

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 11th day of JANUARY, 2000, 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 ATIVIE@ VALENCIA
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 at 9:38 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 January 7, 2000, at 3:01 P.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, briefly highlighted the Report on Federal Inmate Revenue and the average number of Federal Inmates housed in the County Detention Facilities.

Judge Hinojosa explained that the County had not accepted warrants issued by the Board of Pardons and Parole, due to the lack of capacity at the County Jail and stated that the County was being mandated to honor said warrants, noting that the number of warrants was substantial. He stated that the County would be in violation of the Jail Standards concerning capacity in the jail and noted that it was imperative for the County to move forward in constructing the new jail to accommodate the Federal Inmates.

Commissioner Cascos expressed concern as to Warrant No. 25970; payable to Joe King, Jr. Printer, Incorporated and Mr. Yates responded that the requests for printing services were addressed to the County Reproduction Center.

Mr. Yates added that the Reproduction Director would make a determination as to whether the services could be provided by the County or would need to be provided by outside services. He noted that the printing services could not be produced by the Reproduction Center; therefore, the services were requested from Joe King, Jr. Printer, Incorporated.

Commissioner Cascos expressed concern as to Warrant No. 25974, payable to La Opinion de Matamoros, and Mr. Joe Morales, Unified Narcotics Task-Force, replied that the Task-Force retrieved information through the Mexican newspaper dealing with narcotics.

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: Commissioners Benavides, Cascos, Matz and Valencia

NAY: None

ABSTAINED: Judge Hinojosa, as to Warrant No. 25977, payable to the Laguna Madre Water District.

The Report and the Affidavit are as follow:

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

Commissioner Cascos moved that the 1999 Fiscal Year Budget Amendment No. 99-57 and the 2000 Fiscal Year Budget Amendment No. 2000-12, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Budget Amendments are as follow:

**(3) IN THE MATTER OF MINUTES OF DECEMBER 21,
1999, REGULAR MEETING (TABLED)**

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

**(12) APPROVAL OF RENEWAL OF LEASE FOR THE
OFFICE BUILDING, LOCATED AT 1100 FM/802,
SUITE 101, BROWNSVILLE, TEXAS, 78526, FROM
JANUARY 1, 2000, THROUGH DECEMBER 31, 2000**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Lease Agreement for the office building, located at 1100 FM/802, Suite 101, Brownsville, Texas, 78526, from January 1, 2000, through December 31, 2000, was renewed.

The Lease is as follows:

(4) AUTHORIZATION FOR CAMERON COUNTY TO ACT AS A CO-HOST FOR THE 3RD ANNUAL TEXAS TRANSPORTATION SUMMIT IN IRVING, TEXAS

Commissioner Cascos moved that Cameron County act as a co-host for the 3rd Annual Texas Transportation Summit in Irving, Texas.

The motion was seconded by Commissioner Matz and carried unanimously.

(5) APPOINTMENT TO THE CAMERON COUNTY CHILD WELFARE BOARD

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the following individuals were appointed to the Cameron County Child Welfare Board:

- Ms. Lydia Ortiz, Brownsville resident,
- Ms. Cecilia Rangel, Harlingen resident,
- Ms. Melva Montemayor, Brownsville resident,
- Ms. Brenda Lee Sosa, Harlingen resident, and
- Ms. Ruby Vasquez, Harlingen resident.

(6) APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE BOYS AND GIRLS CLUB OF BROWNSVILLE FOR THE UNIDOS-PODEMOS-BROWNSVILLE COMPREHENSIVE STRATEGY FOR YOUTH/FAMILIES GRANT

(7) APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND COMMUNITIES IN SCHOOLS-CAMERON COUNTY FOR THE UNIDOS-PODEMOS-BROWNSVILLE COMPREHENSIVE STRATEGY FOR YOUTH/FAMILIES GRANT

Commissioner Cascos moved that the Memorandum of Understanding between Cameron County and the Boys and Girls Club of Brownsville and Communities in Schools-Cameron County for the Unidos-Podemos - Brownsville Comprehensive Strategy for Youth/Families Grant be approved, subject to approval by the State and the Boys and Girls Club of Brownsville.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Agreement is as follows:

