

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 19th day of AUGUST, 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

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

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

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk
on August 15, 1997, at 3:00 P.M.:

(2) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 4:08 P.M. to discuss the following matters:

- a) Confer with County Counsel to discuss the status of the case styled Edward Alcala et. al., vs. Alex Perez, et. al., B-96-203, in the United States District Court for the Southern District; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A); and
- b) To hire the Cameron County Emergency Management Coordinator; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (1).

SUPPLEMENTAL AGENDA

(1) EXECUTIVE SESSION

- a) Confer with County Counsel concerning Heard, Goggan, Blair and Williams vs. Tony Yzaguirre, Jr., Tax Assessor Collector, Case Number 97-08-05499-C, and authorization for representation and/or the appointment of outside Counsel; 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.

Judge Hinojosa asked for a brief moment of silence in memory of Ms. Griselda Infante, Health Department, and Judge Thomas Aguirre, Justice of the Peace Precinct No. 3, Place No. 2.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 5:12 P.M.

(1) AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 97-07-03 FOR LEASE OF THE SEA RANCH MARINA AND ADJOINING UPLAND AREAS AT THE ISLA BLANCA PARK - SOUTH PADRE ISLAND

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, Request for Proposals No. 97-07-03 were opened for the Lease of the Sea Ranch Marina and adjoining upland areas at the Isla Blanca Park - South Padre Island.

(3) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel to discuss the status on the case styled Edward Alcala, et. al, Alex Perez, et. al., B-96-203, in the United States District Court for the Southern District.

Commissioner Cascos reported that the Status Report by County Counsel should be acknowledged regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Status Report by County Counsel was acknowledged regarding the case styled Edward Alcala, et. al, Alex Perez, et. al., B-96-203, in the United States District Court for the Southern District.

- b) To hire the Cameron County Emergency Management Coordinator.

Commissioner Benavides recommended that Mr. Desi Najera, Brownsville, Texas, should be hired as the Cameron County Emergency Management Coordinator, at the annual rate of \$33,000.00, plus a County vehicle or an auto allowance, in the amount of \$2,000.00.

At this time, Mr. Desi Najera expressed his gratitude to the Court for selecting him as the Emergency Management Coordinator.

Commissioner Benavides moved that Mr. Desi Najera, Brownsville, Texas, be hired as the Cameron County Emergency Management Coordinator, with an annual Salary, in the amount of \$33,000.00, plus a County vehicle or an auto allowance, in the amount of \$2,000.00.

The motion was seconded by Commissioner Cascos and carried unanimously.

SUPPLEMENTAL AGENDA

(2) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel concerning the case styled Heard, Goggan, Blair and Williams vs. Tony Yzaguirre, Jr., Tax Assessor-Collector, Case No. 97-08-05499-C, and authorization for the representation and/or for the appointment of outside Counsel.

Mr. Doug Wright, Cameron County Counsel, reported that the County Attorney should be authorized to represent Mr. Tony Yzaguirre, Jr., Tax Assessor-Collector, regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the County Attorney was authorized to represent Mr. Tony Yzaguirre, Jr., Tax Assessor-Collector, in the case styled Heard, Goggan, Blair and Williams vs. Tony Yzaguirre, Jr., Tax Assessor-Collector, Case No. 97-08-05499-C.

(6) APPROVAL OF THE MINUTES OF JULY 22, 1997, AND JULY 29, 1997

Commissioner Cascos moved that Minutes of the Regular Meetings held July 22, 1997, at 4:00 P.M., and July 29, 1997, at 4:00 P.M., be approved.

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

AYE: Commissioner Benavides, Cascos and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Matz as to the Minutes of July 29, 1997, and Commissioner Peña as to the Minutes of July 22, 1997.

At this time, Commissioner Matz expressed concern as to the Bid tabulations and evaluations regarding the Request for Proposals for the Construction Management of the South Texas Boot Camp.

Commissioner Matz noted that the process of the Request for Proposals included a tabulation of the Proposals received and an evaluation criteria, if a Committee was appointed to review and submit recommendations to the Court, and added that he had not seen any of the information.

