

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 21ST day of SEPTEMBER, 1999, 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

NATIVIDAD "TIVIE" VALENCIA
COMMISSIONER, PRECINCT NO. 4

Claudia L. Cabrera Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Hinojosa at 9:42 A.M. 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 September 17, 1999, at 9:40 A.M., and the Supplemental Notice posted on September 17, 1999, at 2:52 P.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Commissioner Cascos expressed concern as to Warrant No. 19442, payable to Joe King, Jr. Printer, Incorporated, concerning the purchase of business cards for the Tax Assessor-Collector and stated that business cards and resolutions should be printed in-house.

Commissioner Benavides noted that an experienced printer should be hired to assist the Reproduction Director, due to the excess amount of work at the print shop and added that it would eliminate the need for outside printers.

Judge Hinojosa suggested that a Memorandum be sent to all Departments reflecting that the County would not fund printing services, other than the County's Reproduction Center, unless the printing request was pre-approved before being printed by an outside entity.

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



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

At this time, there was a lengthy discussion as to the process of increasing slots in the Planning and Inspection and the Road and Bridge Departments and the suggestion was made to table said Salary Schedules.

Commissioner Valencia moved that the 1999 Fiscal Year Budget Amendment No. 99-45, and the Schedules for SPEED, Fund No. 210-4600, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Budget Amendments and the Salary Schedules are as follow:

(3) IN THE MATTER OF MINUTES FOR THE MEETING OF AUGUST 31, 1999, REGULAR MEETING (NO ACTION TAKEN)



(4) ACKNOWLEDGMENT OF REPORT BY THE PROPERTY MANAGEMENT COORDINATOR AND BUILDING SUPERINTENDENT ON THE STATUS OF THE CAMERON COUNTY AIRPORT HANGAR

At this time, Mr. Joseph Ardito, Property Management Coordinator, explained the condition of the hangar's roof as a result from the latest storm and noted that the Building Superintendent had inspected the building to confirm the roof's condition.

Mr. Roger Ortiz, Building Superintendent, briefly highlighted the damages and repairs to be made, noting that the cost of the repairs was approximately \$12,830.00.

Judge Hinojosa expressed concern as to whether the building was worth the amount of funds to be allocated by the County for repairs and suggested that the property should be sold or developed by the County.

Mr. Mark Yates, County Auditor, noted that the County had accepted grant funding for improvements to the airport, contingent upon maintaining a County Airport and added that the grant should be rejected if the County was not going to improve the building.

Mr. Ardito noted that there was a month-to-month Lease Agreement of the airport with the County and Southwind Airlines.

Commissioner Cascos recommended that County Counsel should review and discuss the Agreement with the Concessionaires and added that the contractual obligations should be reviewed.

At this time, there was some discussion as to the utilization of the airport and the suggestion was made to place the Item on the next week's Executive Session.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Report by the Property Management Coordinator and the Building Superintendent, on the status of the Cameron County Airport hanger, was acknowledged.



**(5) APPROVAL FOR THE COUNTY CLERK-S OFFICE
FEE SCHEDULE EFFECTIVE OCTOBER 1, 1999**

At this time, Mr. Joe G. Rivera, County Clerk, highlighted the fees collected which were sent to the State of Texas and those fees remained in the County, including the Law Library fees, noting that the increase in fees were mandated by the State.

Commissioner Cascos moved that the County Clerk-s Office Fee Schedule, effective October 1, 1999, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Fee Schedule is as follows:

(6) AUTHORIZATION TO UTILIZE COUNTY EQUIPMENT FROM THE JUVENILE PROBATION DEPARTMENT FOR THE TEXAS PROBATION ASSOCIATION-S 1999 LEGISLATIVE ANNUAL CONFERENCE TO BE HELD IN SOUTH PADRE ISLAND, TEXAS, ON OCTOBER 20, 1999, THROUGH NOVEMBER 3, 1999

Commissioner Cascos moved that the Juvenile Probation Department utilize County equipment for the Texas Probation Association-s 1999 Legislative Annual Conference to be held in South Padre Island, Texas, on October 20, 1999, through November 3, 1999.

