

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 27th day of MAY, 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

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:

PEDRO "PETE" BENAVIDES

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 May 23, 1997, at 3:32 P.M.:

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

- a) Annual Bid No. 1430 for fire extinguisher maintenance; and
- b) Compact pickup truck - Maintenance Department.

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

The Bids and/or Proposals follow:

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

- a) ANNUAL BID NO. 1430 FOR FIRE
EXTINGUISHER MAINTENANCE**

The Bids received and opened are as follow:

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

**b) COMPACT PICKUP TRUCK -
MAINTENANCE DEPARTMENT**

The Bids and Request for Proposals received and opened are as follow:

(2) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 4:17 P.M. to discuss the following matters:

- a) Confer with County Counsel to discuss the Real Estate Donation Agreement for the donation of the land to the United States General Services Administration in coordination with the Los Tomates Bridge Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Confer with County Counsel to discuss the Effluent Agreement with the Laguna Madre Water District; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- c) Confer with County Counsel to discuss the status, authorize Judgement Offer and authorize hiring Counsel for Sheriff Omar Lucio regarding the case styled Terry Vinson vs. Omar Lucio, et. al.; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- d) Evaluation of Mr. Juan Bernal, in the capacity of County Engineer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (1); and
- e) Deliberation regarding the Real Property concerning the proposed terms of the revised Lease with Charlie's Paradise Bar in Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

NOTE: COMMISSIONER CASCOS JOINED THE MEETING

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 5:35 P.M.

██

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.

██

(3) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel to discuss the Real Estate Donation Agreement for the donation of the land to the United States General Services Administration, in coordination with the Los Tomates Bridge Project.

Mr. Doug Wright, Cameron County Counsel, reported that the County Judge should be authorized to sign the Agreement on behalf of the County.

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the County Judge was authorized to sign the Real Estate Donation Agreement on behalf of the County for the donation of the land to the United States General Services Administration, in coordination with the Los Tomates Bridge Project.

- b) Confer with County Counsel to discuss the Effluent Agreement with the Laguna Madre Water District.

Commissioner Cascos reported that County Counsel should continue the negotiations and that an addendum to the original Contract should be authorized regarding said matter.

Commissioner Peña moved that County Counsel continue the negotiations and that an addendum to the original Contract be approved regarding the Effluent Agreement with the Laguna Madre Water District, noting that Judge Hinojosa was not present for the discussion of this Item.

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

AYE: Commissioner Cascos, Matz and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

- c) Confer with County Counsel to discuss the status, authorize Judgement Offer and authorize hiring Counsel for Sheriff Omar Lucio regarding the case styled Terry Vinson vs. Omar Lucio, et. al.

Judge Hinojosa reported that the Status Report should be acknowledged and that the hiring of Mr. Albert Lopez, Attorney at Law, and the judgement offer be authorized.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Status Report by County Counsel was acknowledged and the judgement offer and the hiring of Mr. Albert Lopez, Attorney at Law, Counsel for Sheriff Omar Lucio regarding the case styled Terry Vinson vs. Omar Lucio, et. al. was approved.

The Agreement is as follows:

d) Evaluation of Mr. Juan Bernal, in the capacity of County Engineer.

Commissioner Cascos reported that Mr. Juan Bernal, County Engineer, was given a favorable evaluation and expressed the Court's gratitude his work performance.

Commissioner Cascos moved that the favorable evaluation of Mr. Juan Bernal, in the capacity of County Engineer, be acknowledged.

The motion was seconded by Commissioner Matz and carried unanimously.

e) Deliberation regarding the Real Property concerning the proposed terms of the revised Lease with Charlie's Paradise Bar in the Isla Blanca Park.

Mr. Doug Wright, Cameron County Counsel, reported that the Parks System Director should be authorized to engage in further negotiations regarding said matter.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Parks System Director was authorized to engage in further negotiations regarding the Real Property concerning the proposed terms of the revised Lease with Charlie's Paradise Bar in the Isla Blanca Park.