- (8) **APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF SAN BENITO, CITY OF LOS FRESNOS, CITY OF PORT ISABEL, CITY OF RAYMONDVILLE AND WILLACY COUNTY**
- (9) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE GOVERNOR-S OFFICE CRIMINAL JUSTICE DIVISION FOR THE 2001 CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE GRANT**
- (10) **APPROVAL OF THE COOPERATIVE WORKING AGREEMENTS BETWEEN CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE AND ALL LAW ENFORCEMENT DEPARTMENTS IN CAMERON AND WILLACY COUNTIES**

At this time, Mr. Frank Martinez, District Attorney-s Office, stated that the submission of the application would renew the Grant for the Cameron County Drug Enforcement Task-Force to interdict drug dealers.

Judge Hinojosa explained that one or two individuals from the different Law Enforcement entities throughout the Valley were brought in to work with the Drug Enforcement Task-Force and added that the Task-Force was administered by the District Attorney, noting that the Task-Force was located in a separate office.

Commissioner Matz moved that an Interlocal Agreement between Cameron County and the Cities of San Benito, Los Fresnos, Port Isabel, Raymondville, and Willacy County be approved, that the Resolution authorizing the submission of a Continuation Application to the Governor-s Office Criminal Justice Division for the 2001 Cameron County Drug Enforcement Task Force Grant be adopted and that the Cooperative Working Agreements between Cameron County Drug Enforcement Task-Force and all Law Enforcement Departments in Cameron and Willacy Counties be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Agreements are as follow:

(11) IN THE MATTER OF THE CAMERON COUNTY PARKS SYSTEM RECREATION AND OPEN SPACES MASTER PLAN AND NEED ASSESSMENT (TABLED)

At this time, Mr. Javier Mendez, Parks System Director, suggested that the item be tabled, in order allow more time to review the plan and correct minor typographical errors.

Judge Hinojosa stated that the Plan was excellent for development of parks in Cameron County for seven (7) years and added that the plan would enhance the County's ability to qualify for grants from the Texas Parks and Wildlife Department. He stated that the County Parks were self-supportive from tolls, fees and concessions and noted that taxes were not utilized to operate the parks.

Commissioner Valencia stated that constituents should be reminded that taxes were not used to operate the County Parks and clarified that the funds utilized to repair County Roads were not the same funds used to address the County Parks.

Mr. Lloyd Lentz, Carter and Burgess, Incorporated, requested the Court's review and input on the Implementation Section of the Plan and noted that representatives from the Texas Parks and Wildlife would be visiting Boca Chica Beach, in order to discuss conveyance of property to the County or establishing a long term lease.

Judge Hinojosa stated that the United States Fish and Wildlife owned most of the land at Boca Chica Beach and should be informed of the matter.

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

(13) AUTHORIZATION TO CONSTRUCT AND INSTALL A ROPES CHALLENGE COURSE AT THE DARRELL B. HESTER JUVENILE JUSTICE CENTER, LOCATED IN SAN BENITO UNDER THE FEDERAL WEED AND SEED GRANT FUNDS

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the construction and installation of a Ropes Challenge Course at the Darrell B. Hester Juvenile Justice Center, located in San Benito under the Federal Weed and Seed Grant Funds were approved.

At this time, Judge Hinojosa explained that the Ropes Program taught values such as trust, responsibility and working together and would be a successful program for the Juvenile Boot Camp.

(14) APPROVAL OF AMENDMENT NO. 2 TO TDHCA CONTRACT NO. 717045

Commissioner Cascos moved that Amendment No. 2 to the Texas Department of Housing and Community Affairs Contract No. 717045 be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

(15) **AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR SANITARY SEWER IN THE OLMITO SERVICE AREA AND POTABLE WATER IMPROVEMENTS IN THE EL JARDIN SERVICE AREA (TDHCA CONTRACT NO. 719095)**

(16) **APPROVAL OF THE REQUEST FOR PROPOSAL EVALUATION COMMITTEE FOR ENGINEERING SERVICES FOR SANITARY SEWER IN THE OLMITO SERVICE AREA AND POTABLE WATER IMPROVEMENTS IN THE EL JARDIN SERVICE AREA (TDHCA CONTRACT NO. 719095)**

At this time, Judge Hinojosa stated that the Grant for a million dollars had been received from State and added that the grant had been jointly applied for by the County, the Olmito Water Supply Corporation and the El Jardin Water Supply Corporation to provide sewage improvement services for Olmito and water line expansion services for El Jardin.

