

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 28th day of DECEMBER, 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

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Gilberto Hinojosa at 9:35 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 December 22, 1999, at 11:56 A.M.:

At this time, Judge Hinojosa stated the residents of Cameron County should have a positive attitude concerning the Year 2000 (Y2K) and added that the County had done as much as possible to ensure that there would not be any problems. He stated that entering into the new millennium should be a cause for celebration and that it was the beginning of a positive period of time in the history of the County. Judge Hinojosa noted that there were many positive events occurring in the community as a result of people working together to provide the best quality of life for the citizens and added that the County should be concerned with ensuring that the trends started in the last couple of years, continue into the next decade and century for Cameron County. He stated that the County should be grateful for the natural beauty, including South Padre Island, the beach and the wildlife, as well as the growth in the community and added that the natural beauty should be preserved for the next generation.

[REDACTED]

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, stated that a list of vendors would be provided to the Court to review and identify any conflicts of interest, in order for the Auditor's Office to produce affidavits for each member of the Court.

Commissioner Cascos moved that the County Claims be approved, as presented by the County Auditor.

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

AYE: Commissioner Benavides, Cascos, Matz and Valencia

NAY: None

ABSTAINED: Judge Hinojosa, as to Warrant No. 25450, payable to the Laguna Madre Water District, in the amount of \$11,727.34.

The Affidavit is as follows:

**(2) IN THE MATTER OF THE BUDGET
AMENDMENTS AND/OR SALARY SCHEDULES
(NO ACTION TAKEN)**

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

(3) APPROVAL OF MINUTES

At this time, Commissioner Valencia stated that there had been concerns as to the approval of the Minutes and noted that the Minutes of November 2, 1999, and November 8, 1999, had been previously approved.

Commissioner Cascos stated that the Minutes of November 2, 1999, and November 8, 1999, would need to be re-approved and explained that the vote consisted of two (2) for, zero (0) against, and two (2) abstained. He stated that County Counsel had noted that the votes did not contain fifty-one percent (51%) favorable votes and that the item would need to be officially approved with the correct number of votes.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the following Minutes were approved:

November 2, 1999, Regular Meeting;

November 8, 1999, Special Meeting;

November 9, 1999, Regular Meeting;

November 16, 1999, Regular Meeting;

November 23, 1999, Regular Meeting; and

November 30, 1999, Regular Meeting.

**(11) POSSIBLE ADOPTION OF AN ASSESSMENT FOR
THE IMPROVEMENT OF ANAQUITOS DRIVE
AND ANAQUA DRIVE IN THE ANAQUITOS
SUBDIVISION**

At this time, Commissioner Cascos stated that a Public Hearing had been held to discuss the issues between the residents and County Officials and added that most of the issues were in order, subject to Legal review.

Mr. Doug Wright, Commissioners-Court Legal Counsel, explained that an assessment would be made against each property owner for the balance based on the percentage set in the policy and added that liens would be placed on the properties until the balance was paid, over a four (4) year period.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the assessment for the improvement of Anaquitos Drive and Anaqua Drive in the Anaquitos Subdivision was adopted.

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(9) APPROVAL OF A TAX ABATEMENT AGREEMENT WITH THE FINSA DEVELOPMENT CORPORATION AT THE FREE TRADE BRIDGE REGIONAL ENTERPRISE ZONE

At this time, Mr. Frank Bejarano, Program Development and Management Director, noted that there were minor changes in the Agreement which required the County to provide adequate notice prior to visiting the business to obtain information and added that Finsa had requested that wording be added allowing Finsa to access records from Magne Tek.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Tax Abatement Agreement with the Finsa Development Corporation at the Free Trade Bridge Regional Enterprise Zone was approved.

At this time, Judge Hinojosa stated that the Agreement was a positive matter for the Free Trade Bridge and the County which would place the County at the center of a major crossing point for the entire Southern part of the United States and would increase commerce between the United States and Mexico.

The Agreement is as follows:

(4) PUBLIC HEARING REGARDING CAMERON COUNTY'S PROPOSED USE OF FUNDS FOR THE 1999 LOCAL LAW ENFORCEMENT BLOCK GRANT

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Public Hearing, regarding Cameron County's proposed use of funds for the 1999 Local Law Enforcement Block Grant, was opened for public comment at 10:00 A.M.