Judge Hinojosa clarified that the issue did not involve a Bid Process and stated that Proposals were received and submitted to the Boot Camp Committee. He explained that the Boot Camp Committee obtained the Request for Qualifications and recommended Mr. Bill Peacock.

Commissioner Matz requested that a list containing the Proposals which were submitted and the information regarding the evaluation criteria which was used in making the recommendation.

Judge Hinojosa stated that the evaluation criteria was not utilized in making the recommendations.

Commissioner Matz stated that the manner in which the Proposals were processed was not consistent with the way the Proposals are ordinarily handled.

Judge Hinojosa stated that the members of the Boot Camp Committee had volunteered their time and had made an honest decision in making the recommendation.

Commissioner Matz reiterated that a list of the names that submitted Proposals, a copy of the Proposals, the evaluation criteria and the basis on which the recommendation was made be provided.

Judge Hinojosa suggested that a Meeting be scheduled with the Boot Camp Committee, in order to obtain the information requested by Commissioner Precinct No. 3.

Commissioner Cascos recommended that the information on similar types of Proposals be submitted before or subsequent to the recommendations being made, to the Court as a courtesy, in order for the Court to examine the matters being considered for approval.

At this time, Mr. Michael Forbes, Purchasing Agent, stated that the Bidding and the Request for Proposals Process was normally processed in the correct manner, but clarified that he was not involved in the Committee regarding said matter and the information was not submitted to the Purchasing Agent.

Mr. Mark Yates, County Auditor, clarified that the role of the Purchasing Agent as an Auditor in purchasing, Mr. Forbes could dictate following of and implementation of forms and added that the Purchasing Agent could assist Department Heads if the process was being jeopardized. He stated that dictating what needed to be done as far as tabulation sheets was adhere to and noted that the process would be corrected for future situations.

At this time, Mr. Juan Bernal, County Engineer, reported that the Boot Camp Committee had each read and reviewed the Proposals and added that the merits of each Proposal were discussed at the Committee Meeting. He stated that each Committee Member had voiced their individual opinions and recommended the following three (3) companies:

Peacock Construction,
Sweezy Construction, and
Terry Ray Construction.

Mr. Bernal confirmed that the recommended company was unanimously selected, but stated that a written tabulation was not retained.

**(7) IN THE MATTER OF A RESOLUTION
HONORING THE BOARD OF TRUSTEES FOR
THE SAN BENITO CONSOLIDATED
INDEPENDENT SCHOOL DISTRICT (TABLED)**

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

**(9) ADOPTION OF THE ORDER SETTING THE TAX
RATE FOR THE PORT OF HARLINGEN
AUTHORITY AT \$0.0300 PER ONE HUNDRED
DOLLAR VALUATION**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Order setting the Tax Rate for the Port of Harlingen Authority at \$0.0300 per one hundred dollar valuation was adopted.

The Order is as follows:

(8) IN THE MATTER OF THE PURCHASE OF MOBILE PHONE SERVICE FOR THE TWO (2) CHIEF DEPUTIES IN THE TAX OFFICE (TABLED)

At this time, Mr. Mark Yates, County Auditor, stated that the funds for said matter would be allocated from the Vehicle Inventory Tax (VIT) Account and recommended that all mobile phones purchased by the Tax Office be allocated from the same account.

Commissioner Cascos suggested that this Item be Tabled until the Mobile Phone Policy was implemented and until the matter was incorporated into the new year's Budget.

Mr. Yates stated that Request for Proposals would be advertised for all the cellular phones and service in the County at the beginning of the next Fiscal Year and added that the existing Contracts with Southwestern Bell and Century Cellunet would have to be addressed.

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

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

AYE: Commissioners Benavides, Cascos and Matz

NAY: Commissioner Peña and Judge Hinojosa.