(4) APPROVAL OF COUNTY CLAIMS

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

Warrant No. 36165, as to Brazos River International LLC, in the amount of \$70,381.13;

Warrant No. 36166, as to Professional Computer Software, in the amount of \$50,000.00;

Warrant No. 36167, as to GE Credit Equipment Purchases, in the amount of \$40,000.00;

Warrant No. 36168, as to Parks System Revenue Fund, in the amount of \$80,000.00; and

Warrant No. 36169, as to Treatment Alternative Fund No. 92, in the amount of \$5,000.00.

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

Warrant No. 36165, in the amount of \$70,381.13;

Warrant No. 36166, in the amount of \$50,000.00;

Warrant No. 36167, in the amount of \$40,000.00;

Warrant No. 36168, in the amount of \$80,000.00; and

Warrant No. 36169, in the amount of \$5,000.00.

The Budget Officer's Comments Report is as follows:

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

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

There was some discussion regarding the clarifications to be made in the District Attorney's Budget Amendment and Salary Schedule and the County Auditor noted that the Budget Amendment and Salary Schedule would be submitted together.



(6) IN THE MATTER OF THE AUTO ALLOWANCE INCREASE FOR DEPUTY CONSTABLE PRECINCT NO. 5 (TABLED)

At this time, Commissioner Cascos suggested that this Item be Tabled due to the lack of information regarding the requested amount and the funding source.

Commissioner Matz noted that Items Nos. 6, 7, 9, 10, 11, 14, and 16 through 19, did not include backup information or proper clearance from the Budget or Legal Sections and were not in compliance with the Agenda Item Request Procedures.

Mr. Mariano Ayala, Personnel/Safety Risk Director, clarified that Item No. 10 included the Salary Range that the Commissioners= Court had requested at the previous Meeting.

Judge Hinojosa clarified that Constable Precinct No. 5 was requesting to be placed in the same category as the other Constables regarding the Auto Allowance for the Deputy Constables.

Commissioner Cascos stated that each Constable should present their reasons for the increase, as other Constables had presented documents demonstrating the expansion and increase of patrols.

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



(7) IN THE MATTER OF THE PURCHASE OF TWO (2) ANTENNAS AND TWO (2) RADIO INSTALLATIONS, IN THE AMOUNT OF \$250.00, FOR CONSTABLE PRECINCT NO. 7 (TABLED)

At this time, Commissioner Matz noted that the Item had not been signed by the Budget Officer and the Executive Assistant to the County Judge explained that the Item had been reviewed by the Assistant County Auditor, but was not signed due to the lack of funding available.

Mr. Mark Yates, County Auditor, clarified that signing off on the Agenda Item Request indicated that the Funds were either allocated or available.

Commissioner Cascos moved that this Item be **TABLED**.

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

AYE: Commissioner Cascos, Matz and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Peña.

(8) AUTHORIZATION TO SELL VARIOUS COLLECTORS CURRENCIES (COINS AND SILVER) TO MR. ELISEO MUÑOZ, III

At this time, Mr. Mark Yates, County Auditor, explained that the coins and silver were abandoned property from the Sheriff's Department from 1990 and added that the funds generated would be allocated to the General Fund.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Collectors Currencies (coins and silver) were sold to Mr. Eliseo Muñoz, III.

(9) IN THE MATTER OF THE PROPOSED SALARY INCREASES FOR THE APPOINTED DEPARTMENT HEADS (TABLED)

At this time, Mr. Mariano Ayala, Personnel/Safety Risk Director, explained that a Salary comparison had been performed with seven (7) other Counties, which were comparable in size to Cameron County and added that ten (10) Department Positions, which had not had an increase besides the two percent (2%), were utilized in the comparison.

Commissioner Cascos questioned the Agenda Item requesting Salary Increases for the Appointed Department Heads and Mr. Ayala clarified that the Item was a presentation.

Judge Hinojosa recommended that the Personnel Director and the County Auditor should review and submit suggested salaries for the Department Heads.

