

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 4th day of NOVEMBER, 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:

9:30 A. 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 Carlos H. Cascos. He then asked Mr. Bill Hughes, Good Shepherd Church, for the invocation and Mr. Eliseo Muñoz, Brownsville resident, to lead the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on October 31, 1997, at 9:33 P.M.:

**(3) APPROVAL OF THE MINUTES OF OCTOBER 22,
1997, SPECIAL MEETING**

At this time, the Deputy Clerk noted that there were no Minutes for approval.



**(4) APPROVAL OF THE SOFTWARE LICENSE
AGREEMENT BETWEEN CHARLES E.
HAMILTON AND CAMERON COUNTY**

At this time, Mr. Joe G. Rivera, County Clerk, stated that the Agreement would allow the County Clerk's Office to display general information and forms for the general public and would decrease the number of phone calls into the Department.

Mr. Charles Hamilton, Co/Lex Software, presented and highlighted the functions and information to be displayed from the County Clerk's Office Website and added that cases, Deeds and Certificates would not be available on the Website, noting that only the forms would be able to be printed by the viewer. Mr. Hamilton stated that he would be periodically editing the program, noting that updating the program would be further discussed with the County Clerk's Office.

Commissioner Cascos stated that the majority of individuals needing the information were the common residents who would not have access to the Internet and added that the incoming phone calls from most of the residents would not be decreased.

Mr. Rivera clarified that many of the phone calls requesting the information were made by the Law Offices.

Judge Hinojosa stated that the Program would be a beginning for the community's awareness of the availability and easy access to general information from the County.

Mr. Rivera noted that the Program would cost the amount of \$1.00 per year and would be funded from the Records Management Fund.

Commissioner Cascos moved that the Software License Agreement between Charles E. Hamilton and Cameron County be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

At this time, Mr. Doug Wright, Commissioners' Court Legal Counsel, noted the Limitation of Liability and the Disclaimer of Warranty as referenced in the Contract and pointed out the Contract was one-sided and self-serving, noting that the provider would be exempt from any responsibility.

There was some discussion regarding the actions by the provider which would be liable and Commissioner Cascos noted that the information to be displayed on the Web pages would be provided by to Mr. Hamilton by the County Clerk-s Office.

At this time, Mr. Hamilton noted that copies of the Web pages to be displayed would be forwarded to the Clerk-s Office for approval before loading the information onto the Web site.

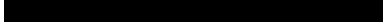
Mr. Rivera stated that case records would not be provided on the web site and added that once the services were to be provide, the matter would be addressed and submitted to the Court.

Mr. Norio Nishiguchi, Computer Center Director, pointed out that the web site was a public domain and would allow any individual to modify the program.

The Agreement is as follows:

(1) APPROVAL OF COUNTY CLAIMS

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



(2) APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

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



(5) APPROVAL OF THE LEASE CONTRACT BETWEEN THE RIO HONDO INDEPENDENT SCHOOL DISTRICT LOCATED AT 130 COLORADO, RIO HONDO, CAMERON COUNTY, TEXAS, AND THE CAMERON COUNTY HEALTH DEPARTMENT WOMEN-S, INFANTS AND CHILDREN (WIC) PROGRAM

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Lease Contract between the Rio Hondo Independent School District located at 130 Colorado, Rio Hondo, Cameron County, Texas, and the Cameron County Health Department Women-s, Infants and Children (WIC) Program was approved.

The Contract is as follows:

(6) AUTHORIZATION TO PURCHASE TWENTY-FIVE THOUSAND BROCHURES FOR THE FREE TRADE BRIDGE FROM ADMARK ADVERTISING AND MARKETING

At this time, Commissioner Cascos expressed concern as to Admark Advertising and Marketing being the sole source and whether the firm had previously performed work for the County as per the Request for Proposal.

Mr. Joe Galvan, Bridge Systems Director, stated that the Firm had created the original design for Harlingen Chamber of Commerce and added that the map on the design would be reprinted on the brochures for the Free Trade Bridge.

Mr. Mark Yates, County Auditor, stated that if the County had rights to the plate on the map, the Firm would not be the sole source and noted that intellectual property, such as books, qualified as sole source. He added that the map created by the Firm was consistent with the map being currently advertised on television and stated that if a different map was created the matter would not be a sole source.

Commissioner Matz noted that the cost to the County would be less since the map was not being recreated, as opposed to the map being designed and created by another firm.

Commissioner Matz moved that twenty-five thousand brochures for the Free Trade Bridge from Admark Advertising and Marketing be purchased.

