

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 22nd day of JULY, 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

COMMISSIONER, PRECINCT NO. 4

Inelda T. Garcia Deputy  
COUNTY CLERK

ABSENT:

HECTOR PEÑA

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The meeting was called to order by Judge Pro-term Carlos H. Cascos, C.P.A.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on July 18, 1997, at 1:30 P.M.:

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

Upon motion by commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the following bids were opened.

- a) Annual Bid No. 510 - Mattresses;
- b) Annual Bid No. 780 - Typewriters;
- c) Annual Bid No. 2460 - Recycled stock paper, computer paper & envelopes;
- d) Annual Request for Proposal No. 1890-97-07-01- Transportation of prisoners;
- e) Closed Circuit Television Systems - Gateway and Los Indios Bridges;
- f) Sale and removal of old Isla Blanca Park Office - South Padre Island; and
- g) Request for Proposal No. 97-07-02 for Strategic Plan for the Economic Development of the Free Trade Bridge Industrial Corridor near the Free Trade Bridge and surrounding area.

**The Bids received and opened are as follow:**

**(2) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 4:14 P.M. to discuss the following matters:

- a) Confer with County Counsel on the litigation of the acquisition of Parcel No. 3, Simon Rubinsky, as Trustee, 1997-CCL-518-B; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(B);
- b) Confer with County Counsel to discuss the status and authorize mediation and settlement of the case styled Angela Balderas vs. Cameron County, et. al., M-95-092, 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 551.971(1)(A)(B);
- c) Confer with County Counsel on matters concerning the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- d) Confer with County Counsel on the status of the contractual relationship with Heard, Goggan, Blair & Williams; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2).

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

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**(3) ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Confer with County Counsel on the litigation of the acquisition of Parcel No. 3, Simon Rubinsky, as Trustee, 1997-CCL-518-B.

Commissioner Cascos reported that the payment, in the amount of \$300.00, for each of the Special Commissioners should be authorized, that the amount of \$140,000.00, should be awarded and deposited into the Registry of the Court, and that the approximate amount of \$120.00 should be paid to the Court Reporters and any Court associated Fees and Court Costs.

Commissioner Cascos moved that the payment, in the amount of \$300.00, for each of the Special Commissioners be approved, that the amount of \$140,000.00, be awarded and deposited in the Registry of the Court, and that the approximate amount of \$120.00, be paid for the Court Reporters and Court associated Fees and Court Costs, regarding the acquisition of Parcel No. 3, Simon Rubinsky, as Trustee, 1997-CCL-518-B.

The motion was seconded by Commissioner Matz and carried unanimously.

- b) Confer with County Counsel to discuss the status and authorize mediation and settlement of the case styled Angela Balderas vs. Cameron County, et. al., M-95-092, in the United States District Court for the Southern District of Texas.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Status Report by County Counsel was acknowledged regarding the mediation and settlement of the case styled Angela Balderas vs. Cameron County, et. al., in the United States District Court for the Southern District of Texas.

- c) Confer with County Counsel on matters concerning the Dancy Building.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding matters concerning the Dancy Building.

- d) Confer with County Counsel on status of the Contractual relationship with Heard, Goggan, Blair and Williams, Tax Attorneys.

Commissioner Cascos moved that the Tax Assessor-Collector be authorized to provide modem access to the AEasy Tax® Computer System, in order to process their claims and that the amount of \$36,500.00, be retained, noting that all other Fees be released, regarding the Contractual Relationship with Heard, Goggan, Blair and Williams.

The motion was seconded by Matz and carried unanimously.



**(4) APPROVAL OF COUNTY CLAIMS**

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

Warrant No. 39593, as to Shepherd, in the amount of \$300.00;

Warrant No. 39594, as to Jim Parker, in the amount of \$300.00;

Warrant No. 39595, as to Ofelia Rivera, in the amount of \$300.00; and

Warrant No. 39596, as to Simon Rubinsky, Trustee, 97-CCL-518-B, in the amount of \$140,000.00.

At this time, Commissioner Matz expressed concern as to Warrant 39513, payable to Rio Grande Valley Partnership, in the amount of \$15,000.00, and requested that additional information be submitted for review and approval.

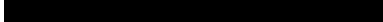
Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the following additional claims and subject to the information obtained regarding Warrant No. 39513:

Warrant No. 39593, in the amount of \$300.00;

Warrant No. 39594, in the amount of \$300.00;

Warrant No. 39595, in the amount of \$300.00; and

Warrant No. 39596, in the amount of \$140,000.00.