(10) AUTHORIZATION OF THE PURCHASE OF THE PROPERTY FOR THE PORT ISABEL HEALTH CLINIC, IN THE AMOUNT OF \$38,000.00

(11) APPROVAL OF THE MEMORANDUM OF AGREEMENT TO CONSTRUCT THE PARKING LOT FOR THE POINT ISABEL CLINIC ON THE ADJOINING PROPERTY OWNED BY THE POINT ISABEL INDEPENDENT SCHOOL DISTRICT

At this time, Ms. Dylbia Jefferies Vega, County Counsel, stated that the Port Isabel Health Clinic was being funded by the Valley Empowerment Zone and reported that the Deed had been drafted by County Counsel, noting that it had been reviewed by Mr. Juan Magallanes, Attorney at Law. She explained that the Memorandum was for the County to construct a fifty-two (52) space parking lot on the adjoining land and added that the Point Isabel Independent School District would maintain ownership and maintenance of the parking lot, noting that the County would be allowed to utilize the parking lot Monday through Friday, from the hours of 8:00 A.M. to 5:00 P.M., with weekends and nights available, if necessary.

Commissioner Matz moved that the purchase of the Property, in the amount of \$38,000.00, and the Memorandum of Agreement to construct the parking lot on the adjoining property owned for the Point Isabel Independent School District for the Port Isabel Health Clinic be approved.

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

AYE: Commissioners Benavides, Cascos, Matz and Peña

NAY: None

ABSTAINED: Judge Hinojosa.

(12) **APPROVAL OF THE AMENDED CAMERON COUNTY SPECIAL ASSESSMENTS POLICY AND AUTHORIZATION TO HAVE THE COUNTY ENGINEER OBTAIN AN ESTIMATE OF THE REPAIRS NEEDED TO BRING THE ROADS IN THE ANAQUITOS ESTATES WITHIN THE COUNTY ROAD SYSTEM**

At this time, Commissioner Matz stated that prior to 1992, there was not a mechanism in the County regarding a Policy to provide for the paving of roads that needed improvements and were not County Roads. He noted that former Commissioner Precinct No. 3 had met with residents of the Anaquitos Estates regarding the possibility of residents donating the necessary Right-of-Way to meet the sixty feet (60') County Standards, as well as contributing the cost of materials, in order to have the road paved. Commissioner Matz stated that he had committed to honor the request and added that the County had established a Special Assessment Policy. He reported that the Policy was developed over a lengthy period of time and added that a Special Legislation had made it possible for two (2) counties in the State to create the Policy, that being Cameron and Galveston County. Commissioner Matz stated that the Policy made it possible for the County to perform a cost estimate of the Project and to conduct a series of notifications and public hearings, in order to obtain an Agreement between the County and the fifty-nine (59) property owners after the land was donated. He reported that the estimated cost of improvements had been forwarded to the property owners and the office of Commissioner Precinct No. 3. Commissioner Matz explained that the County would allocate twenty-five percent (25%) of the cost and the property owners would allocate seventy-five percent (75%), noting that the payments would be made in five (5) payments over a four (4) year period. Commissioner Matz explained that the A Good Faith Donation (down payment) was to be paid before the construction began, in order to repay the expenditure made by the County and added that the County had agreed to finance the Project from the Road and Bridge Fund, noting that there would be an interest cost associated with it.

**(14) APPROVAL OF AMENDMENT NO. 3 TO
CONTRACT BETWEEN CAMERON COUNTY
AND THE TEXAS DEPARTMENT OF HOUSING
AND COMMUNITY AFFAIRS FOR THE
CAMERON PARK DEMONSTRATION PROJECT
(TCDP CONTRACT NO. 714005)**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, Amendment No. 3 to Contract between Cameron County and the Texas Department of Housing and Community Affairs for the Cameron County Demonstration Project (TCDP Contract No. 714005) was approved.

The Contract is as follows:

(15) **ACTION ON A TAX ABATEMENT AGREEMENT FOR THE COLUMBIA VALLEY REGIONAL MEDICAL CENTER, INSIDE THE CITY OF BROWNSVILLE REINVESTMENT ZONE NO. 2**

Commissioner Cascos moved that the Tax Abatement Agreement be approved for the Columbia Valley Regional Medical Center, inside the City of Brownsville Reinvestment Zone No. 2, subject to the conveyance of the Valley Regional Hospital and the adjoining property to the County by December 31, 1997.