Commissioner Cascos expressed concern regarding the favorable evaluation of Mr. Pete Blanco, Maintenance Superintendent, which was performed in November 1996, and added that the increase approved by the Court had not yet been implemented.

Mr. Mark Yates, County Auditor, stated that a specific amount had not been designated regarding Mr. Blanco's salary increase.

Judge Hinojosa stated that several of the Appointed Department Heads had an evaluation performed and added that the Court had agreed that it was a difficult situation to give salary increases to some Department Heads and not others without having an evaluation of all the positions, noting that a Salary Range should be implemented.

Commissioner Cascos stated that the Department Heads should not be isolated and added that said issue was a County wide problem. He stated that the County Auditor and the Bridge Systems Director had worked on a Salary Matrix that should be shared with the Personnel Director and added that the Salary Matrix should be done in concurrence with the Budget.

Judge Hinojosa stated that he had requested the Salary Matrix from the Personnel Director for two (2) years and the Project had not yet been fulfilled.

Mr. Yates noted that several of the positions in the Sheriff's Department had been equalized in the last Budget session.

Judge Hinojosa suggested that the money for pay increases should be utilized to equalize the salaries and set the final Salaries to be used in the future. He stated that some employees would receive a higher increase than others.

Mr. Yates stated that the following Budget Process would include a Salary Matrix, which would probably need future improvements and added that an Employee Roster would be drafted and submitted to the Personnel Director for review. He explained that the first draft of the Budget would be completed by mid to late June, which would include the Department's requests and added that the second draft of the Budget would include the costs based on a percentage increment, to be reviewed by the Court.

Commissioner Cascos expressed concern as to who would be responsible for creating the Salary Matrix for each Department and stated that the determination should be made and that an individual should be delegated to verify the qualifications.

Judge Hinojosa suggested that once the Salary Matrix was created and the Salaries were matched to the Positions, the Elected Officials and Department Heads should be informed of the total Salary Increase Budget allocated to their Departments for the Fiscal Year. He stated that the Officials should be directed to fill the Slots based on the Matrix, but not to exceed a certain percentage amount.

Mr. Yates suggested that the Department Heads and Elected Officials should justify and grieve the Salary designation of the employees.

Commissioner Cascos suggested that the County Auditor and the Personnel Director should randomly select and review the Salary Grades, in order to test the integrity of the information.

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



(10) APPROVAL OF THE SALARY STRUCTURE FOR THE JUVENILE BOOT CAMP ADMINISTRATOR

Commissioner Cascos moved that the Salary Structure for the Juvenile Boot Camp Administrator be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

At this time, the Personnel Risk Director questioned whether the Position could be advertised and the County Auditor responded that the Position could now be advertised.



(11) AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE DEPARTMENT TO ENTER INTO A LEASE AGREEMENT WITH OUR LADY OF GUADALUPE

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Cameron County Juvenile Department was authorized to execute the Lease Agreement with Our Lady of Guadalupe.

The Agreement is as follows:

**(12) AUTHORIZATION TO HIRE A FOURTH
TACTICAL INTELLIGENCE AGENT FOR THE
UNIFIED NARCOTICS INTELLIGENCE TASK
FORCE**

Commissioner Cascos moved that a fourth Tactical Intelligence Agent be hired for the Unified Narcotics Intelligence Task Force.

The motion was seconded by Commissioner Peña and carried unanimously.

The Contract is as follows:

**(13) APPROVAL OF THE UPDATED HURRICANE
ACTION PLAN FOR THE CAMERON COUNTY
PARK SYSTEM FOR THE 1997 SEASON**

At this time, Mr. Kenneth Conway, Parks System Director, highlighted the Hurricane Action Plan and requested that the Court adopt the Plan with the stipulation that the man hours be added and that the term "Emergency Operation Center" be changed to "Parks Operation Center".

Judge Hinojosa noted that the back row of chairs in the Commissioners' Courtroom had been adjusted by the Maintenance Department, in order to accommodate the Emergency Operations Center.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the updated Hurricane Action Plan for the Cameron County Park System for the 1997 Season was approved.

