

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 24th day of JUNE, 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 APETE@ BENAVIDES
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.
COMMISSIONER, PRECINCT NO. 2

COMMISSIONER, PRECINCT NO. 3

COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

JAMES R. MATZ

HECTOR PEÑA

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 June 20, 1997, at 1:20 P.M.:

(1) **IN THE MATTER OF BID NO. 1640 FOR LASER PRINTING OF TAX STATEMENTS (TABLED)**

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



(2) **EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 4:40 P.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning the possible sale of Cameron County Trustee Property known as San Benito - Hermosa Subdivision, Lots No. 1 and No. 2, Block No. 20; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding the Real Property concerning the possible sale of the Cameron County Trustee Property known as Port Isabel-Unsubdivided Point, Part 1, Tract D, 4.41 acres, also known as the Old Marchan Restaurant; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) Confer with County Counsel to discuss the status of the case styled Cameron County, et. al. vs. Pace Fish Company, Incorporated, Cause No. 97-05-2298-C, in the 197th District Court; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);

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.



(7) **ADOPTION OF A RESOLUTION HONORING MS. LIDIA S. CRUZ, PROBATE SUPERVISOR, COUNTY CLERK-S OFFICE, ON THE OCCASION OF HER RETIREMENT**

At this time, Judge Hinojosa expressed his gratitude to Ms. Lidia S. Cruz for her exemplary years of service and graciousness towards County Officials, Attorneys and the public.

Mr. Joe G. Rivera, County Clerk, expressed his gratitude to Ms. Cruz and stated that she had been the APerfect Employee® throughout her twenty-one (21) years of service in the County Clerk-s Office.

At this time, Mr. Rick Hoffman, Bar Association Director, highlighted his experience working with Ms. Cruz and wished her the best in her retirement.

Judge Migdalia Lopez, County Court at Law No. 2, stated that Cameron County was losing a very valuable employee and friend, as well as a soft spoken person with good old fashion values and stated that many individuals would miss her outstanding service to the County.®

Judge Everardo Garcia, County Court at Law No. 1, highlighted his years of experience working with Ms. Cruz as an Attorney and as a Judge and expressed his gratitude for the kindness in her work.

Ms. Cruz expressed her gratitude the to the Court and audience and added that in her tenure with the County Clerk-s Office, she gained much knowledge and experience.

At this time, Judge Hinojosa read and presented the Resolution honoring Ms. Lidia S. Cruz, Probate Supervisor, County Clerk-s Office, on the occasion of her retirement.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Resolution honoring Ms. Lidia S. Cruz, Probate Supervisor, County Clerk-s Office, on the occasion of her retirement was adopted.

The Resolution is as follows:

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 5:20 P.M.

(3) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Deliberation regarding the Real Property concerning the possible sale of the Cameron County Trustee Property, known as San Benito - Hermosa Subdivision, Lots No. 1 and No. 2, Block No. 20.

Mr. Doug Wright, Cameron County Counsel, reported that the Status Report by County Counsel should be acknowledged regarding said matter.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Real Property concerning the possible sale of the Cameron County Trustee Property, known as San Benito - Hermosa Subdivision, Lots No. 1 and No. 2, Block No. 20.

- b) Deliberation regarding the Real Property concerning the possible sale of the Cameron County Trustee Property, known as Port Isabel - Unsubdivided Point, Part 1, Tract D, 4.41 acres, also known as the Old Marchan Restaurant.

Mr. Doug Wright, Cameron County Counsel, reported that the Property Management Coordinator-s authority to negotiate with the highest bidder should be withdrawn and that the Property Management Coordinator should be directed to follow the County Policy regarding the sale of the property. He added that the expenditure of funds for advertisement should be authorized, pursuant to Policy, regarding said matter, said funding to be allocated from the proceeds.

Commissioner Benavides moved that the Property Management Coordinator-s authority to negotiate with the highest bidder be withdrawn, and that the Property Management Coordinator be directed to follow the County Policy regarding the sale of the property, noting that the expenditure of funds for the advertisement be approved, pursuant to the Policy, said funding to be allocated from the proceeds regarding the Real Property concerning the Cameron County Trustee Property, known as Port Isabel - Unsubdivided Point, Part 1, Tract D, 4.41 acres, also known as the Old Marchan Restaurant.