The motion was seconded by Commissioner Cascos and carried unanimously.



(7) APPOINTMENT OF THE REQUEST FOR PROPOSAL REVIEW COMMITTEE FOR THE VALLE ESCONDIDO/VALLE HERMOSO DRAINAGE IMPROVEMENT PROJECT (TCDP CONTRACT NO. 717109)

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that five (5) to six (6) Proposals were received and recommended that the following individuals be appointed to serve on the Committee to evaluate and make a recommendation to the Court:

Mr. Juan Bernal, County Engineer,

Mr. Frank Bejarano, Program Development and Management Director,

Mr. Joe Barrera, Brownsville Irrigation and Drainage District,

Mr. Jose Almazan, Brownsville resident,

Commissioner Benavides, Precinct No. 1, and

Mr. Francisco Sinfuentes, Brownsville resident.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the following individuals were appointed to the Review Committee for the Request for Proposal regarding the Valle Escondido/Valle Hermoso Drainage Improvement Project (Texas Community Development Project Contract No. 717109):

Mr. Juan Bernal, County Engineer,
Mr. Frank Bejarano, Program Development and Management Director,
Mr. Joe Barrera, Brownsville Irrigation and Drainage District,
Mr. Jose Almazan, Brownsville resident,
Commissioner Benavides, Precinct No. 1, and
Mr. Francisco Sinfuentes, Brownsville resident.

**(8) AUTHORIZATION TO REJECT PROPOSALS
FOR REQUEST FOR PROPOSAL NO. 97-08-01**

Commissioner Cascos moved that the Proposals received for Request for Proposal No. 97-08-01 be rejected.

The motion was seconded by Commissioner Benavides and carried unanimously.

**(9) AUTHORIZATION TO ADVERTISE FOR
VARIOUS PROPOSALS FOR
CONCESSIONAIRES IN THE ISLA BLANCA,
ANDY BOWIE AND ATWOOD COUNTY PARKS**

At this time, Judge Hinojosa expressed concern as to whether the abandoned vehicles were removed from Boca Chica Beach and whether the Sheriff's Department Prisoners at Work Program were cleaning the beach on a weekly basis.

Commissioner Benavides stated that the abandoned vehicles had been transported out of the area and that the Sheriff's Department had confirmed that the prisoners were being sent to the area on a weekly basis.

Judge Hinojosa suggested that the trash cans out on the beaches should be painted in a uniform color by the prisoners.

At this time, Mr. Kenneth Conway, Parks System Director, highlighted the following Request for Proposals to be advertised:

- a) Unsolicited Proposal by Karl Ike for Atwood Park (Gilligan's);
- b) Vacant food concession in Andy Bowie Park;
- c) Windsurfer facility at Andy Bowie Park, Bayside;

- d) Passenger Ferry to Boca Chica (original proposal over one (1) year old);
- e) Beachfront snack bar in the Isla Blanca Park, adjoining the new parking lot; and
- f) Replacement restaurant or cafe for Jetties-s (scheduled for demolition).

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, various proposals for Concessionaires in the Isla Blanca, Andy Bowie and Atwood County Parks were advertised.

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(10) APPROVAL TO ISSUE A MOBILE VENDOR-S PERMIT NO. V10, TO DAVID J. AND CAROLE A. JONES, DOING BUSINESS AS JAKE-S

Commissioner Matz moved that the Mobile Vendor-s Permit No. V10 be issued to David J. And Carole A. Jones, doing business as, Jake-s.

The motion was seconded by Commissioner Peña and carried unanimously.

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(11) APPROVAL OF THE CONTRACT BETWEEN DONALD D. FERGUSON, INCORPORATED, AND CAMERON COUNTY FOR THE CONSTRUCTION OF THE COUNTY COURT BUILDING SOUTHEAST PARKING LOT IMPROVEMENT PROJECT

At this time, Judge Hinojosa stated that the issue as to designating areas of the parking lot for the employees versus jurors and visitors would need to be addressed.

Mr. Doug Wright, Commissioners= Court Legal Counsel, noted that parking tickets were being issued inappropriately due to improper signage around the Courthouse and added that City of Brownsville was interested in enforcing the parking violations due to the fire safety codes. He suggested a workshop should be scheduled, in order to address the issues with the City of Brownsville.