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

At this time, Commissioner Cascos suggested that the Salary Schedules for Maintenance and Operation, Precinct No. 4, be Tabled until Commissioner Peña could justify the matter and stated that the salary increases did not seem appropriate with the new Budget Year coming up.

Commissioner Cascos moved that the Fiscal Year 1997 Budget Amendment No. 97-21 and the Salary Schedule for Constable Precinct No. 5 be approved, and that the Salary Schedule for Maintenance and Operation - Precinct No. 4 be **(TABLED)**.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Budget Amendment and Salary Schedule are as follow:**

**(6) APPROVAL OF THE MINUTES OF JUNE 24,  
JULY 01, AND JULY 08, 1997**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the following Minutes were approved:

Regular Meeting held June 24, 1997, at 4:00 P.M.;

Regular Meeting held July 1, 1997, at 4:00 P.M.; and

Special Meeting held July 8, 1997, at 9:00 A.M.

**(7) REPRESENTATION BY MR. JOSE ALMAZAN  
FOR THE PURPOSE OF THE DISCUSSION AND  
ACTION TO CONSIDER THE DISASTER RELIEF  
ROAD REPAIR PROJECT IN PRECINCT NO. 1  
TO BE DONE IN-HOUSE, AS OPPOSED TO  
BIDDING FOR A PRIVATE CONTRACTOR**

At this time, Commissioner Benavides explained that three (3) streets in the Valle Escondido Subdivision were designated for repairs under the Disaster Relief Road Project and stated that repairing the roads in-house, as opposed to contracting out would allow the County to repair additional streets.

Mr. Jose Almazan, Valle Escondido resident, read a letter opposing private contractors from being hired to perform the work to be done on the Disaster Relief Road Repair Project in Precinct No. 1 and expressed concern regarding the Grant regarding house repairs.

Mr. Frank Bejarano, Program Development and Management Director, explained that the State was preparing the Contract and noted that the County could not obligate any funds until the approved Contract was obtained.

Commissioner Cascos stated that the conditions of the roads and the standards to be met needed to be determined before deciding whether the Project could be done in-house. He stated that the County did not have the capability to perform some of the work that a private contractor would have.

Judge Hinojosa noted that the Consolidated Road System would not be in force until October 1, 1997, and added that based on the individual Precincts designated funds, road crews, materials and each Commissioners knowledge of their Precincts, the Commissioners should decide whether the work should be performed in-house or sub-contracted out.

Commissioner Matz questioned whether the County had the option of performing the work in-house and Mr. Bejarano responded that the County did have the option of either contracting out or performing the work in-house.

Mr. Bejarano noted that the County Engineering Department had originally recommended that the Project be contracted out, in order for the Project to be performed more rapidly and stated that most of Precincts=No. 1 and No. 2 equipment and personnel would be occupied at the Cameron Park Project for another six (6) months.

Commissioner Matz expressed concern as to the available funds, in order to determine whether maintenance or improvements were to be performed on the roads.

Commissioner Benavides questioned the benefits available and the balance of funds for additional roads in Precinct No. 1, if the work was performed in-house, and Mr. Bejarano responded that only the streets that were damaged by the flood could be added to the Project.

Mr. Bejarano stated that in order for the County to save money by performing the work in-house, the County would need to provide the labor and equipment, utilizing the Grant strictly on materials and noted that there were additional damaged streets which were not reported in the Grant.

Commissioner Matz expressed concern whether the County could add the Precincts= funds to the available Grant Funds, in order to improve, as opposed to maintaining, the roads and expressed his support in the performing the work in-house.

Judge Hinojosa stated that each Commissioner had funds designated to the Precincts= Budget and that the Commissioner solely decided on how to allocate the funds.

Commissioner Benavides suggested that the matter be Tabled due to the numerous Projects pending in Precinct No. 1 and stated that the issue would be further reviewed.

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



**(8) APPOINTMENT OF THE FOLLOWING MEMBERS TO THE CHILD WELFARE BOARD:  
ROSIE SOTELO, DOLORES GOMEZ, SANTIAGO GALARZA AND JOHN GARZA**

Commissioner Cascos moved that the following members be appointed to the Child Welfare Board:

Ms. Rosie Sotelo, South Padre Island, Texas;

Ms. Dolores Gomez, Attorney at Law;

Mr. Santiago Galarza, Attorney at Law; and

Mr. John Garza, DeVolada Bail Bonds.

The motion was seconded by Commissioner Benavides and carried unanimously.

