

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 9th day of **DECEMBER, 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:

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:

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The meeting was called to order by Judge Gilberto Hinojosa. He then 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.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on December 5, 1997, at 2:20 P.M.:

(1) **APPROVAL OF COUNTY CLAIMS**

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

Warrant No. 48269, as to C O Capital Project, in the amount of \$23,574.28; and

Warrant No. 48270, as to Cameron County Internal Service Fund, in the amount of \$169,347.75.

NOTE: JUDGE HINOJOSA LEFT THE COURT ROOM.

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

Warrant No. 48269, as to C O Capital Project, in the amount of \$23,574.28; and

Warrant No. 48270, as to Cameron County Internal Service Fund, in the amount of \$169,347.75.



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

Commissioner Matz moved that the Fiscal Year 1997 Budget Amendment No. 98-03 and the following Salary Schedules be approved:

Gateway International Bridge - Fund No. 80-610;

Planning and Inspection - Fund No. 15-623;

County Engineer - Fund No. 15-622;

Title V-B (MCH) - Fund No. 27-648;

County Clerk - Fund No. 10-403; and

Tax Assessor/Collector - Fund No. 10-499;

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

(26) EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 10:08 A.M. to discuss the following matters:

- a) Confer with County Counsel regarding the case styled Natalia Flores vs. Cameron County, et. al., Civil Action No. B-88-145, to discuss the status, authorization of the settlement offer and the mediation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)(B); and
- b) Deliberation regarding the Real Property concerning matters pertaining to the Village at the Sea Ranch Development at the Sea Ranch Marina, Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 11:10 A.M.



(27) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel regarding the case styled Natalia Flores vs. Cameron County, et. al., Civil Action No. B-88-145, to discuss the status, authorization of the settlement offer and the mediation.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Status Report by County Counsel was acknowledged regarding the case styled Natalia Flores vs. Cameron County, et. al., Civil Action No. B-88-145, concerning the status, authorization of the settlement offer and the mediation.

- b) Deliberation regarding the Real Property concerning matters pertaining to the Village at the Sea Ranch Development at the Sea Ranch Marina, Isla Blanca Park.

Commissioner Cascos moved that the Property Management Coordinator be directed to continue the negotiations regarding the Village at the Sea Ranch Development at the Sea Ranch Marina, Isla Blanca Park, and submit the status report to the Court.

The motion was seconded by Commissioner Peña and carried unanimously.



(6) AUTHORIZATION TO HIRE PERSONNEL/SAFETY RISK DIRECTOR AND ESTABLISH THE COMPENSATION

At this time, Judge Hinojosa recommended that the annual salary, in the amount of \$39,000.00, plus the car allowance, in the amount of \$2,000.00, be offered to Mr. Manuel Villarreal for the position of the Personnel/Safety Risk Director.

Commissioner Matz noted that the Job Description regarding the Description Summary as to the Policy Direction should be corrected to reflect the Personnel/Safety Risk Director being under the Commissioners' Court.

Commissioner Peña moved that the Personnel/Safety Risk Director be retained and that the compensation be established.

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

AYE: Commissioners Benavides, Peña and Judge Hinojosa

NAY: Commissioner Matz

ABSTAINED: Commissioner Cascos.

(8) IN THE MATTER OF THE REQUEST FOR PROPOSAL NO. 97-11-08 FOR INMATE TELEPHONE SERVICES (TABLED)

At this time, there was some discussion regarding the enhancements made to the Request for Proposal for review and approval by the Court and the suggestion was made to Table the Item.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, this Item was **(TABLED)** for one (1) week.

(15) AUTHORIZATION TO FORWARD A LETTER OF INTENT TO THE U.S. MARSHAL SERVICE REGARDING THE CONSTRUCTION OF A NEW JAIL FACILITY

Commissioner Benavides moved that the Letter of Intent be forwarded to the United States Marshall Service regarding the construction of a new jail facility.

The motion was seconded by Commissioner Peña and carried unanimously.

(5) ADOPTION OF THE COMMISSIONERS' COURT ORDER INCLUDING PROSECUTING ATTORNEY IN TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (TCDRS) TO EXTENT OF SUPPLEMENTAL COMPENSATION PAID BY CAMERON COUNTY

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Commissioners' Court Order including the prosecuting Attorney in Texas County and District Retirement System (TCDRS) to extent of Supplemental Compensation paid by Cameron County, was adopted.