The motion was seconded by Commissioner Benavides.

At this time, Judge Hinojosa stated that the Project would benefit all the entities involved and would assist the County in bringing the Regional Academic Health Science Center.

Mr. Doug Wright, Cameron County Counsel, stated the Donation Provision should be understood that under Exhibit A, the City of Brownsville had thirty (30) days to Afirst right to refusal@, if the owner decided to donate the property.

Commissioner Cascos stated that an Agreement regarding the Donation Provision would need to be executed between the Columbia Valley Regional Medical Center and the City of Brownsville.

Mr. Wright stated that the specific language being added to the Agreement between the City of Brownsville and the owner, should be included in the motion, that being AIf the owner fails to donate Real and Personal Property located in the vicinity of Ted Hunt Blvd, Brownsville, Texas, also known as Old Valley Regional Hospital property set forth in Exhibit A, then the approval of this Tax Abatement Agreement shall be considered nulled. He added that a Provision concerning Non-Severability noting Aif any provision of this Agreement is held to be invalid or unenforceable by Court of Competent Jurisdiction, the remainder of the Agreement shall be invalid, unenforceable and nulled.

Upon motion duly made, Commissioner Cascos moved that the Tax Abatement Agreement for the Columbia Valley Regional Medical Center, inside the City of Brownsville Reinvestment Zone No. 2 be approved, subject to the conveyance of the Valley Regional Hospital and the adjoining property to the County by December 31, 1997, and the Owner and Non-Severability Provisions being included.

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

AYE: Commissioner Benavides, Cascos and Matz

NAY: None

ABSTAINED: Commissioner Peña.

The Agreement is as follows:

(4) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, noted a Conflict of Interest Affidavit regarding Warrant No. 41329, as to Valley Proud Environmental, in the amount of \$6,575.00, and an additional late claim as to Lower Rio Grande Valley Development Council Recycling Fund No. 56, Warrant No. 41343, in the amount of \$8,200.00.

Judge Hinojosa expressed concern as to whether a Contract was executed regarding Warrant No. 41021, payable to Sixto Andriano, Contractual, in the amount of \$360.00.

Mr. Joe G. Rivera, County Clerk, explained that the Warrant was for a payment of carpentry work hired by the Carpentry Department, noting that the Funds were being allocated from the County Clerk-s Fund No. 10-404.

Mr. Pete Blanco, Maintenance Superintendent, clarified that the Maintenance Department did not hire Mr. Andriano and added that the work being performed was being supervised by the Maintenance Department.

Judge Hinojosa stated that there were concerns regarding Workers Compensation provided by the Contractor, noting that if the Contracts were not approved through the Court, adequate Worker-s Compensation could not be determined. He stated that the Policies should be maintained by all the County Departments and suggested that the Warrant be deferred until the matter was placed on the Agenda for approval. Judge Hinojosa questioned why the issue had not been reviewed by the County Auditor-s Office and Mr. Yates responded the Assistant County Auditor-s were unaware of the actions taken in Court, noting that the funds were available in the County Clerk-s Budget and an appropriate Purchase Order had been provided.

Mr. Doug Wright, Cameron County Counsel, stated that under a Contract approved by the Court, the work could not begin until the Worker-s Compensation was determined.

Mr. Yates stated that the Contractor was a sole employer and would need to provide general liability, as opposed to Worker-s Compensation.

Mr. Rivera expressed concern as to the Mr. Adriano performing work for the County on a Contract basis and questioned why the Contracts were not drafted and approved by the Court. He stated that Mr. Adriano should not be penalized by deferring the payment and added the County should maintain consistency regarding the approval of Contracts.

Commissioner Cascos questioned the County-s Policy regarding subcontract work and Mr. Wright responded that the Court approved the Contracts based on utilization of the proposed Projects.

He added the Court had the authorization to approve the Courthouse changes, involving the facilities, placing walls and allocation of space.

Commissioner Cascos questioned whether a Contract had every been submitted to the Court and Mr. Yates confirmed that said individual had been utilized by the Building Maintenance in the past.