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that the County had received \$88,637.00 from the Bureau of Justice and added that the Grant Award required a local match, in the amount of \$9,849.00, which had already been budgeted. He stated that the Review Committee had reviewed various proposals submitted by County Law Enforcement and added that the Committee had made recommendations for the distribution of the funds. Mr. Bejarano briefly highlighted the list containing the distribution of funds and equipment, as recommended by the Review Committee.

Judge Hinojosa explained that County Court at Law No. 2 would receive the amount of \$2,000. for materials to remove graffiti by juveniles and added that the program would operate in conjunction with the Juvenile Probation Department.

Commissioner Cascos expressed concern as to certain items for the Law Enforcement Officers and as to whether the items were included in the Countywide standardized equipment list.

Mr. Mark Yates, County Auditor, stated that the Constables and Sheriff should have had most of the items on the list as per the equipment list, noting that the items might have not been requested at the time the equipment list was approved.

Commissioner Cascos noted that the Sheriff's Department had requested the amount of \$62,000 and was being awarded the amount of \$41,949.44. He questioned what had been eliminated from the Sheriff's list and requested that the Standardized Equipment List and an inventory of existing equipment be provided.

At this time, there was some discussion as to the uniformity of equipment for the County Law Enforcement equipment and the suggestion was made that the County Auditor should review the list and compare it to the Policy List established by the Court.

Judge Hinojosa stated the list of equipment had been compromised among the Law Enforcement Departments and added that the Uniform Equipment List related to the full-time officers. He stated that the Constables depended largely upon the Reserve Deputy Constables to patrol the precincts twenty-four hours a day and added that the recommended list pertained mainly to the Reserve Deputies.

Hearing and sensing no further comments, upon motion by Judge Hinojosa, seconded by Commissioner Cascos and carried unanimously, the Public Hearing was closed at 10:16 A.M.

The List is as follows:

(5) **IN THE MATTER OF THE PROPOSED USE OF THE 1999 LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE (TABLED)**

Judge Hinojosa moved that the proposed use of the 1999 Local Law Enforcement Block Grant from the Bureau of Justice Assistance be accepted, as recommended by the Local Law Enforcement Block Grant Review Committee.

At this time, Commissioner Cascos requested that the County Auditor provide the standardized list for County Law Enforcement, in order to equip the officers in a comparable manner.

Mr. Mark Yates, County Auditor, recommended that trigger locks be added to the equipment list for all officers with shotguns, pistols or revolvers and added that a statement should be signed by the Elected Officials as to the location of the weapons and the policy on weapons.

Commissioner Valencia suggested that the requests by the Parks System should be addressed at the next budget cycle or through alternate grant funds and added that said funds be awarded to the Sheriff's Department for the necessary items.

At this time, there was some discussion concerning the Parks System's request and transfer of the grant funds to the Sheriff's Department and the suggestion was made that the matter be Tabled, in order to discuss the matter with the Parks System Director.

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



(6) **APPROVAL OF THE ENGINEERING AGREEMENT WITH LOOMIS AUSTIN, INCORPORATED, TO PROVIDE PLUMBING CONNECTION SERVICE FOR THE ARROYO COLORADO ESTATES SELF HELP PROJECT (TCDP CONTRACT NO. 718096)**

Commissioner Matz moved that the Engineering Agreement with Loomis Austin, Incorporated, be approved to provide plumbing connection service for the Arroyo Colorado Estates Self Help Project, that being the Texas Community Development Program Contract No. 718096.

The motion was seconded by Commissioner Valencia and carried unanimously.

(7) APPROVAL OF THE CONTRACT BETWEEN CAMERON COUNTY AND MARIA GUADALUPE ESQUIVEL TO PARTICIPATE IN THE TEXAS DEPARTMENT OF THE HEALTH DIETETIC INTERNSHIP PROGRAM

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Contract between Cameron County and Ms. Maria Guadalupe Esquivel to participate in the Texas Department of the Health Dietetic Internship Program was approved.

The Contract is as follows:

(8) POSSIBLE APPROVAL OF AGREEMENTS WITH DAMAGE ASSESSMENT CONTRACTORS AS PER ROSTER LIST FOR PRE-POSITIONED CONTRACTS ON DAMAGE ASSESSMENT SERVICES

At this time, Commissioner Matz expressed concern as to the County establishing a Management Center which was reflected in the Contract.