The Order is as follows:

NOTE: JUDGE HINOJOSA LEFT THE COURT ROOM.

**(4) ADOPTION OF A RESOLUTION RECOGNIZING
LA ENCANTADA ELEMENTARY OF THE SAN
BENITO CONSOLIDATED INDEPENDENT
SCHOOL DISTRICT**

Commissioner Peña moved that the Resolution recognizing La Encantada Elementary of the San Benito Consolidated Independent School District be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

The Resolution is as follows:

**(3) APPROVAL OF THE MINUTES OF NOVEMBER
10, 1997**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Minutes of the Regular Meeting held November 10, 1997, at 9:30 A.M., were approved.



**(7) AUTHORIZATION TO GRANT CERTAIN
VARIANCES AND WAIVERS FROM THE
SUBDIVISION RULES AND REGULATIONS FOR
THE SUNNY SKIES SUBDIVISION PROJECT**

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that properties in the Sunny Skies Subdivision needed to be platted, in order to utilize the Grant Funds for the improvements of the subdivision and noted that the variances were necessary for the existing development to comply with the City and County Subdivision Regulations.

Commissioner Matz stated that in the past, the Court had not granted variances for like situations and added that the redevelopment of the Project would be possible due to the available Grant.

Commissioner Cascos questioned whether the variances pertained to building codes, restrictions or building minimum standards and Mr. Bejarano responded that the variances would alleviate the problems concerning the water and sanitary sewers, in order to bring the subdivision to County requirements.

Mr. Doug Wright, Commissioners' Court Legal Counsel, noted that the Corner Clips were implemented for sight distance issues and added that the Court should give specific directions as to the proper signage being implemented for safety issues.

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the certain variances and waivers from the Subdivision Rules and Regulations were granted for the Sunny Skies Subdivision Project.

Commissioner Cascos expressed concern as to whether the properties would be affected and whether there were would be a restriction as to concrete fences being constructed up to the property line, which would impede traffic vision.

Mr. Carlos Sanchez, Engineering Department, stated that a restriction could be placed on the plat which would prohibit the construction of the fences that might impair the traffic vision.



(9) **APPROVAL OF THE COOPERATIVE WORKING AGREEMENTS BETWEEN CAMERON COUNTY AND THE CITIES OF BROWNSVILLE, COMBES, HARLINGEN, LA FERIA, LAGUNA VISTA, LOS FRESNOS, PALM VALLEY, PORT ISABEL, PRIMERA, RANCHO VIEJO, RAYMONDVILLE, RIO HONDO, SAN BENITO, SANTA ROSA, SOUTH PADRE ISLAND AND WESLACO AND THE COUNTY OF WILLACY FOR THE 1999 CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE GRANT**

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the Agreements were requirements of the Grant Application for the participating entities in the Cameron County Drug Enforcement Task Force.

Mr. Mark Yates, County Auditor, stated that the County match was funded for the upcoming year with program income and noted that the funds for the following years were unknown, at this time.

Commissioner Matz noted that any shortage in program income for the match would require the participating entities to fund the difference on a pro-rata basis.

Mr. Yates stated that the County would not be required to participate in the following Contract, based on the revenue history and the anticipated fund balance.

Mr. Bejarano noted that the matter would be discussed with the entities which financially benefited from the Drug Enforcement Task Force and added that the Interlocal Agreements would include a section regarding the pro-rating of costs of the local match in the event of a shortfall.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Cooperative Working Agreements were approved between Cameron County and the cities of Brownsville, Combes, Harlingen, La Feria, Laguna Vista, Los Fresnos, Palm Valley, Port Isabel, Primera, Rancho Viejo, Raymondville, Rio Hondo, San Benito, Santa Rosa, South Padre Island and Weslaco and the County of Willacy for the 1999 Cameron County Drug Enforcement Task Force Grant.

The Agreements are as follow:

**(10) APPROVAL OF THE RESOLUTION
AUTHORIZING THE SUBMISSION OF A
CONTINUATION APPLICATION TO THE
GOVERNOR'S OFFICE CRIMINAL JUSTICE
DIVISION FOR THE CAMERON COUNTY DRUG
ENFORCEMENT TASK FORCE**

Commissioner Matz moved that the Resolution authorizing the submission of a Continuation Application to the Governor's Office Criminal Justice Division for the Cameron County Drug Enforcement Task Force be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.