The motion was seconded by Commissioner Cascos and carried unanimously.

- c) Confer with County Counsel to discuss the status of the case styled Cameron County, et. al., vs. Pace Fish Company, Incorporated, Cause No. 97-05-2298-C, in the 197th District Court.

Judge Hinojosa reported that the Status Report of 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 Cameron County, et. al., vs. Pace Fish Company, Incorporated, Cause No. 97-05-2298-C, in the 197th District Court.



(4) APPROVAL OF COUNTY CLAIMS

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

The Budget Officer-s Comments Report is as follows:

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

At this time, Mr. Mark Yates, County Auditor, noted that a separate department for the Department of Public Safety - Fund No. 10-568, was being created, which would be funded through the end of the Fiscal Year and highlighted the Budget Amendments.

Judge Hinojosa expressed concern regarding the new programs being funded by the County and added that the issues needed to be addressed for the next Budget Cycle, in order to be able to allocate the funds as anticipated, including the County wide pay raises.

Commissioner Cascos confirmed that the Agreement had been made to fund the Department of Public Safety Positions through the end of the Fiscal Year and added that the Department of Public Safety was attempting to encourage the State to fund said positions at the beginning of the next Fiscal Year.

Commissioner Cascos moved that the Fiscal Year 1997 Budget Amendment No. 97-19, and the Salary Schedule for the Texas Department of Public Safety - Fund No. 10-568, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Budget Amendments and Salary Schedule are as follow:

**(6) IN THE MATTER OF THE MINUTES OF JUNE
10, 1997 (NO ACTION TAKEN)**



**(7) RATIFICATION OF THE RESOLUTION
HONORING MS. LIDIA S. CRUZ, PROBATE
SUPERVISOR, COUNTY CLERK'S OFFICE, ON
THE OCCASION OF HER RETIREMENT**

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Resolution honoring Ms. Lidia S. Cruz, Probate Supervisor, County Clerk's Office, on the occasion of her retirement, was ratified.



**(8) APPROVAL OF THE CONTRACT WITH BI-
TECH FOR THE FINANCIAL SOFTWARE
PACKAGE**

At this time, Mr. Mark Yates, County Auditor, stated that the current Financial System being utilized by the County was reliable, but was ten (10) generations old. He stated that five (5) out of eight (8) vendors were reviewed and added that the system had not been modified since 1983, and that the change was necessary to meet the needs and procedures of the different Departments.

Commissioner Cascos expressed concern regarding the amount of \$319,594.00, which had not been budgeted and whether the terms of the Contract would be made for a five (5) year period.

Mr. Yates stated that the Contract would be financed for a term of five (5) years and could be legally placed into a debt service and taxed and added that annual maintenances were included, which would perform upgrades. He stated that the system was year 2000 compatible and added that the current system needed to be addressed and planned for the year 2000, which would be addressed within three (3) weeks.

Commissioner Cascos moved that the Contract with Bi-Tech be approved for the Financial Software Package.

The motion was seconded by Commissioner Benavides and carried unanimously.



- (9) **APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN CAMERON COUNTY AND THE VALLEY MUNICIPAL UTILITY DISTRICT NO. 2, FOR THE COLLECTION OF ADVALOREM TAXES**

- (10) **APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN CAMERON COUNTY AND THE TOWN OF RANCHO VIEJO FOR THE COLLECTION OF ADVALOREM TAXES**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Intergovernmental Agreements between Cameron County and the Valley Municipal Utility District No. 2 and the Town of Rancho Viejo, for the collection of Advalorem Taxes were approved.

The Agreement are as follow:

(11) **IN THE MATTER OF AN ADDITIONAL EMPLOYEE TO WORK IN THE LA FERIA BRANCH TAX OFFICE, FUNDED FROM THE VEHICLE INVENTORY TAX (VIT) ACCOUNT (TABLED)**

At this time, Commissioner Cascos suggested that this Item be Tabled for further review, in order to address the issue in the new Budget Process and added that it was his understanding that the Agreement had been made to maintain the hiring of additional personnel to a minimal or non-existent in the branch offices. He stated that as the load increased in one Branch Office, the load should decrease in another office and suggested that personnel should be transferred.

Commissioner Benavides suggested that the Item be Tabled until there was a full Court present to discuss the issue.