Commissioner Matz informed the Court that a press conference would be held to announce the grant of \$440,000.00 for waste water treatment for a Colonia in Los Fresnos that would serve forty-eight (48) homes and two hundred people

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the solicitation of the Request for Proposals were approved and the following individuals were designated to the Evaluation Committee for Engineering Services for Sanitary Sewer in the Olmito Service Area and Potable Water Improvements in the El Jardin Service Area, that being the Texas Department of Housing and Community Affairs Contract No. 719095:

Mr. Remi Garza, County Judge-s Office;

Mr. Michael Forbes, Purchasing Department;

Mr. Juan Bernal, Engineering Department;

Mr. Jim Elium, Olmito Water Supply Corporation; and

Mr. Gale Armstrong, El Jardin Water Supply Corporation.

(17) **APPROVAL OF CHANGE ORDER NO. 1 TO THE GONZALEZ ENGINEERING AND SURVEYING, INCORPORATED, CONTRACT TO DO ADDITIONAL SURVEYING WORK FOR FM/106**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, Change Order No. 1 Incorporated, Contract was approved to perform additional surveying work for FM/106.

(18) **TRAVEL AND/OR TRAVEL EXPENSES, SUBJECT TO FUNDS IN THEIR BUDGET AND ALL APPLICABLE COUNTY POLICIES**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the AConsent@ Age Ac@@ was **TABLED**.

- a) Two (2) Justice of the Peace Precinct No. 2, Place No. 2, Clerks to attend the AEighteen Hour Seminar@ in Tyler, Texas, on January 30, 2000, through February 3, 2000;
- b) Sheriff=s Lieutenant and Sergeant to attend the ATTPOA Conference 2000" in Houston, Texas, on January 28, 2000, through February 2, 2000;
- c) In the matter of Parks System Director to attend a ATexas Recreation and Park Society Board Meeting@ in Austin, Texas, on January 13-14, 2000; (**TABLED**)
- d) Parks System Director to attend a ATexas Recreation and Park Society Board Retreat and a Board Meeting@ in Austin, Texas, on January 21-22, 2000;
- e) District Attorney to attend the ATexas Association of Counties Policy Analysis Group Meeting@ in Bastrop, Texas, on January 20, 2000;
- f) Two (2) District Attorney=s Investigators to attend the A23rd Annual Investigators=School@ in San Antonio, Texas, on February 7-11, 2000;
- g) UNIT Tactical Intelligence Agent to attend the A24th Annual Investigators School@ in San Antonio, Texas, on February 6-11, 2000;
- h) UNIT Director to attend the AHIDTA Executive Committee Meeting@ in San Antonio, Texas, on January 17-19, 2000;
- I) Six (6) Computer Information Service employees to attend a AMicrosoft Presentation@ in Brownsville, Texas, on January 25, 2000;
- j) Program Development and Management employee to attend a AProfessional Advisory Review Panel Meeting@ in Pharr, Texas, on January 12, 2000;
- k) Two (2) Commissioners= Court Legal Counsel to attend a ASeminar on Advanced Civil Discovery Under the New Rules sponsored by University of Houston Law Foundation@ in Houston, Texas, on February 2-4, 2000;
- l) County Auditor, Legal Advisor, Assistant County Administrator and Health Administrator to attend a ASeminar on Distribution of Tobacco Settlement Proceeds to Counties, including a General Discussion with the Audience@ in Austin, Texas, on January 12, 2000; and
- m) Sheriff, Chief, Major, Commissioners= Court Legal Counsel and Assistant Court Administrator to meet with Landmark, Incorporated, and Texas Commission and Jail Standards in Austin, Texas on January 12-13, 2000.

CONSENT AGENDA ITEMS

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 Cascos and carried unanimously, the following

Consent Agenda Items were approved:

(19) PRELIMINARY APPROVAL

a) Precinct No. 3

La Resaca Country Estates Subdivision - being of 128.76 acres out of Survey 45, Subdivision AF®, Share No. 19, Espiritu Santo Grant.