Judge Hinojosa suggested that a plan should be created to address the parking issues and that the two (2) large parking lots should have controlled access on Mondays reserving an area for the Jurors. He noted that the expansion of the Southeast parking lot would provide an additional one hundred seventeen (117) spaces.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Contract between Donald D. Ferguson, Incorporated and Cameron County was approved for the construction of the County Court Building Southeast Parking Lot Improvement Project.

(12) **AUTHORIZATION TO REIMBURSE EL JARDIN WATER SUPPLY FOR EMERGENCY WORK AND REPAIRS DONE ON FLORIDA ROAD DURING THE OCTOBER 1997 FLOODING**

At this time, Judge Hinojosa noted that United States Marshall-s Office had proposed the amount of \$2,500,000.00, to the County to build a jail which would facilitate two hundred beds and suggested that a Workshop be scheduled to discuss the matter, noting that the cost of the jail would be the amount of \$11,000,000.00.

Mr. Juan Bernal, County Engineer, stated that Florida and Dockberry Roads had been cut open, in order to prevent the water from backing up and flooding the subdivision. He noted that the roads remained opened and requested direction from the Court as to the matter.

Judge Hinojosa suggested that a meeting be scheduled with the Drainage District, the County Engineer, the Commissioner Precinct No. 1 and the County Judge-s Office, in order to discuss and resolve the matter.

Commissioner Cascos moved that El Jardin Water Supply be reimbursed for emergency work and repairs done on Florida Road during the October 1997 Flooding.

The motion was seconded by Commissioner Benavides and carried unanimously.

(13) **APPROVAL TO APPLY FOR A CONTINUING GRANT FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK-FORCE UNIT, THROUGH THE SOUTH TEXAS HIDTA AND THE OFFICE OF THE NATIONAL DRUG CONTROL POLICY**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the submission of the Application for a Continuing Grant for the Unified Narcotics Intelligence Task-Force Unit, through the South Texas High Intensity Drug Trafficking Areas (HIDTA) and the Office of the National Drug Control Policy 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:

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

At this time, there was a lengthy discussion regarding Item No. 20 as to the subdivision approval and drainage process concerning the levels of the rainfall and the roads versus the home levels and the recommendation was made

that the County Engineer's Office should provide the home buyers and developers of subdivisions, a description of the conditions of the property, the flood zones and whether the roads are a part of the County Road System.

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

- a) Two (2) Health Department employees to attend the AMinority Health Conference@ in Austin, Texas, on December 1-4, 1997;
- b) Two (2) Jail Health Facility employees to attend the ATuberculosis Control in Correctional Facilities Conference@ in San Antonio, Texas, on January 14-15, 1998;
- c) Health Department employee to attend the ATAWLD Executive Committee Board Meeting@ in Salado, Texas, on November 18-20, 1997;
- d) Health Department Director of Nursing Services to attend a AMeeting on Bi-National Immunization Week@ in Reynosa, Mexico, on October 27, 1997;
- e) Health Department employee to attend the APostgraduate Course on Clinical Management and Control of Tuberculosis@ in Denver, Colorado, on April 12-18, 1998;
- f) Five (5) Health Department Program Directors to attend the ATexas Integrated Enrollment and Services Project (HB-2777) Presentation and Discussion@ in Harlingen, Texas, on November 4, 1997;
- g) Two (2) Health Department employees to attend the ASecond Annual Texas Immunization Conference@ in San Antonio, Texas, on October 14, 1997;
- h) Health Department employee and Jail Infirmary employee to attend the ANational Commission on Correctional Health Care Conference@ in San Antonio, Texas, on November 9-12, 1997;
- I) Seven (7) Health Department employees to attend a AGeneral Medicaid Seminar@ in Harlingen, Texas, on November 18, 1997;
- j) Three (3) Indigent Care Program employees to attend the AMeeting on Indigent Health Care 1998 Conference@ in McAllen, Texas, on November 5, 1997;
- k) Commissioners= Court to attend the AHispanic County Judges= and Commissioners= Seminar@ in Laredo, Texas, on November 6-8, 1997;
- l) Cameron Park Community Center Coordinator to attend a APromotora Training given by Texas A&M University Housing and Urban Development Colonia Program - La Vista Center@ in Laredo, Texas, on November 19-20, 1997;
- m) Sheriff=s Department Lieutenant and Six (6) Detention Officers to take the ABasic Jailers= Exam@ in Austin, Texas, on November 5, 1997;

- n) Justice of the Peace Precinct No. 3, Place No. 1, to attend the ACourt Personnel Seminar® in Corpus Christi, Texas, on December 10-12, 1997;
- o) Constable Precinct No. 2 to attend the AMeeting with TNRCC - Grant Solid Waste® in Austin, Texas, on October 20-31, 1997;
- p) Emergency Management Coordinator to attend the AFire Marshall Training® in Edinburg, Texas, on November 7-9, 1997; and
- q) Juvenile Probation Officer to attend AMeeting with Nueces County Juvenile Department Boot Camp Officials concerning Operations Tour of the Facility and Obtaining needed Documentation to Operate such a Facility® in Corpus Christi, Texas, on September 23, 1997.