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(9) **APPOINTMENT OF MS. MARGARITA SALAZAR, AS ACTING ADMINISTRATOR FOR THE PERSONNEL/SAFETY RISK DEPARTMENT**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, Ms. Margarita Salazar, was appointed as Acting Administrator for the Personnel/Safety Risk Department.

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(10) **APPROVAL OF THE AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND RAMON K. ACOSTA, PHARMACIST, FOR THE PERIOD OF MAY 1, 1997, THROUGH SEPTEMBER 1, 1997**

Commissioner Cascos moved that the Amendment to Professional Services Contract between the Cameron County Health Department and Ramon K. Acosta, Pharmacist, for the period of May 1, 1997, through September 1, 1997, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Contract is as follows:**



**(11) APPROVAL OF THE CLINICAL EDUCATION -  
BACHELOR OF SCIENCE, VOCATIONAL  
NURSING AND ASSOCIATE DEGREE  
PROGRAM AGREEMENTS BETWEEN THE  
CAMERON COUNTY HEALTH DEPARTMENT  
AND THE UNIVERSITY OF TEXAS -  
BROWNSVILLE**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Clinical Education Bachelor of Science, Vocational Nursing and Associated Degree Program Agreements between the Cameron County Health Department and the University of Texas - Brownsville were approved.

**The Agreements are as follow:**

(12) **AUTHORIZATION TO ISSUE A MOBILE  
VENDOR-S PERMIT NO. 15 TO ANTONIO  
QUIROZ, DOING BUSINESS AS ALEXANDER  
ICE CREAM**

Commissioner Matz moved that the Mobile Vendor-s Permit No.15 be issued to Antonio Quiroz, doing business as, Alexander Ice Cream.

The motion was seconded by Commissioner Cascos and carried unanimously.



(13) **AUTHORIZATION FOR THE PROGRAM  
DEVELOPMENT AND MANAGEMENT  
DEPARTMENT TO SUBMIT AN APPLICATION  
FOR A LOCAL LAW ENFORCEMENT BLOCK  
GRANT TO THE UNITED STATES  
DEPARTMENT OF JUSTICE FOR THE  
SHERIFF-S DEPARTMENT**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Program Development and Management Department was authorized to submit an Application for a local Law Enforcement Block Grant to the United States Department of Justice for the Sheriff-s Department.

**The Application is as follows:**

**(14) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE TEXAS COASTAL COORDINATION COUNCIL UNDER THE TEXAS COASTAL MANAGEMENT PROGRAM FOR BEACH CLEANING EDUCATION AND OUTREACH**

Commissioner Cascos moved that the Program Development and Management Department submit a Grant Application to the Texas Coastal Coordination Council under the Texas Coastal Management Program for a Beach Cleaning Education and Outreach.

The motion was seconded by Commissioner Benavides and carried unanimously.



**(15) APPROVAL OF THE INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF LOS FRESNOS TO PERFORM GRADING WORK AT THE LOS FRESNOS COMMUNITY PARK**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Interlocal Agreement between Cameron County and the City of Los Fresnos, to perform grading work at the Los Fresnos Community Park, was approved.

**The Agreement is as follows:**

**(16) APPROVAL OF ORDER, PURSUANT TO VERNON TEXAS CODE ANNOTATED (V.T.C.A.) TRANSPORTATION CODE SECTION 251.158, TEMPORARILY CLOSING A FOUR (4) MILE STRETCH OF BEACH FROM 2.9 TO 6.9 MILES NORTH OF BEACH ACCESS ROAD NO. 6, ON JULY 22, 1997, OR IN THE ALTERNATIVE JULY 23, 1997, FROM 2:00 P.M., TO 8:00 P.M., TO FACILITATE THE TEXAS DEPARTMENT OF COMMERCE FILMING ON SOUTH PADRE ISLAND**

Commissioner Matz moved that the Order, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Transportation Code Section 251.158, temporarily closing a four (4) mile stretch of beach from 2.9 to 6.9 miles North of Beach Access Road No. 6, on July 22, 1997, or in the alternative July 23, 1997, from 2:00 P.M., to 8:00 P.M., to facilitate the Texas Department of Commerce filming on South Padre Island.

The motion was seconded by Commissioner Cascos and carried unanimously.

**The Order is as follows:**

(17) **AUTHORIZATION TO INSTALL STOP SIGNS AT  
SELECTED INTERSECTIONS IN CAMERON  
PARK**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the installation of stop signs at selected intersections in Cameron Park was approved.