Mr. Remi Garza, Executive Assistant to the County Judge, explained that a specific area would be designated where all the contractors could obtain information as to the duties and assignments in the recovery phase.

Commissioner Cascos moved that the Agreement with Damage Assessment Contractors, as per the roster list for Pre-positioned Contracts on Damage Assessment Services be approved, subject to Legal review.

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

AYE: Commissioners Benavides, Cascos, Valencia and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Matz.

(10) AUTHORIZATION TO PURCHASE DATA SUBSCRIPTION FOR OMNISTAR GLOBAL POSITIONING SYSTEM RECEIVER

At this time, Commissioner Cascos expressed concern as to Item Ak[@] of the Subscription Agreement and as to whether the County was hiring the company to provide accurate information. He stated that based on the terms of the Contract, the company was not liable for inaccurate information provided to the County and suggested that the venue provision should reflect ACameron County.[@]

Mr. Remi Garza, Executive Assistant to the County Judge, explained that the company would not be liable if atmosphere conditions existed that would cause the satellite link to register inaccurate readings.

Commissioner Benavides moved that a Data Subscription for Omnistar Global Positioning System Receiver be purchased, subject to Legal review.

The motion was seconded by Commissioner Valencia and carried unanimously.

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 Cascos, seconded by Commissioner Benavides and carried unanimously, the

AConsent® Agenda Items were approved as follow:

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

- a) Commissioner Precinct No. 3 to attend the AUnited States Environmental Protection Agency Meeting® in San Antonio, Texas, on January 26-28, 2000;
- b) Assistant District Attorney to attend the AAppellate Advocacy Seminar® in Austin, Texas, on January 19-21, 2000;
- c) District Clerk and two (2) Deputy Clerks to attend the ACounty District Clerks Legal Education Conference® in Austin, Texas, on January 12-14, 2000; and
- d) County Extension Agent (Agriculture) to attend the ABeltwide Cotton Conference 2000" in San Antonio, Texas, on January 4-6, 2000.

(13) **AWARD BIDS AND/OR REQUEST FOR PROPOSALS**

a) **DIETARY SUPPLIES - QUARTERLY NO. 2050-1**

JOINER FOODS - Harlingen, Texas

Total \$1,902.47

b) **FOOD: FROZEN - QUARTERLY NO. 2165-1**

LA BATT FOOD SERVICE - Harlingen, Texas

Total \$4,660.96

c) **FOOD: MEATS - QUARTERLY NO. 2170-1**

BENO-S MEATS - McAllen, Texas

Total \$13,973.87

LOPEZ MEATS - Brownsville, Texas

Total \$1,147.00

d) **FOOD: SPICES - QUARTERLY NO. 2210-1**

LA BATT FOOD - Harlingen, Texas

Total \$863.17

e) **FOOD: CANNED AND DRIED NO. 2110-1**

LA BATT FOOD SERVICE - Harlingen, Texas

Total \$19,452.70

(14) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 10:37 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning Trustee Property, known as Abstract No. 2 - Unsubdivided Share No. 6, 30.800 acres; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) In the matter of Economic Development negotiations with Magne Tek/Finsa; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.086 (1)(2); **(NO ACTION TAKEN)**
- c) Deliberation regarding the Real Property concerning the acquisition of property for the Dancy Building Renovation Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 10:55 A.M.



(15) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Deliberation regarding property concerning trustee property, known as Abstract No. 2 - Unsubdivided Share No. 6, 30.800 acres.**

Commissioner Cascos moved that the acquisition of the Trustee Property, known as Abstract No. 2 - Unsubdivided Share No. 6, 30.800 acres be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

- b) **In the matter of Deliberation regarding Economic Development negotiations with Magne Tek/Finsa. (NO ACTION TAKEN)**
- c) **Deliberation regarding the Real Property concerning the acquisition of property for the Dancy Building Renovation Project.**

Commissioner Matz moved that an appraisal be conducted by Robert Barreda Appraisal Services on the property Southeast of the Dancy Building concerning the acquisition of the property for the Dancy Building Renovation Project.

The motion was seconded by Commissioner Cascos and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at **11:59** A.M.

APPROVED this **1st** day of **February, 2000**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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