(15) AUTHORIZATION TO OPEN ANNUAL REQUEST FOR PROPOSAL NO. 97-10-04-1740 FOR CELLULAR TELEPHONE EQUIPMENT AND SERVICES AND APPROVAL OF THE FOLLOWING EVALUATION COMMITTEE:

**MR. JOE GALVAN, BRIDGE SYSTEMS DIRECTOR,
MR. RICHARD SANTELLANA, ADULT PROBATION DIRECTOR,
MR. MARK YATES, COUNTY AUDITOR,
MR. KEN CONWAY, PARKS SYSTEM DIRECTOR, AND
MR. MIKE FORBES, PURCHASING AGENT.**

The Bids received and opened are as follow:

**(16) AUTHORIZATION TO OPEN BIDS FOR SALE OF VOTING
MACHINES (SHOUP MACHINES)**

The Bids received and opened are as follow:

- (17) **AUTHORIZATION TO AWARD ANNUAL BID NO. 1885 FOR RADIO TOWER RENTAL - SHERIFF-S DEPARTMENT**

MOBILE RELAYS INCORPORATED/RIO RADIO - McAllen, Texas

Rental for both towers at:

Los Fresnos/Business 83 and 2556 \$1,667.50

- (18) **AUTHORIZATION TO OPEN REQUEST FOR PROPOSALS NO. 97-10-05 FOR ENGINEERING AND DESIGN SERVICES - VALLE ESCONDIDO/VALLE HERMOSO DRAINAGE IMPROVEMENT PROJECT**

The Request for Proposals received and opened are as follow:

(19) **AUTHORIZATION TO AWARD ANNUAL BID NO. 0240 FOR LASER PRINTERS**

C.I.C. SYSTEMS - Austin, Texas

Total \$64,760.00

(20) **PRELIMINARY APPROVAL**

a) **Precinct No. 3**

Morning Dawn Estates Phase I - 37.99 acres of land out of Blocks No. 107 and No. 108, San Benito Irrigation Company's Subdivision.

(21) **EXECUTIVE SESSION**

- a) Deliberation regarding the Real Property concerning the Right-of-Way Acquisition for the Villarreal Tract for the West Detention Basin of the Los Tomates Bride Project.
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(22) **ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Deliberation regarding the Real Property concerning the Right-of-Way Acquisition for the Villarreal Tract for the West Detention Basin of the Los Tomates Bride Project;

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

(21) **EXECUTIVE SESSION**

Upon motion by Commissioner Peña, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 10:46 A.M. to discuss the following matters:

- b) Deliberation regarding the Real Property concerning Cameron County Trustee Property known as Abstract No. 2, Chicago Gardens, Block No. 1, Point 11.377, also known as, Account No. 74-2150-0010-0232-01, to file a corrected Sheriff's Deed; and
- c) Deliberation regarding the Real Property to discuss matters regarding the potential Concession Agreement of the Sea Ranch Marina, referenced to Request for Proposal No. 97-07-03.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 11:02 A.M.

(22) ACTION RELATIVE TO EXECUTIVE SESSION

- b) Deliberation regarding the Real Property concerning Cameron County Trustee Property known as Abstract No. 2, CI 11.377, also known as, Account No. 74-2150-0010-0232-01, to file a corrected Sheriff-s Deed.

Commissioner Matz moved that the Property Management Coordinator and County Counsel be directed to request that the necessary Legal action to correct the Sheriff-s Deed, concerning the Cameron County Trustee Property, known as, Abstract No. 2, Chic as, Account No. 74-2150-0010-0232-01.

The motion was seconded by Commissioner Benavides and carried unanimously.

- c) Deliberation regarding the Real Property concerning the potential Concession Agreement of the Sea Ranch Marina, No. 97-07-03.

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Property Managen continue negotiating the potential Concession Agreement of the Sea Ranch Marina, reference to Request for Proposal No. 97-07-03.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner I

ADJOURNED.

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APPROVED this **25th** day of **November, 1997**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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