The motion was seconded by Commissioner Valencia and carried unanimously.

(7) ACTION ON PROCEDURES TO FOLLOW FOR THE SELECTION OF THE DESIGN/BUILD COMPANY FOR THE NEW COUNTY JAIL AND SHERIFF-S OFFICE

At this time, Judge Hinojosa suggested that the four (4) Design/Build Companies selected by the Selection Committee, present their proposals to the Court.

Commissioner Cascos expressed concern as to the process to ensure the quality of the products being utilized and Judge Hinojosa replied that every aspect of the construction, including the materials would be negotiated with the selected firm.

Commissioner Benavides moved that the four (4) selected Design/Build Companies present their proposals to the Commissioners- Court on October 3, 1999.

The motion was seconded by Commissioner Valencia and carried unanimously.

(8) IN THE MATTER OF THE NEXT PHASE OF THE VALLE HERMOSO/VALLE ESCONDIDO DRAINAGE DITCH FROM FM/1419 TO THE MAIN DRAINAGE DITCH (TABLED)

At this time, Mr. Juan Bernal, County Engineer, explained that the Road and Bridge Department would need to lease the equipment to perform the project in-house, but noted that there were issues regarding the right-of-way which were not resolved.

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

**(9) AUTHORIZATION FOR JANITORIAL SERVICES
CONTRACT TO BE RENEWED FOR FISCAL 1999-
2000 FOR THE ENGINEERING AND RIGHT OF
WAY DEPARTMENT**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Janitorial Service Contract for Fiscal Year 1999-2000 for the Engineering and Right-of-Way Department was renewed.

The Contract is as follows:

(10) IN THE MATTER OF POSSIBLE ACTION REGARDING EL NORTE SUBDIVISION IN THE LAGUNA VISTA AREA (TABLED)

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

NOTE: COMMISSIONER VALENCIA LEFT THE COURT ROOM.

(11) AUTHORIZATION TO NEGOTIATE A CONTRACT WITH AMBIOTECH TO PROVIDE PLANS AND SPECIFICATIONS FOR ASBESTOS ABATEMENT/LEAD PAINT REMOVAL OF THE DANCY BUILDING

Commissioner Cascos moved that the Contract with Ambiottech, to provide plans and specifications for asbestos abatement and/or lead paint removal of the Dancy Building, be negotiated, said funding to be allocated from the Dancy Building Fund.

The motion was seconded by Commissioner Benavides and carried unanimously.

(12) AUTHORIZATION TO ACCEPT BLUE JAY CIRCLE AND CARDINAL COURT, LOCATED IN THE PEDERSON BROTHERS NO. 3 SUBDIVISION, PRECINCT NO. 3, INTO THE COUNTY ROAD SYSTEM

Upon motion by Commissioner Matz , seconded by Commissioner Benavides and carried unanimously, Blue Jay Circle and Cardinal Court, located in the Pederson Brothers No. 3 Subdivision, Precinct No. 3, were accepted into the County Road System.

(13) AUTHORIZATION OF INCREASE TO RENTAL FEES ON CERTAIN R.V. SITES WITHIN THE CAMERON COUNTY PARKS SYSTEM

At this time, Mr. Javier Mendez explained that the fees on the gulf view lots would be increased to the amount of \$480.00, a month and added that the fees would be increased to \$500.00, a month upon completion of the recreation area.

Commissioner Benavides moved that the rental fees on certain Recreational Vehicle (RV) sites within the Cameron County Parks System be increased.

The motion was seconded by Commissioner Matz and carried unanimously.

(14) APPROVAL TO COMBINE THE 1997 CITIZEN REVIEW PANEL AND THE 1999 BUILDING COMMITTEE PURSUANT TO THE COMMUNITY PARTICIPATION COMPONENT FOR THE RESTORATION OF THE DANCY BUILDING AND CAMERON COUNTY APPLICATION FOR STATE FUNDING.