The Resolution is as follows:

(11) APPROVAL TO OPEN NINE (9) CERTIFICATE OF DEPOSIT ACCOUNTS AND ONE (1) INTEREST BEARING NOW ACCOUNT WITH THE INTERNATIONAL BANK OF COMMERCE

Commissioner Peña moved that the following nine (9) Certificate of Deposit Accounts and one (1) Interest Bearing Now Account with the International Bank of Commerce be approved:

Certificates of Deposits:

Three (3) Accounts under General Fund No. 10;

Five (5) Accounts under the International Bridge Revenue Fund No. 80; and

One (1) 1994 Certificate of Obligation/Capital Projects Fund No. 9.

Now Account:

Sheriff's Local Law Enforcement Block Grants Fund No. 19.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contracts are as follow:

**(12) APPROVAL OF THE CONTRACT (RENEWALS)
FOR TWO (2) INTELLIGENCE RESEARCH
SPECIALIST FROM THE UNIFIED
INTELLIGENCE TASK-FORCE**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the renewal Contracts for two (2) Intelligence Research Specialist from the Unified Intelligence Task-Force were approved.

The Contracts are as follow:

**(13) APPROVAL OF THE CONTRACT (RENEWAL)
FOR THE DIRECTOR OF THE UNIFIED
NARCOTICS INTELLIGENCE TASK-FORCE**

Commissioner Benavides moved that the renewal Contract for the Director of the Unified Narcotics Intelligence Task-Force be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Contract is as follows:

**(14) APPROVAL OF THE CONTRACTS (RENEWALS)
FOR THREE (3) TACTICAL INTELLIGENCE
AGENTS FROM THE UNIFIED NARCOTICS
INTELLIGENCE TASK-FORCE**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the renewal Contracts for three (3) Tactical Intelligence Agents from the Unified Narcotics Intelligence Task-Force were approved.

The Contracts are as follows:

**(16) ACTION ON COMPUTER CENTER'S REQUEST FOR ADDITIONAL PERSONNEL TO COORDINATE
COMPUTERIZED CRIMINAL HISTORY DATABASE**

At this time, Mr. Norio Nishiguchi, Computer Center Director, stated that an additional position was necessary to coordinate the Departments which required additional time from the existing Computer Center Staff.

Mr. Mark Yates, County Auditor, recommended that the additional personnel be a temporary help position from the 005 Line Item.

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Computer Center's Temporary Help, 005 Line Item, to coordinate computerized criminal history database was approved, subject to the availability of funds.

(17) APPROVAL OF TRAVEL AND/OR TRAVEL EXPENSES, SUBJECT TO FUNDS IN THEIR BUDGET

Commissioner Peña moved the following travel and/or travel expenses be approved, subject to funds in their Budget:

- a) Sheriff, Major and Sheriff's Department employee to pick up surplus equipment in San Antonio, Texas, on 10-13, 1997;
- b) Health Department employee to attend the "1998 Annual Community Health Nursing Leadership Conference" in Texas, on January 7-9, 1998;
- c) Justice of the Peace Precinct No. 6 Clerk to attend the "Court Training School" in South Padre Island, Texas, on 10-13, 1997; and
- d) Five (5) Parks System employees to attend the "Pesticide Applicator Training for TDA License" in San Antonio, Texas, on December 14-17, 1997.

The motion was seconded by Commissioner Matz and carried unanimously.

CONSENT AGENDA ITEM

THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:

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

(18) **AUTHORIZATION TO AWARD BIDS FOR TURNSTILES**

TOMSED CORPORATION - Fuquay-Varina, North Carolina

Turnstiles - Gateway Bridge - Quantity - six (6) - \$30,210.00

Turnstiles - Los Indios Bridge - Quantity - two (2) - \$9,970.00

(19) **AUTHORIZATION TO AWARD THE ANNUAL PROPOSALS REQUEST FOR PROPOSAL NO. 97-10-06-1473 FOR JUVENILES JUSTICE RESIDENTIAL PLACEMENT SERVICES**