The Plan is as follows:

(14) AUTHORIZATION TO ISSUE A RENEWAL PERMIT NO. 12 TO JUAN TORRES, JR., DOING BUSINESS AS, CRISTY MOBILE UNIT

Commissioner Cascos moved that the renewal Permit No. 12, be issued to Juan Torres, Jr., doing business as, Cristy Mobile Unit.

The motion was seconded by Commissioner Peña and carried unanimously.

(15) APPROVAL OF THE LICENSE AGREEMENT WITH THE BROWNSVILLE COMMUNITY HEALTH CENTER LOCATED AT 2137 WEST 22ND STREET, BROWNSVILLE, TEXAS, FOR THE CAMERON COUNTY WOMEN-S, INFANTS AND CHILDREN (WIC) PROGRAM

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the License Agreement with the Brownsville Community Health Center located at 2137 West 22nd Street, Brownsville, Texas, for the Cameron County Women-s, Infants and Children (WIC) Program was approved.

The Agreement is as follows:

**(16) APPROVAL OF THE REVISED AMENDMENT TO
BENCHMARK NO. 3.02 (PORT ISABEL HEALTH
CLINIC)**

At this time, Ms. Tina Fields, Health Administrator, reported that Bids for the design of the Port Isabel Health Clinic would be advertised in July 1997, and that the construction phase would begin in August 1997.

Commissioner Cascos moved that the revised Amendment to Benchmark No. 3.02 (Port Isabel Health Clinic) be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Amendment is as follows:

(17) AUTHORIZATION FOR THE CAMERON COUNTY HEALTH DEPARTMENT TO ENTER INTO A LETTER OF AGREEMENT WITH THE UNIVERSITY OF TEXAS SCHOOL OF PUBLIC HEALTH

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Cameron County Health Department was authorized to execute a Letter of Agreement with the University of Texas School of Public Health.

The Agreement is as follows:

(18) AUTHORIZATION TO ENTER INTO A JOINT PUBLIC AWARENESS CAMPAIGN (IMMUNIZATION) WITH ANOTHER TITLE V-B RECIPIENT (CAMPUS CARE CENTER)

Commissioner Cascos moved that the Joint Public Awareness Campaign (Immunization) with another Title V-B Recipient (Campus Care Center) be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

(19) APPROVAL OF THE INTERGOVERNMENTAL AGREEMENT (CONTRACT) FOR THE CONSTRUCTION OF AN INTERNATIONAL BRIDGE OVER THE RIO GRANDE (RIO BRAVO) WHICH WILL LINK THE CITIES OF MATAMOROS, TAMAULIPAS, UNITED MEXICAN STATES AND BROWNSVILLE, TEXAS, UNITED STATES OF AMERICA, ENTERED INTO BY CAMERON COUNTY, THE CITY OF BROWNSVILLE AND THE SECRETARIA DE COMUNICACIONES Y TRANSPORTES, A MINISTRY OF THE REPUBLIC OF MEXICO

At this time, Mr. Doug Wright, Cameron County Counsel, recommended that the Item be approved, subject to Legal review.

Mr. Remi Garza, Executive Assistant to the County Judge, stated that the Firm of Bickerstat and Associates had recommended that the Agreement be executed, in order to authorize the signatures of the parties involved by June 2 or 3, 1997, regarding said issue.

Mr. Wright stated that minor negotiations were pending and that the Agreement would authorize the County Judge to sign, subject to the negotiations.

Mr. Mark Yates, County Auditor, suggested that the Agreement be submitted to the Court with the Bickerstat and Associates=letterhead indicating that the Agreement was a final draft.

Commissioner Matz noted a typographical error on the Draft concerning Page No. 8, Paragraph 15, and expressed concern regarding Paragraph 19, concerning the notices to the entities involved and the Arbitration Clause.

