

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 29th 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

COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

Inelda T. Garcia Deputy
COUNTY CLERK

ABSENT:

JAMES R. MATZ

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 July 25, 1997, at 9:36 A.M.:

**(1) AUTHORIZATION TO OPEN THE REQUEST
FOR PROPOSAL NO. 97-07-04 FOR
CONSTRUCTION MANAGEMENT SERVICES
FOR THE SOUTH TEXAS BOOT CAMP**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Request for Proposal No. 97-07-04 for the Construction Management Services for the South Texas Boot Camp was opened.

The Request for Proposals received and opened are as follow:

(2) EXECUTIVE SESSION

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 4:10 P.M. to discuss the following matters:

- a) Confer with County Counsel concerning the settlement negotiations with Pottery S, involving the Dancy Building, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(B);
- b) 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 and B);
- c) Confer with County Counsel on the litigation of the acquisition of Parcel No. 7, 1997-CCL-570-B and Parcel No. 4, 1997-CCL-517-A, Nurith Galonsky, Tally Galonsky, and Israel Lizka, owners; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(B);
- d) Deliberation regarding the Real Property concerning the Right-of-Way acquisition of Parcel No. 1 for Highway 77/83 extension and Parcel No. 8, East Loop; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- e) Confer with County Counsel regarding the Professional Service Contract for the Rural Law Enforcement Satellite Offices; 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 Cascos, seconded by Commissioner Benavides 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 concerning the settlement negotiations with Pottery S, involving the Dancy Building.

Mr. Doug Wright, Cameron County Counsel, reported that the Contractual Agreement should be authorized as per the settlement with regard to the terra-cotta.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Contractual Agreement with Pottery S was approved, as per the settlement with regard to the terra-cotta concerning the Dancy Building.

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

Commissioner Cascos reported that the Status Report by County Council should be acknowledged regarding the potential litigation regarding the Dancy Building.

Commissioner Cascos moved that the Status Report by County Council be acknowledged regarding the potential litigation concerning the Dancy Building.

The motion was seconded by Commissioner Benavides and carried unanimously.

- c) Confer with County Council on the litigation of the acquisition of Parcel No. 7, 1997-CCL-570-B and Parcel No. 4, 1997-CCL-517-A, Nurith Galonsky, Tally Galonsky and Israel Linka, owners.

Commissioner Cascos reported that the amount of \$10,096.00, regarding Parcel No. 7, and that the amount of \$100,534.00, regarding Parcel No. 4, should be deposited into the Registry of the Court, noting that the payments related to said Parcels should be approved regarding Court Costs, Court Reporter Fees, and the Special Commissioners= Fees.

Commissioner Cascos moved that the amount of \$10,096.00, regarding Parcel No. 7, 1997-CCL-570-B, and the amount of \$100,534.00, regarding Parcel No. 4, 1997-CCL-517-A, Nurith Galonsky, Tally Galonsky and Israel Linka, owners, be deposited into the Registry of the Court, and that the payments regarding the Court Costs, Court Reporters= Fees and the Special Commissioners Fees be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

NOTE: JUDGE HINOJOSA LEFT THE COURT ROOM.

- d) Deliberation regarding real property: concerning Right-Of-Way acquisition of Parcel No. 1 for the Highway 77/83 extension and Parcel 8, East Loop.

Judge Pro-tem Cascos reported that the amount of \$528.00, should be approved for the Right-of-Way acquisitions regarding said matter.

Commissioner Benavides moved that the payment, in the amount of \$528.00, be approved for the Right-Of-Way acquisition of Parcel No. 1 for the Highway 77/83 extension and Parcel 8, East Loop.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Confer with County Council regarding the Professional Service Contract for the Rural Law Enforcement Satellite Offices.

Judge Pro-tem Cascos reported that the Status Report by County Council should be acknowledged regarding said matter and that the Professional Service Contract should be placed on the Agenda for the next Meeting.

Commissioner Peña moved that the Status Report by County Council be acknowledged regarding the Professional Service Contract for the Rural Law Enforcement Satellite Offices and that the Contract be placed on the Agenda for the next Meeting.

The motion was seconded by Commissioner Benavides and carried unanimously.

NOTE: JUDGE HINOJOSA RETURNED TO THE COURT ROOM.

(4) APPROVAL OF COUNTY CLAIMS

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

Warrant No. 40050, as to the City of Brownsville, in the amount of \$220.00; and

Warrant No. 40051, as to the Comptroller of Public Accounts, in the amount of \$8.20.