(20) **AUTHORIZATION TO AWARD BIDS FOR ELECTRICAL BOXES - RECREATIONAL VEHICLES (R.V.) SITES - ISLA BLANCA PARK**

BUSH SUPPLY - Brownsville, Texas

Quantity - one hundred (100) - \$36,950.00

(21) **AUTHORIZATION TO REJECT ANNUAL PROPOSAL REQUEST FOR PROPOSAL NO. 97-10-0240 FOR PERSONAL COMPUTERS**

(22) **AUTHORIZATION TO RENEW AWARD OF ANNUAL BID NO. 1150 NEWSPAPER ADVERTISING FOR ONE (1) ADDITIONAL YEAR**

PORT ISABEL PRESS - Port Isabel, Texas

Item	Description	Cost
a)	Ad - Sunday	\$43.25
b)	Ad - Weekday	\$43.25
c)	Ad - Sunday	\$99.00
d)	Ad - Weekday	\$99.00
e)	Ad - Sunday	\$54.00
f)	Ad - Weekday	\$54.00
g)	Ad - Sunday	\$25.75
h)	Ad - Weekday	\$25.75
I)	Ad - Sunday	\$288.50
j)	Ad - Weekday	\$288.50
k)	Ad - Sunday	\$69.75
l)	Ad - Weekday	\$69.75

SAN BENITO PRESS - San Benito, Texas

Item	Description	Cost
a)	Ad - Sunday	\$43.25
b)	Ad - Weekday	\$43.25
c)	Ad - Sunday	\$99.00
d)	Ad - Weekday	\$99.00
e)	Ad - Sunday	\$54.00
f)	Ad - Weekday	\$54.00
g)	Ad - Sunday	\$25.75

h)	Ad - Weekday	\$25.75
I)	Ad - Sunday	\$288.50
j)	Ad - Weekday	\$288.50
k)	Ad - Sunday	\$69.75
l)	Ad - Weekday	\$69.75

BROWNSVILLE HERALD - Brownsville, Texas

Item	Description	Cost
a)	Ad - Sunday	\$105.84
b)	Ad - Weekday	\$79.80
c)	Ad - Sunday	\$226.20
d)	Ad - Weekday	\$199.50
e)	Ad - Sunday	\$139.91
f)	Ad - Weekday	\$119.85
g)	Ad - Sunday	\$46.30
h)	Ad - Weekday	\$39.95
I)	Ad - Sunday	\$423.36
j)	Ad - Weekday	\$319.20

VALLEY MORNING STAR - Harlingen, Texas

Item	Description	Cost
a)	Ad - Sunday	\$114.72
b)	Ad - Weekday	\$105.96
c)	Ad - Sunday	\$286.80
d)	Ad - Weekday	\$264.90
e)	Ad - Sunday	\$157.74
f)	Ad - Weekday	\$145.70
g)	Ad - Sunday	\$50.19
h)	Ad - Weekday	\$46.36
I)	Ad - Sunday	\$458.88
j)	Ad - Weekday	\$423.84
k)	Ad - Sunday	\$239.00
l)	Ad - Weekday	\$220.75

(23) AUTHORIZATION TO OPEN QUARTERLY BIDS

- a) **DIETARY SUPPLIES NO. 2050-1;**
- b) **FOOD - FROZEN NO. 2165-1;**
- c) **FOOD - MEATS NO. 2170-1; AND**
- d) **FOOD - SPICES NO. 2210-1.**

The Bids received and opened are as follow:

(24) AUTHORIZATION TO OPEN ANNUAL BIDS

- a) **UNIFORMS NEW - SHERIFF'S AND JAIL 32660;**
- b) **JANITORIAL SUPPLIES - LINERS AND PAPER NO. 2300-2;**
- c) **LAUNDRY SUPPLIES NO. 2320;**
- d) **LIGHT BULBS AND BALLASTS NO. 2340; AND**
- e) **SAFETY SUPPLIES AND EQUIPMENT NO. 2600.**

The Bids received and opened are as follow:

(25) APPROVAL OF THE FOLLOWING PURCHASES WITHOUT PURCHASE ORDERS

- a) **CRUZ CABRERA CONSTRUCTION - IN THE AMOUNT OF \$425.00 - TAX OFFICE;**
- b) **ARGUS SECURITY SYSTEMS, INCORPORATED - IN THE AMOUNT OF \$281.40 - BRIDGE SYSTEMS; AND**
- c) **UNIFORM CENTER - IN THE AMOUNT OF \$458.00 - CONSTABLE PRECINCT NO. 5.**

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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**.

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APPROVED this 12th day of **January, 1998**.

COUNTY JUDGE

ATTEST:

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