Mr. Wright clarified that the notification clause in the Agreement would include both the County Judge and the County Engineer.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Intergovernmental Agreement (Contract) was approved for the Construction of an International Bridge over the Rio Grande (Rio Bravo) which will link the Cities of Matamoros, Tamaulipas, United Mexican States and Brownsville,

Texas, United States of America, entered into by Cameron County, the City of Brownsville and the Secretaria de Comunicaciones y Transportes, a Ministry of the Republic of Mexico.

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:

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, noted that the Purchases without Purchase Orders, under the amount of \$100.00, would be placed under the Consent Agenda Items, as recommended by the County Auditor.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the AConsent® Agenda Items were approved as follow:

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

- a) Justice of the Peace Precinct No. 5-1 to attend the A1997 Justice of the Peace and Constables Association Convention® in Wichita Falls, Texas, on June 17-22, 1997;
- b) Constable Precinct No. 1 to attend the A1997 Justice of the Peace and Constables Association Convention® in Wichita Falls, Texas, on June 18-21, 1997;
- c) Two (2) Health Department employees to attend the ATexas Department of Health 1997 Nutrition Education and Breast-Feeding Workshop® in Austin, Texas, on June 10-13, 1997;
- d) Juvenile Probation Department Training Officer to attend a ABoard Meeting of the Rio Grande Valley Council on Alcohol and Drug Abuse® in Weslaco, Texas, on May 6, 1997;
- e) Chief Juvenile Probation Officer to attend the ATexas Juvenile Probation Commission's Post-Legislative Conference® and the AJuvenile Justice Alternative Education Program Workday® in Austin, Texas, on June 15-19, 1997;
- f) Health Department Administrator to attend the AEvaluating Community Efforts to prevent Cardiovascular Disease Conference® in Austin, Texas, on June 9-10, 1997; and
- g) District Clerk and nine (9) Deputies to attend the A102nd Annual County and District Clerks- Association of Texas State Conference® in South Padre Island, Texas, on June 1-5, 1997.

(21) APPROVAL OF THE FOLLOWING PURCHASES WITHOUT PURCHASE ORDERS

- a) **LOS FRESNOS DOOR AND TRUSS - \$70.00;**
- b) **CAR QUEST - \$1.40 AND \$1.64;**
- c) **WHITE LUMBER - \$25.88;**
- d) **RIO RADIO - \$274.95;**
- e) **GALL-S - \$81.94;**
- f) **YBARRA-S BUSTERS - \$146.00;**
- g) **HI-LO AUTO PARTS - \$13.64;**
- h) **BURTON AUTO SUPPLY - \$31.39; AND**
- i) **SUPERIOR CAR WASH - \$5.00.**

(22) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 2

Amended plat for Rio Bravo Subdivision Section 4-A - being a 4.113 acres, a resubdivision of Lot No. 1, Block No. 15, Rio Bravo Subdivision, Section No. 1;

b) Precinct No. 2

Las Palmas Vistas Subdivision - being 2.197 acres out of Lots No. 4 and 5, Block No. 210, El Jardin Resubdivision; and

c) Precinct No. 4

Garcia Subdivision - (AGS-C) East 8.00 acres of Block No. 227, Adams Gardens Subdivision AC@.

(23) FINAL APPROVAL

a) Precinct No. 2

Hacienda Del Norte Section II - being 52.406 acres, comprised of all of Lots No. 36, 37, 38 and Part of Lots No. 39, 43, 44 and 45, Block No. 14, Map Number Four of Barreda Gardens.

(24) PRELIMINARY APPROVAL

a) Precinct No. 4

La Iglesia Vieja Subdivision - being a tract of land containing 13.79 acres, out of Block No. 23 of Rancho De Santa Maria Subdivision; and

b) Precinct No. 3

Harlingen Industrial Park No. 3, Phase 1 - being a 43.20 acre tract of land comprised of 38.49 acres out of Block No. 27 and 4.71 acres out of Block No. 38 of the Palmetal Company Subdivision.

There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the meeting was **ADJOURNED**.

APPROVED this **17th** day of **June, 1997**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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