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

Warrant No. 40050, in the amount of \$220.00; and

Warrant No. 40051, in the amount of \$8.20

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

Commissioner Cascos moved that the Salary Schedule for the County Attorney - Fund No. 10-475, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Salary Schedule is as follows:

(6) APPROVAL OF THE MINUTES OF JULY 15, 1997

Commissioner Cascos moved that the Minutes of the Regular Meeting held July 15, 1997 at 4:00 P.M., be approved.

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

AYE: Commissioners Cascos, Peña and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Benavides.

(7) PRESENTATION ON THE VALLE HERMOSO/VALLE ESCONDIDO WASTEWATER TREATMENT PLANT

At this time, Mr. Juan Bernal, County Engineer, introduced Mr. Ernesto Hinojosa, Assistant County Engineer, and Ms. Angie Cavazos, Texas Water Development Board.

Mr. Sam Angori, Texas Water Development Board, highlighted and explained the status and progress of the Valle Hermoso and Valle Escondido Wastewater Treatment Plant.

Commissioner Cascos expressed concerns as to the Drainage Project and the construction of the Waste Water Treatment Plant and whether said Project would resolve the flooding issues.

There was some discussion regarding the cost and negotiations and Judge Hinojosa clarified the roles and funding of the County and the Project Engineers regarding the Interlocal Agreement.

Judge Hinojosa requested that the Project design be submitted to the Texas Water Development Board within sixty (60) days for approval, in order to begin construction.

Commissioner Benavides moved that the Presentation on the Valle Hermoso and the Valle Escondido Wastewater Treatment Plant be acknowledged.

The motion was seconded by Peña and carried unanimously.

(8) AUTHORIZATION OF THE REQUESTED REMODELING OF THE WORK AREA FOR THE COURT ADMINISTRATOR FOR THE MASTER COURT

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the remodeling of the work area for the Court Administrator for the Master Court was approved, said funding to be allocated from the next Budget cycle.

(9) APPROVAL OF TAX REFUNDS

Commissioner Peña moved that the following Tax Refunds be approved:

- a) Carmela Celaya, in the amount of \$790.15 - Religious Exemption;
- b) Texas Commerce Bank, in the amount of \$13,735.73 - Court Judgement No. 95-08-3792-C; and
- c) Textron Financial Corporation, in the amount of \$ 2,387.33 - Double Assessed.

The motion was seconded by Commissioner Cascos and carried unanimously.



(10) AUTHORIZATION TO ISSUE PERMIT NO. 17 TO JOSEPH P. NALLEY, DOING BUSINESS AS, AUTO CLINIC FOR BEACH TOWING SERVICES

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, Permit No. 17 was issued to Joseph P. Nalley, doing business as, Auto Clinic for Beach Towing Services.



(11) AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE BOCA CHICA PARK AND WILDLIFE REFUGE VISITOR-S CENTER AND ASSOCIATED IMPROVEMENTS

At this time, Mr. Kenneth Conway, Parks System Director, stated that the amount of \$500,000.00, was available in Bond Proceeds for the Project, which would initiate the Architect-s plan for the design of the proposed Visitor-s Center and suggested that a qualified individual be retained to assist the architect.

Commissioner Cascos expressed concern as to the Texas Parks and Wildlife Department-s participation in the Project regarding the four thousand (4,000) acres of land to be donated and whether funds would be requested from said entity for the Project.

Mr. Conway stated that the Bonds were identified for the Parks System at the time the bonds were sold and clarified that the Texas Parks and Wildlife would be releasing over one thousand (1,000) acres and that the United States Fish and Wildlife would also be donating land to the County.

Commissioner Cascos explained that the available Bond Proceeds were allocated from the proposed Port of Brownsville Park Project and expressed concern as to where the funds would be derived from, if the Bond Proceeds did not exist.

Judge Hinojosa responded that additional Bonds would need to be issued and that the County did not want to request additional grant funds from the Texas Parks and Wildlife Department. He stated that many Projects existed, due to the generosity and close relationship to the County with the Texas Parks and Wildlife Department.

At this time, Mr. Francisco Sinfuentes expressed his concerns regarding the deteriorated conditions of the Boca Chica Beach and suggested that a Committee should be formed consisting of members from the community, in order to provide County residents a safe and clean affordable park.

Commissioner Benavides expressed his concern regarding the problems that existed at the Park and stated that a price would have to be paid, in order to maintain a clean and secured environment.

Commissioner Benavides moved that Request for Proposals be advertised for Architectural and Engineering Services for the Boca Chica Park and Wildlife Refuge Visitor-s Center and that the associated improvements be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

At this time, Mr. Conway stated that the proposed Visitor-s Center would be built by June, 1998, noting that the design was a sixty (60) day process and that the construction would begin in approximately six (6) months.

