty Hour Seminar@in Corpus Christi, Texas, on April 6-9, 1997;
- f) Justice of the Peace Precinct No. 7 to attend the AJustice of the Peace Twenty Hour Seminar@ in Corpus Christi, Texas, on April 6-9, 1997;
- g) Task Force Director and Agents to attend the AGulf Shield Operation Commandant-s Report@in Corpus Christi, Texas, on March 27, 1997;
- h) High Intensity Drug Trafficking Areas (HIDTA) Director and Assistant Director to meet with the APost Seizure Analysis Team@in San Antonio, Texas, on April 8, 1997, and to attend the AAnnual Counterdrug Law Enforcement Agency Meeting@ in Austin, Texas, on April 10, 1997;
- I) Two (2) Precinct No. 6 Deputy Constables to attend the ALaw Enforcement and Security Training@in College Station, Texas, on May 19-21, 1997;
- j) Computer Center Director and Programming Staff to attend the AAnnual EZ-Tax Conference@in South Padre Island, Texas, on April 2-4, 1997;
- k) Computer Center Director to attend the AAnnual Texas Criminal Justice Information Users Group Spring Conference@ in Corpus Christi, Texas, on May 13-16, 1997;
- l) Crime Prevention Officer to attend the AIntroduction to Crime Prevention Course@ in Corpus Christi, Texas, on April 28, 1997, through May 2, 1997;
- m) Juvenile Probation ISP Officer to attend the A9th Annual ISP Institute Conference@ Corpus Christi, Texas, on April 22-25, 1997; and
- n) Juvenile Department Administrative Assistant to attend the ACriminal Justice Advisory Committee Meeting@ in Weslaco, Texas, on March 20, 1997.



(27) **AUTHORIZATION TO AWARD THE BIDS/REQUEST FOR PROPOSAL NO. 97-03-02 FOR FUEL SITES AUTOMATIC GAUGING SYSTEM**

SOUTH TEXAS PUMP - Weslaco, Texas

Total \$47,900.00

(28) AUTHORIZATION TO AWARD BIDS/REQUEST FOR PROPOSALS

a) COMPACT PICKUP TRUCK - PARKS DEPARTMENT

TIPTON MOTORS - Brownsville, Texas
Total \$9,205.55

b) QUARTERLY BIDS NO. 2170-97-1 FOOD - MEATS

H & H FOODS - Mercedes, Texas
Total \$14,978.55
MONFORT - McAllen, Texas
Total \$1,365.00

c) QUARTERLY BIDS NO. 2210-97-1 FOOD - SPICES

FARMERS BROTHERS - McAllen, Texas
Total \$871.69

**d) QUARTERLY BIDS NO. 2050-97-1 DIETARY SUPPLIES
- MISCELLANEOUS**

DE LA GARZA - Brownsville, Texas
Category B Total \$3.55

JOINER FOODS - Harlingen, Texas
Total \$1,810.35

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 **29th** day of **April, 1997**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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