Mr. Tony Yzaguirre, Tax Assessor-Collector, stated that the Main and Branch Offices had experienced an increase in business, regarding transactions that included property and motor vehicles and added that the citizens had complained about the long lines. He stated that the problem could be resolved with an additional position and noted that said issue coincided with the on going program regarding the consolidation of property taxes.

Commissioner Cascos stated that the commitment was made not to hire additional personnel and added that said issue should have been anticipated. He suggested that the matter be deferred and that the overall budget should be reviewed, noting that said issue should be budgeted for anticipated growth in the Departments.

Mr. Yzaguirre reported that in his visits to the different Districts, in an attempt to collect their taxes or to service their accounts, the question is often raised regarding the hiring of additional personnel, in order keep the Offices available for service nine (9) hours a day. He noted that matter of consolidating with Rio Hondo Independent School District, San Benito Independent School District, the City of San Benito and Laguna Vista were to be considered in the following month.

Judge Hinojosa confirmed that he had experienced and had received complaints regarding the long lines of residents waiting to make payments and agreed that the workload was too heavy for one (1) person to handle. He expressed his support to Table the Item until a full Court was present to further discuss the Item.

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



(12) APPROVAL TO HIRE AN INTELLIGENCE RESEARCH SPECIALIST FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE

Commissioner Cascos moved that an Intelligence Research Specialist be hired for the Unified Narcotics Intelligence Task Force.

The motion was seconded by Commissioner Benavides and carried unanimously.



(13) APPROVAL OF THE COOPERATIVE WORKING AGREEMENTS BETWEEN CAMERON COUNTY AND ALL THE CITIES IN CAMERON COUNTY, PURSUANT TO THE 1998 PRECINCT NO. 6 CONSTABLES CRIME WATCH GRANT REQUIREMENTS

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Cooperative Working Agreements between Cameron County and all the Cities in Cameron County were approved, pursuant to the 1998 Precinct No. 6 Constables Crime Watch Grant requirements.

The Agreements are as follow:

(14) APPROVAL FOR THE RENEWAL OF THE CONTRACT BETWEEN ST. FRANCIS XAVIER CATHOLIC CHURCH LOCATED AT 213 WEST MAGNOLIA, LA FERIA, CAMERON COUNTY, TEXAS, AND CAMERON COUNTY HEALTH DEPARTMENT FOR THE WOMEN-S, INFANTS AND CHILDREN (WIC) PROGRAM SERVICES

Commissioner Cascos moved that the Contract be renewed between St. Francis Xavier Catholic Church located at 213 West Magnolia, La Feria, Cameron County, Texas, and the Cameron County Health Department for the Women-s, Infants and Children (WIC) Program Services.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

(15) AUTHORIZATION TO TRANSPORT EIGHT (8) TO NINE (9) VEHICLES TO BE AUCTIONED IN BISHOP, TEXAS

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the transporting of eight (8) to nine (9) vehicles to be auctioned in Bishop, Texas, was approved.



(16) AUTHORIZATION TO INSTALL STOP SIGNS AT THE RAILROAD CROSSINGS OF FRESNO, MERRYMAN, PALMITO AND MESQUITE STREETS IN OLMITO

Commissioner Cascos moved that stop signs be installed at the Railroad Crossings of Fresno, Merryman, Palmito and Mesquite Streets in Olmito, Texas.

The motion was seconded by Commissioner Benavides.

At this time, Judge Hinojosa expressed concern as to whether an analysis had been performed and whether the signs would make the crossings safer.

Mr. Juan Bernal, County Engineer, stated that according to the Traffic Engineering Manual, it was up to the discretion of the Engineer to determine the safety of the situation.

Mr. Doug Wright, Cameron County Counsel, stated that certification by the County Engineer should be obtained confirming that the signs are in compliance with the Uniform Traffic Control.

Judge Hinojosa stated that a recommendation and a professional opinion was needed from the County Engineer stating that the situation had been analyzed by him and that the railroad crossings and streets would be made safer by installing stop signs. He requested that the County Engineer provide a letter supplementing the record regarding the issue and added that all future signage would require the County Engineer's recommendation. Judge Hinojosa noted that the Texas Department of Transportation was going to submit a plan to close three (3) to four (4) streets in Olmito and stated that the streets should be closed as soon as the plan was submitted, in order to avoid future accidents, due to the high number of railroad crossings in Olmito.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the installation of Stop Signs at the railroad crossings of Fresno, Merryman, Palmito and Mesquite Streets in Olmito, Texas, was approved.