(18) **AUTHORIZATION TO PARTICIPATE WITH THE  
TEXAS CORRECTIONAL INDUSTRIES AND THE  
TEXAS INDUSTRIES FOR THE BLIND &  
HANDICAPPED, FOR VARIOUS PURCHASES -  
FISCAL YEAR 1997/1998**

Commissioner Cascos moved to authorize participation with: 1) Texas Correctional Industries, 2) Texas Industries for the Blind and Handicapped, for various purchases Fiscal Year 1997/1998.

The motion was seconded by Commissioner Benavides and carried unanimously.

(19) **ESTABLISHMENT OF THE CUT OFF DATE FOR  
ALL PURCHASE ORDER REQUESTS, AS  
AUGUST 31, 1997, WITH THE EXCEPTION OF  
EMERGENCY SITUATIONS**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the cut off date of August 31, 1997, for all Purchase Order requests was established, with the exception of emergency situations.

(20) **APPROVAL OF CONTRACT BETWEEN  
CAMERON COUNTY AND ALONZO ACOSTA,  
DOING BUSINESS AS, ACOSTA  
CONSTRUCTION AND DEMOLITION,  
INCORPORATED, FOR THE SALE AND  
REMOVAL OF THE OLD CARPENTER-S  
WAREHOUSE LOCATED AT BROWNSVILLE  
ORIGINAL TOWNSITE, BLOCK NO. 176**

Commissioner Cascos moved that the Contract between Cameron County and Alonzo Acosta, doing business as Acosta Construction and Demolition, Incorporated, be approved for the sale and removal of the old Carpenter-s Warehouse, located at Brownsville Original Townsite, Block No. 176.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Contract is as follows:**

## 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 Benavides and carried unanimously, the

AConsent® Agenda Items were approved as follow:

**(21) AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:**

- a) Health Administrator to attend a AMeeting at the Diabetes Council and Education Service Center® in Edinburg, Texas, on July 11, 1997;
- b) County Engineer to attend a ASeminar on Professional Development® in McAllen, Texas, on July 31, 1997;
- c) Engineering Employee to attend a ACourse on Introduction to Windows 95" at the University of Texas Brownsville/Texas Southmost College on July 12, 19 and 26, 1997;
- d) Isla Blanca Park Assistant Manager to attend a ACareer Tract Incorporated Course® in McAllen, Texas, on July 31, 1997;
- e) Parks System Director to attend the ATexas Recreation and Park Society Planning Conference® in Corpus Christi, Texas, on July 24-25, 1997;
- f) Park Rangers to attend the ALower Rio Grande Valley Development Counsel Training Center® in Raymondville, Texas, on July 22-23, 1997;
- g) Parks System=s Administrative Assistant to attend a ACareer Tract Incorporated Course® in San Antonio, Texas, on August 5, 1997;
- h) Two (2) Tactical Intelligence Agents to pick up a leased vehicle from CAPPS Car Rental in San Antonio, Texas, on July 11, 1997; and
- I) Tactical Intelligence Director and Agent to attend the ASouthwest Border States Conference X® in Austin, Texas, on August 3-5, 1997.

(22) **PRELIMINARY AND FINAL APPROVAL**

a) **Precinct No. 1**

Magdalena Subdivision - a 2.534 acre tract of land, consisting of 8.34 square feet out of Block No. 3 and 2.534 acres out of Block No. 4, Wentz Subdivision out of Partition Share No. 32, Espiritu Santo Grant;

b) **Precinct No. 1**

Donaciana Subdivision - a 4.308 acre tract of land out of Block No. 4, Wentz Subdivision Share No. 32, Espiritu Santo Grant;

c) **Precinct No. 2**

Nranjo Subdivision - all of Lots No. 11 and No. 13, Olmito Gardens Tract No. 1; and

d) **Precinct No. 4**

Longoria Subdivision - a 3.86 gross acre tract of land, more or less, known as Tract No. 8, of a 39.94 acre tract of Survey No. 296, Stuart Place Subdivision.

(23) **FINAL APPROVAL**

a) **Precinct No. 4**

732 Estates, Unit Two - a subdivision of 18.45 acres, consisting of all of Blocks Nos. 200 and 201 and 4.61 acres out of Block No. 199 of the San Benito Irrigated Land Company.

(24) **AUTHORIZATION TO RENEW AWARD OF ANNUAL BID NO. 2280 - FUEL FOR ONE (1) ADDITIONAL YEAR**

**HICKS OIL - Harlingen, Texas**

**Unleaded - all locations 0.8685**

**Diesel - all locations 0.8551**

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

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**APPROVED** this **19th** day of **August, 1997**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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