Mr. Blanco confirmed that said individual had been utilized by the County and that the Contracts had not been submitted to the Court.

Commissioner Cascos clarified that the issue was that the Court did not approve the particular remodeling Project, as opposed to the issue of utilizing said individual and suggested that the payment be approved, subject to ratifying the approval of the Remodeling Contract at the following Meeting.

Mr. Rivera noted that many Projects performed in the County were not approved by the Court in the past, including the County Judge's Office.

Mr. Wright clarified that the Commissioners= Court made the decision regarding the allocation of space, including the old Courthouse and explained that the Court did not have the same control over an outside contractor. He added that the Maintenance Supervisor should assure that liability insurance was provided and confirmed that an Elected Official did not have the authority to remodel any area of the Courthouse.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the Conflict of Interest regarding Warrant No. 41329, as to Valley Proud Environmental, in the amount of \$6,575.00, and the late claim as to Lower Rio Grande Valley Development Council Recycling Fund No. 56, Warrant No. 41343, in the amount of \$8,200.00.

The Budget Officer's Comments Report and the Affidavit are as follow:

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

At this time, Commissioner Cascos expressed concern as to Salary Increases being given shortly before the Budget was adopted and whether the Salary Increases being presented were arbitrary.

Commissioner Peña stated that the salaries were being increased, in order to bring certain positions up to an equal salary.

Commissioner Cascos stated that the positions would be receiving a second increase at the beginning of the new Budget Year and suggested that the Salary increases should be deferred until the Budget was created.

Commissioner Benavides stated that his intent was to recognize an individual who was had the title of ALaborer®, but was an AAssistant Mechanic® before the Consolidation was implemented.

Commissioner Benavides moved that the Fiscal Year 1997 Budget Amendment No. 97-22 and the following Salary Schedules be approved, with the exclusion of Maintenance and Operation Precinct No. 1 and No. 4, as they pertained to Salary increases:

Maintenance and Operation Consolidated Precincts - Fund No. 15-621;

Education Program - Fund No. 91-580;

CSR Program - Fund No. 91-579;

Employment Program - Fund No. 91-581; and

Health - Immunization /ORAS - Fund No. 24-639.

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

AYE: Commissioners Benavides, Cascos and Matz

NAY: Commissioner Peña.

The Budget Amendments and Salary Schedules are as follow:

(16) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO SUBMIT A PRESERVATION TRUST FUND GRANT APPLICATION TO THE TEXAS HISTORICAL COMMISSION, PURSUANT TO THE DANCY BUILDING RESTORATION

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Program Development and Management Department was authorized to submit a Preservation Trust Fund Grant Application to the Texas Historical Commission, pursuant to the Dancy Building Restoration.

(17) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO REQUEST SEALED BIDS TO COMPLETE THE ADULT PROBATION OFFICE PROJECT

Commissioner Cascos moved that the Program Development and Management Department be authorized to request sealed bids to complete the Adult Probation Office Project.

The motion was seconded by Commissioner Peña and carried unanimously.

At this time, the County Auditor recommended that the Purchasing Agent be directed to administer the Program, as it related to Bid Tabulations.

(18) APPROVAL OF THE CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 537057) HOME PROGRAM FOR OWNER OCCUPIED DISASTER RELIEF ASSISTANCE, PURSUANT TO THE OCTOBER 1996 CAMERON COUNTY FLOOD

(19) APPROVAL OF THE CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 537058) HOME PROGRAM FOR THE CONTRACT FOR DEED CONVERSIONS, PURSUANT TO THE HOME PROGRAM DISASTER RELIEF ASSISTANCE AND THE OCTOBER 1996 CAMERON COUNTY FLOOD

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the County was eligible for the amount of \$500,000.00, for home repairs damaged by the flood and noted that beneficiaries would receive up to \$5,000.00, Grants based upon the Section 8 Guidelines.

Commissioner Benavides questioned how the home owners who had already repaired their homes would be justified and Mr. Bejarano responded that the homeowners would not be eligible for reimbursements.