(20) OPEN BIDS AND/OR REQUEST FOR PROPOSALS AND APPROVAL OF RECOMMENDED EVALUATION COMMITTEE

a) BRIDGE (INTERNATIONAL) - STRUCTURAL INSPECTIONS - ANNUAL REQUEST FOR PROPOSAL NO. 1230-991201 - RECOMMENDED EVALUATION COMMITTEE:

**MR. PETE SEPULVEDA, BRIDGE SYSTEM DIRECTOR,
MR. MIKE FORBES, PURCHASING AGENT, AND
MR. JUAN BERNAL, COUNTY ENGINEER.**

b) JUVENILE PROBATION ARCHITECTURAL SERVICES - REQUEST FOR PROPOSAL NO. 991202 - RECOMMENDED EVALUATION COMMITTEE:

**MR. JUAN BERNAL, COUNTY ENGINEER,
MS. JOAN MACRUM, JUVENILE PROBATION DEPARTMENT,
MR. REMI GARZA, EXECUTIVE ASSISTANT TO THE COUNTY JUDGE,
MR. JOSEPH ARDITO, PROPERTY MANAGEMENT COORDINATOR,
MR. MIKE FORBES, PURCHASING AGENT; AND
MR. ROBERT GARCIA, SUPERINTENDENT.**

(21) OPEN BIDS AND/OR REQUEST FOR PROPOSALS

- a) TONER CARTRIDGES FOR COPIERS - ANNUAL BID NO. 2640,**
- b) UNIFORMS: RENTAL AND CLEANING - ANNUAL BID NO. 1940,**
- c) UNIFORMS: NEW - SHERIFFS/JAIL - ANNUAL BID NO. 2660, AND**
- d) LAUNDRY SUPPLIES - ANNUAL BID NO. 2320.**

The Bids received and opened are as follow:

(22) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 10:17 A.M. to discuss the following matters:

- a) Evaluation of Elections Administrator; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074;
- b) Deliberation regarding the Real Property concerning the possible acquisition of property, located in Precinct No. 1, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property concerning various tracts in Green Valley Farms, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Confer with County Counsel regarding the possible litigation pertaining to Sea Ranch Marina Concessionaire (S.R. Marine Center); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A) and 551.071 (2); and
- e) Confer with County Counsel on Amparo E. Garcia vs. Los Fresnos C.I.S.D., et. al., Cause No. 1999-12-5333-E, to authorize legal representation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A).

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 11:34 A.M.

(23) ACTION RELATIVE TO EXECUTIVE SESSION

a) Evaluation of Elections Administrator.

Commissioner Matz moved that the Elections Administrator be evaluated by the Elections Commission and that a recommendation be submitted to the Commissioners= Court.

The motion was seconded by Commissioner Valencia and carried unanimously.

b) Deliberation regarding the Real Property concerning the possible acquisition of property, located in Precinct No. 1, Cameron County, Texas.

Commissioner Matz moved that the Property Management Coordinator negotiate acquisition of the property, located in Precinct No. 1, Cameron County, Texas.

The motion was seconded by Commissioner Cascos and carried unanimously.

c) Deliberation regarding the Real Property concerning various tracts in Green Valley Farms, Cameron County, Texas.

Commissioner Matz moved that County Counsel be directed to draft a letter to the property owners expressing the position of the County concerning the various tracts in Green Valley Farms, Cameron County, Texas.

The motion was seconded by Commissioner Valencia and carried unanimously.

- d) **Confer with County Counsel regarding the possible litigation pertaining to Sea Ranch Marina Concessionaire (S.R. Marine Center).**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged regarding the possible litigation pertaining to Sea Ranch Marina Concessionaire (S.R. Marine Center).

- e) **Confer with County Counsel on the case styled Amparo E. Garcia vs. Los Fresnos Consolidated Independent School District (C.I.S.D.), et. al., Cause No. 1999-12-5333-E, to authorize legal representation.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to represent the County on the case styled Amparo E. Garcia vs. Los Fresnos Consolidated Independent School District (C.I.S.D.), et. al., Cause No. 1999-12-5333-E.

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the meeting was **ADJOURNED** at **11:37** 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.