**(17) APPROVAL OF THE RESERVE DEPUTY
CONSTABLES FOR PRECINCTS NO. 3, NO. 6
AND NO. 7**

At this time, Mr. Mariano Ayala, Personnel Safety Risk Director, confirmed that said Precincts met the minimum requirements regarding three (3) Reserve Deputies per Deputy.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the following Reserve Deputy Constables for Precincts No. 3, No. 6 and No. 7, were approved:

Mr. Joe Mireles, Precinct No. 3;

Mr. Jesus Vargas, Precinct No. 6; and

Mr. Gregorio Chavez, Jr., Precinct No. 7.

The Bonds are as follow:

(18) APPROVAL TO AMEND THE AGREEMENT TO PROVIDE EMERGENCY SHELTER SERVICES FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT JUVENILES BY STOP CHILD ABUSE AND NEGLECT, INCORPORATED

Commissioner Cascos moved that the Agreement be amended to provide Emergency Shelter Services for the Cameron County Juvenile Probation Department Juveniles by Stop Child Abuse and Neglect, Incorporated.

The motion was seconded by Commissioner Benavides and carried unanimously.

At this time, there was some discussion regarding the Request for Proposal for the Construction Manager of the Boot Camp and Judge Hinojosa requested that the County Auditor and the County Engineer work on the matter, in order to place the Item on the following Agenda, if possible.

The Agreement is as follows:

(19) APPROVAL OF THE AMENDED CONTRACTS FOR RESIDENTIAL CHILD CARE SERVICES UNDER THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT-S CRIMINAL JUSTICE DIVISION (CJD) GRANT FOR THE PURCHASE OF JUVENILE ALTERNATIVE SERVICES FOR THE FISCAL YEAR 1997

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Amended Contracts were approved for Residential Child Care Services under the Cameron County Juvenile Probation Department-s Criminal Justice Division (CJD) Grant for the purchase of Juvenile Alternative Services for the Fiscal Year 1997.

The Contracts are as follow:

(20) AUTHORIZATION TO REIMBURSE TRAVEL COST FOR HOTEL ACCOMMODATIONS FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK-FORCE, IN THE AMOUNT OF \$162.00

Commissioner Benavides moved that the travel costs for hotel accommodations be reimbursed to the Unified Narcotics intelligence Task-Force, in the amount of \$162.00

The motion was seconded by Commissioner Cascos 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 Cascos, seconded by Commissioner Benavides and carried unanimously, the AConsent® Agenda Items were approved as follow:

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

- a) Assistant County Auditor to attend the A1997 Texas Narcotics Control Program Annual Conference® in San Antonio, Texas, on July 1-2, 1997;
- b) Unified Narcotics Intelligence Task Force Director to attend a AHigh Intensity Drug Trafficking Area (HIDTA) Executive Committee Meeting® in San Antonio, Texas, on June 23-25, 1997;
- c) Tactical Intelligence Agent to attend a AFINCEN Training® in Vienna, Virginia, on June 19-21, 1997, and a Ai2 (Analytical Investigation) Training® in Alexandria, Virginia, on June 22-27, 1997;
- d) Reproduction Director and employee to attend the ASouthwestern Graphic Seminar® in San Antonio, Texas, on July 16-19, 1997;
- e) Constable Precinct No. 1 to attend the AAnnual Justice of Peace and Constables Convention® in Wichita Falls, Texas, on June 17-23, 1997;
- f) Health Department employee to attend a ATALWD Nutrition Education Committee Meeting and an In Service on Baby Formula® in Corpus Christi, Texas, on June 30, 1997;
- g) Health Department employee to attend the ATexas Perinatal Association Planning Committee Meeting® in Weslaco, Texas, on June 30, 1997;
- h) Constable Precinct No. 2 to attend the AAnnual Justice of the Peace and Constables Convention® in Wichita Falls, Texas, on June 19-21, 1997;

████████████████████

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

══════════════════════

APPROVED this **22nd** day of **July, 1997**.

──────────────────────────
GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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