Judge Hinojosa explained that the State did not consider the County's Application until the Application for Disaster Relief was determined, noting that it was a lengthy process and added that said Program had never been utilized for Disaster Relief and requested many requirements from the County.

Commissioner Benavides questioned who would perform the construction work and Mr. Bejarano responded that approved Contractors would perform the construction under the supervision of the Community Action Program (CAP) or the Community Development Corporation of Brownsville (CDCB).

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Contracts between Cameron County and the Texas Department of Housing and Community Affairs (TDHCA Contracts No. 537057 and No. 537058) Home Program for Owner Occupied Disaster Relief Assistance and the Contract for Deed Conversions, pursuant to the Home Program Disaster Relief Assistance and the October 1996 Cameron County Flood were approved.

The Contracts are as follow:

(20) IN THE MATTER OF ADVERTISING FOR PROPOSALS FOR THE DESIGN, CONSTRUCTION AND INSTALLATION OF EXHIBITS AND PUBLIC INFORMATION PRODUCTS TO BE HOUSED IN THE BOCA CHICA PARK AND WILDLIFE REFUGE VISITOR-S CENTER (TABLED)

At this time, Judge Hinojosa stated that Public Hearings were to be scheduled regarding the plans concerning the Boca Chica Beach and noted that advertising for Proposals would be premature. He added that the Public Hearing would allow the public to submit and discuss their suggestions regarding said matter and suggested that this Item be Tabled. Judge Hinojosa stated that the Project would proceed after alternative suggestions and a general diagram was presented for public comment.

There was some discussion regarding the locations and times for the Public Hearings and Judge Hinojosa suggested that they be held in the Southmost area, at the Lady of Good Council and in the Commissioners-Courtroom, in order to allow the interested residents to attend the Hearings.

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



(21) AUTHORIZATION TO HIRE ROBINSON AND DUFFY FOR THE APPRAISAL OF SIXTY (60) ACRES OWNED BY CAMERON COUNTY, KNOWN AS SURVEY NO. 19, GEO-TOWN RW WS PT E 321.75 ACRES, 60.000 ACRES

At this time, Judge Hinojosa explained that the sixty (60) acres of land located on Highway 107 between Primera, Combes and Santa Rosa were owned by the Sheriff-s Department and the District Attorney-s Office and stated that the land would be a good location for a County Park which would be dedicated to the Law Enforcement Community and added that the area was unserved by Parks.

Commissioner Matz moved that Robinson and Duffy be hired for the appraisal of sixty (60) acres owned by Cameron County, known as Survey No. 19, Geo-Town RW WS PT E 321.75 acres, 60.000 acres, said funding to be allocated from Fund 90.

The motion was seconded by Commissioner Benavides and carried unanimously.



(22) AUTHORIZATION TO ALLOW THE PROPERTY MANAGEMENT COORDINATOR TO MARKET THE SALE AND REMOVAL OF THE OLD ISLA BLANCA PARK REGISTRATION OFFICE

At this time, Mr. Joseph Ardito, Property Management Coordinator, stated that there were potential buyers for the said Property and recommended that the Property be sold or utilized for future development of the Marina.

Mr. Kenneth Conway, Parks System Director, suggested that due to the asbestos situation, the Property should be sold and removed from the County Park, in order to eliminate liability issues to the County.

Commissioner Peña moved that the Property Management Coordinator be authorized to market the sale and removal of the Old Isla Blanca Park Registration Office.

The motion was seconded by Commissioner Matz and carried unanimously.



(23) APPROVAL TO AWARD THE DANCY BUILDING ASBESTOS ABATEMENT SURVEY CONTRACT TO DAVID HANAWA, DOING BUSINESS AS, AMBIOTEC, INCORPORATED

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Dancy Building Asbestos Abatement Survey Contract was awarded to David Hanawa, doing business as, Ambiotec, Incorporated.