Commissioner Cascos moved that 1997 Citizen Review Panel and the 1999 Building Committees be combined, pursuant to the community participation component for the restoration of the Dancy Building and Cameron County Application for State Funding.

The motion was seconded by Commissioner Valencia and carried unanimously.

(15) ACTION TO PROVIDE FREE FLU VACCINE FOR CAMERON COUNTY EMPLOYEES AND FAMILIES

Commissioner Cascos moved that flue vaccines be provided for Cameron County employees and their families free of charge.

The motion was seconded by Commissioner Valencia and carried unanimously.

(16) APPROVAL OF BOND RENEWALS FOR THE RESERVE DEPUTIES LUIS UBALDO VELASQUEZ-PRECINCT NO. 2, ADALBERTO BENNET-PRECINCT NO. 6, JOHN KIRBY-PRECINCT NO. 4, ROBERT SALINAS-PRECINCT NO. 2, AND ALFREDO GONZALEZ-PRECINCT NO. 1

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Bonds for the following Reserve Deputy Constables were approved, with the exclusion of Item Ad@ Robert Salinas, Precinct No. 2, due to incorrect Bond:

- a) Mr. Luis Ubaldo Velasquez, Precinct No. 2,
- b) Mr. Adalberto Bennet, Precinct No. 6,
- c) Mr. John Kirby, Precinct No. 4, and
- e) Mr. Alfredo Gonzalez, Precinct No. 1.

(17) APPROVAL FOR RESERVE DEPUTY ELOY GARCIA FOR CONSTABLE PRECINCT NO. 4

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, Reserve Deputy Eloy Garcia was approved for Constable Precinct No. 4.

SUPPLEMENTAL AGENDA

(1) **IN THE MATTER OF UTILIZING DIRECT
REGISTRATION ELECTRONIC VOTING DEVICES
ON TRIAL BASIS DURING EARLY VOTING
(OCTOBER 18-29) FOR THE NOVEMBER 1999
GENERAL ELECTION (TABLED)**

At this time, Mr. Robert Mendoza, Elections Administrator, requested that the touch screen devices be utilized in the Early Voting Election on November 2, 1999, in order to determine whether the system would be functional for the County and noted that the system had been recommended by the Elections Commission. Mr. Mendoza explained that the trial run of the system would allow the Elections System Task-Force to determine whether to utilize the system or research an alternate system to recommend to the Court. He briefly explained how the functions and advantages of the Electronic System and noted that the System would be set up in four (4) designated places and mobile sites.

Judge Hinojosa expressed concern as to providing the option of Electronic voting and paper ballots for the voters and suggested that the matter be referred to the Secretary of State's Office.

At this time, the following individuals expressed their opposition to the Electronic Voting Device:

Mr. Manuel Hernandez, Brownsville resident,

Ms. Teresa Freidy, Precinct Chair and Election worker, and

Ms. JuaNita Brodecky, Rio Hondo resident.

Commissioner Matz expressed his concern as to the issues regarding the acceptance of the change by the voters, the apathy and the disability issues which had not been addressed.

Judge Hinojosa stated the voters would be reluctant to change to the Electronic Device System and would result in a low voter turnout.

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



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 Valencia and carried unanimously, the AConsent® Agenda Items were approved as follow:

(18) TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET AND ALL APPLICABLE COUNTY POLICIES:

- a) County Extension Agent to attend the AFall Midsouth Regional Training Workshop® in Houston, Texas, on October 4-6, 1999;
- b) Two (2) County Extension Agents to attend the A1999 Gold Star Award Banquet® in Kingsville, Texas, on October 9, 1999;
- c) County Extension Agent to attend the ANew Agents Training® in College Station, Texas, on October 18-22, 1999;
- d) County Extension Agent to attend the ADistrict 12 Adult Leader Association and 4-H Council Meeting ® in Freer, Texas, on September 11, 1999;
- e) County Extension Agent to attend AA BLT Quarterly Meeting ® in San Antonio, Texas, on October 12-15, 1999;
- f) Three (3) County Extension Agents to attend a ASpecialists Scheduling Meeting® in Weslaco, Texas, on September 28-30, 1999;
- g) County Extension Agent, Office Manger and Secretary to attend the AWeb Page Training® in Weslaco, Texas, on September 16, 1999;
- h) Seven (7) Juvenile Probation Staff to attend the ATexas Probation Association Legislative Annual Conference® in South Padre Island, Texas, on October 31, 1999, through November 3, 1999;
- i) County Attorney Investigator to do a Criminal Case Investigation in San Antonio, Texas, on September 14-16, 1999;
- j) Four (4) County Attorney Staff to attend the A13th Annual Texas Crime Victim Clearinghouse Conference® in South Padre Island, Texas, on September 7-11, 1999;
- k) Assistant District Attorney to attend the AAnnual Criminal and Civil Law Update® in Corpus Christi, Texas, on September 22-24, 1999;
- l) Commissioners= Court Legal Counsel to attend a deposition at the Attorney General=s Office on a litigation case styled Susan Mowbray vs. Cameron County in Austin, Texas, on September 28, 1999, through October 1, 1999;
- m) Program Development and Management Coordinator to meet with Willacy County Judge in Raymondville, Texas, on September 10, 1999;
- n) Seven (7) Health Department employees to attend the A1999 All Valley Perinatal Workshop® in McAllen, Texas, on October 8, 1999;

(22) AWARD ANNUAL BID NO. 2620 - SAFETY SHOES

REDWING SHOES - Harlingen, Texas

Boots - brown - steel toe	\$129.48
Lace up - brown - steel toe	\$122.84
Boot - brown - semi suede - steel toe	\$129.48
Flat sole no steel toe	\$126.99
Heel sole - steel toe	\$117.86
Ladies - black - steel toe	\$104.58

(23) RENEWAL OF BIDS AND/OR REQUEST FOR PROPOSALS FOR ONE (1) ADDITIONAL YEAR

- a) **ANNUAL BID NO. 2000 COMMISSARY-HEALTH & HYGIENE**
- b) **ANNUAL BID NO. 2014 COMMISSARY-SNACKS & DRINKS**

(24) ADVERTISE FOR BIDS TO PURCHASE PATROL CARS



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

- a) **Confer with Commissioners- Court Legal Counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and confer on matters relating to the water park, in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of the State Bar of Texas, conflicts with the Open Meetings Act.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report by Court Counsel was acknowledged concerning the possible litigation involving Schlitterbahn Water Park at South Padre Island and confer on matters relating to the water park, in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of the State Bar of Texas, conflicts with the Open Meetings Act.

- b) **Deliberation regarding Real Property concerning the possible lease of approximately 258 acre tract out of the Paredes Partition Subdivision G, Tract 50.**

Commissioner Cascos moved that the lease offer of approximately 258 acre tract out of the Paredes Partition Subdivision G, Tract 50, be rejected.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **Deliberation regarding the Real Property concerning the possible lease of approximately 520 acres out of the Laguna Vista Club Subdivision.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Property Manager Coordinator was directed to negotiate with the landowner and the United States Department of Agriculture (USDA) to lease or license approximately 520 acres out of the Laguna Vista Club Subdivision.

- d) **In the matter of the possible lease of office and class space for the Cameron County Juvenile Justice Alternative Education Program. (TABLED)**

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

- e) **Confer with Commissioners- Court Legal Counsel concerning the new government complex, located on FM/511 and Old Alice Road.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Status Report by the County Judge was acknowledged concerning the new government complex, located on FM/511 and Old Alice Road.

- f) **Deliberation regarding Real Property concerning Cameron County Trustee Property, known as Brownsville Elizabeth Heights, Block No. 1, Lot No. 2.**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Property Manager Coordinator was directed negotiate the Cameron County Trustee Property, known as Brownsville Elizabeth Heights, Block No. 1, Lot No. 2, with the highest bidder.

There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the meeting was **ADJOURNED** at 12:14 P.M.

APPROVED this **2nd** day of **November, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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