(12) APPROVAL TO PURCHASE APPROXIMATELY \$22,000.00 OF COMPUTER EQUIPMENT FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK-FORCE FROM THE COMPUTER EDUCATION SOLUTION

Upon motion by commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the purchase of approximately \$22,000.00 of computer equipment for the Unified Narcotics Intelligence Task-Force from the Computer Education Solution was approved.

(13) ADOPTION OF A RESOLUTION FOR THE PARTICIPATION IN STATE PURCHASING CONTRACTS AND STATE CATALOG PURCHASING WITH THE GENERAL SERVICES COMMISSION FOR FISCAL YEAR 1997-1998 AND AUTHORIZATION TO CONTINUE PARTICIPATION IN THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS PURCHASING INTERLOCAL AGREEMENT

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Resolution was adopted, for the participation in State Purchasing Contracts and State Catalog purchasing with the

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, Commissioner Cascos expressed concern as to the County Policy regarding travel and recommended that the Auditor-s Office should issue reimbursement checks based on the limits of the lodging costs, with the balance over the maximum amount paid by the individual. He stated that if exceptions were to be made, the Policy should be changed, in order to maintain equality among the County.

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

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

- a) Chief Juvenile Probation Officer to attend the AMeeting of the Texas Probation Association Juvenile Legislative Committee® in San Antonio, Texas, on July 25, 1997;
- b) Juvenile Administrative Assistant to attend a AOne Day Training Session on Excel® in Pharr, Texas, on August 19, 1997;
- c) Chief Juvenile Probation Officer to attend the ATexas Probation Association 1997 Annual Conference® in San Antonio, Texas, on August 23-27, 1997;
- d) Six (6) Juvenile Probation Officers and four (4) Child Care Workers to attend the ASubstance Abuse and Juvenile Crime Conference® in South Padre Island, Texas, on July 21-25, 1997;
- e) Criminal District Attorney to attend the ADeath Penalty Habeas Seminar® in Austin, Texas on August 21-22, 1997;
- f) Three (3) Criminal District Attorneys to attend the AEighteenth Annual Conference for the Association of Government Attorneys in Capital Litigation® in San Antonio, Texas, on July 30, 1997, through August 2, 1997;
- g) Intelligence Research Specialist to attend the ANCIC/TCIC Training® in Victoria, Texas, on August 18-22, 1997;

- h) Three (3) Unified Narcotics Intelligence Task-Force Agents to attend an Analytical Investigation Methods Course® in Atlanta, Georgia, on September 22-26, 1997;
- I) Unified Narcotics Intelligence Task-Force Director to attend the South Texas Executive Committee Meeting® in San Antonio, Texas, on July 24-25, 1997;
- j) Six (6) Unified Narcotics Intelligence Task-Force Employees to attend the Southwestern Bell Conference® in McAllen, Texas, on July 31, 1997;
- k) County Engineer to attend the Meetings regarding the Los Tomates International Bridge® in Mexico City, DF, on July 20-21, 1997;
- l) Two (2) County Extension Agents to attend the District 12 Mini-Convention at Naval Air Station® in Kingsville, Texas, on July 17, 1997;
- m) Health Department Employee to attend the Texas Association of Local WIC Directors Board Meeting® in Salado, Texas, on July 22-24, 1997;
- n) Sheriff's Department Administrator to attend the Texas Association of Local WIC Directors Board Meeting® in Corpus Christi, Texas, on August 20-22, 1997;
- o) Three (3) Sheriff's Department employees to attend the 28th Annual Jail Management Conference® in Huntsville, Texas, on September 30, 1997, through October 3, 1997; and
- p) Justice of the Peace Precinct No. 5, Place No. 1 and two (2) employees to monitor the Justice of the Peace Court in Orange County in Orange, Texas, on July 13-16, 1997.



(15) AUTHORIZATION FOR PRELIMINARY APPROVAL:

a) Precinct No. 2

Rio Bravo Subdivision Section 7- A, 3.87 acres of a resubdivision of Lot No. 1, Block No. 15, Rio Bravo Subdivision Section 1; and

b) Precinct No. 4

B.S. Orange Subdivision - being a resubdivision of 2.876 acres of land out of the North 9.73 acres of Lot No. 85, Adams Gardens Subdivision AB®.

(16) PRELIMINARY AND FINAL APPROVAL FOR:

a) Precinct No. 3

Juan Moreno Estates - being all of Lot No. 124, 7.92 acres of the subdivision of land in Concepcion De Carricitos Grant;