The Contract is as follows:

(24) **AUTHORIZATION FOR THE ADVERTISEMENT OF CAMERON COUNTY TRUSTEE LAND SALES NOTICES IN THE BROWNSVILLE HERALD, VALLEY MORNING STAR, SAN BENITO NEWS AND PORT ISABEL PRESS, BY PROPERTY MANAGEMENT COORDINATOR**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator was authorized to advertise the Cameron County Trustee Land Sales Notices in the Brownsville Herald, the Valley Morning Star, the San Benito News and the Port Isabel Press.

(25) **AUTHORIZATION OF THE PROPERTY MANAGEMENT COORDINATOR-S PARTICIPATION IN LEADERSHIP BROWNSVILLE, 1997-1998**

At this time, Mr. Joseph Ardito, Property Management Coordinator, stated that the Brownsville Leadership required that the members attend all the Civic and Government Meetings without any exceptions and noted that some of the Meetings would be held during working hours.

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator-s participation in Leadership Brownsville, 1997-1998, was approved.

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 Matz expressed concern as to the Purchase without the Purchase Order as to Lindale Pharmacy, in the amount of \$6,459.45.

Mr. Mark Yates, County Auditor, explained that the purchase was made by a new employee in the Health Department who was unaware of the purchasing process, noting that the matter would be corrected within the Department.

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

At this time, Mr. Kenneth Conway, recommended that the following individuals be appointed to the Review Committee concerning the Request for Proposals regarding the Lease of the Sea Ranch Marina and adjoining upland areas at the Isla Blanca Park - South Padre Island:

Mr. Kenneth Conway, Parks System Director,

Mr. Michael Forbes, Purchasing Agent,

Mr. Joseph Ardito, Property Management Coordinator, and

Mr. Eddie Capirano, Parks Board Member, or designee.

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

- a) County Court at Law No. 2 Judge to attend the AJudicial Section Annual Conference@ in Fort Worth, Texas, on September 23-26, 1997;
- b) Parks System Director to attend a ATexas Recreation and Parks Society Legislative Committee Meeting@ in Austin, Texas, on August 11, 1997;
- c) Engineering Building Official and four (4) Building Inspectors to attend a AWorkshop@ in McKinney, Texas, on October 10, 1997;
- d) County Engineer to attend a AMeeting regarding the Los Tomates International Bridge@ in Mexico City, DF, on August 13-16, 1997;
- e) Two (2) Engineering Building Inspectors to attend a AFlood Resistant Construction Course@ in South Padre Island, Texas, on September 9-11, 1997;
- f) District Attorney to attend the A1997 Network Meeting Texas Child Fatality@ in Corpus Christi, Texas, on August 24-25, 1997; and
- g) Health Department employee to attend the AFred Pryor Seminar@ in McAllen, Texas, on September 10, 1997.



(27) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 1

Coyote Run Subdivision - a 4.353 acre tract of land, consisting of .138 acres out of Block No. 2 and 4.215 acres out of Block No. 3, Wentz Subdivision, Share No. 32, Espiritu Santo Grant;

b) Precinct No. 1

Diamond III Subdivision - a 4.336 acre tract of land, out of Block No. 4 and Wentz Subdivision out of Partition Share No. 32, Espiritu Santo Grant;

c) Precinct No. 2

Ari-y-Ana Subdivision - being a subdivision of 4.592 acres of land and being all of Lot

No. 3, Block No. 1, ABush Buck Estates
Subdivision, and

d) **Precinct No. 3**

Weed Estates - being 5.87 acres out of
Block No. 39, David and Stephenson
Subdivision.

(28) **PRELIMINARY APPROVAL**

a) **Precinct No. 2**

Abel C. and Lidia Longoria Subdivision - a
replat of two (2) parcels of land, a 24.719
acre tract and 1.21 acre tract, both out of a
45.7 acre tract, (Cameron County Official
Records Volume 3007, Page No. 40), in
Survey 414, Espiritu Santo Grant, Cameron
County, Texas.

(29) **APPROVAL OF THE PURCHASE WITHOUT A PURCHASE ORDER
FROM LINDALE PHARMACY - BROWNSVILLE, IN THE AMOUNT
OF \$6,459.45**

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

APPROVED this 9th day of September, 1997.

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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