

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 8th day of FEBRUARY, 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 APETE@ BENAVIDES
COMMISSIONER, PRECINCT NO. 1

COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy Clerk
COUNTY CLERK

ABSENT:

CARLOS H. CASCOS, C.P.A.
NATIVIDAD ATIVIE@ VALENCIA

=====
The meeting was called to order by Judge Gilberto Hinojosa at 9:50 A.M. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and 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 February 4, 2000, at 1:36 P.M.:

(26) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 9:52 A. M.

- d) Deliberation regarding Economic Development negotiations with Penske Company; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.086 (1)(2).

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 10:30 A.M.

(27) ACTION RELATIVE TO EXECUTIVE SESSION

- d) **Deliberation regarding Economic Development negotiations with Penske Company.**

Commissioner Matz moved that the negotiations continue on the abatement with Penske Company at the Los Indios Bridge site.

The motion was seconded by Commissioner Benavides and carried unanimously.

At this time, Judge Hinojosa stated that said item would be placed on next-s week Agenda, in order to allow input from the two (2) Commissioners who were unable to attend the Meeting.

(1) APPROVAL OF COUNTY CLAIMS

At this time, Judge Hinojosa stated that he would need to abstain from voting on Warrant No. 27484, as to the Laguna Madre Water District and expressed concern, due to the absence of two Commissioners.

Mr. Mark Yates, County Auditor, noted that the Warrant be held until the next meeting and added that signatures would be obtained from a third Commissioner before the following meeting.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the County Claims were approved, as presented by the County Auditor, excluding Warrant No. 27484, as to the Laguna Madre Water District.

The Affidavit is as follows:

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

Commissioner Matz moved that the 2000 Fiscal Year Budget Amendment No. 2000-15 and the following Salary Schedules be approved:

Immunizations, Fund No. 240-6310;

TBPC, Fund No. 270-6350; and

TBPC, Fund No. 260-6450.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Budget Amendments and the Salary Schedules are as follow:

**(3) APPROVAL OF MINUTES OF JANUARY 18, 2000,
REGULAR MEETING**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Minutes of the meeting held January 18, 2000, at 9:30 A.M., were approved.

**(19) IN THE MATTER OF THE RECOMMENDATION
OF THE COMMITTEE ON THE SELECTION OF
THE WATER AND WASTE WATER UTILITY
COMPANY FOR THE NEW COUNTY JAIL
(TABLED)**

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

**(4) ADOPTION OF A PROCLAMATION ON THE 90
PLUS FIVE CHALLENGE CENSUS 2000 A CIVIC
COMMITMENT IN CAMERON COUNTY**

At this time, Ms. Grace Salinas, Director of Management, explained that the Proclamation initiated the 90 Plus Five Challenge as part of the national campaign by the United States Census Bureau which encouraged the community leaders to challenge the 1990 response rate. She noted that the nationwide goal was fifty-nine percent (59%) and presented a video highlighting the Census campaign.

Judge Hinojosa stated that it was important for the County to ensure a high and accurate count and added that the County should set a higher goal, in order to obtain the representation and resources needed for the County.

Commissioner Benavides moved that the Proclamation of the 90 Plus Five Challenge Census 2000, a civic commitment in Cameron County be adopted, noting that Cameron County set a sixty-five percent (65%) goal.

The motion was seconded by Commissioner Matz and carried unanimously.

**(5) AUTHORIZATION TO RELEASE A SECURITY, IN
THE AMOUNT OF \$3,800,000.00, AT PAR, IN
COLLATERAL TO FIRST NATIONAL BANK**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, a security, in the amount of \$3,800,000.00, at par, in collateral, was released to First National Bank.

**(6) AUTHORIZATION FOR THE UNIFIED
NARCOTICS INTELLIGENCE TASK-FORCE TO
CONTRACT EMPLOYEE FOR A TACTICAL
INTELLIGENCE AGENT TO BEGIN MARCH 1,
2000, AND ENDING, DECEMBER 31, 2000**

Commissioner Benavides moved that the Unified Narcotics Intelligence Task-Force contract a Tactical Intelligence Agent, beginning March 1, 2000, and ending December 31, 2000.

The motion was seconded by Commissioner Matz and carried unanimously.

The Contract is as follows:

- (7) **AUTHORIZATION TO CLOSE GATEWAY INTERNATIONAL BRIDGE TO SOUTHBOUND TRAFFIC ON FEBRUARY 24, 2000, FROM 10:00 A.M. TO 11:00 A.M., 2:00 P.M. TO 4:00 P.M., FEBRUARY 25, 2000, FROM 7:00 P.M. TO 9:00 P.M. AND FEBRUARY 26, 2000, FROM 1:00 P.M. TO 5:00 P.M., FOR THE CHARRO DAYS FESTIVITIES**

Commissioner Benavides moved that the Gateway International Bridge be closed to southbound traffic on February 24, 2000, from 10:00 A.M. to 11:00 A.M., 2:00 P.M. to 4:00 P.M., February 25, 2000, from 7:00 p.m. to 9:00 P.M. and February 26, 2000, from 1:00 P.M. to 5:00 P.M., for the Charro Days festivities.

The motion was seconded by Commissioner Matz and carried unanimously.

- (8) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ISLA BLANCA PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND DANIEL BRYANT, DOING BUSINESS AS FUN-N-SHADE**
- (9) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ANDY BOWIE PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND CLIFFORD BENEDICT, DOING BUSINESS AS, OASIS SNACK BAR**
- (10) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ANDY BOWIE PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND DANIEL BRYANT, DOING BUSINESS AS ISLAND FUN SPOT**
- (11) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ISLA BLANCA PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND WILL CABLER, DOING BUSINESS AS LA PLAYA BEACHWEAR**
- (12) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ISLA BLANCA PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND SONNY GENTRY, DOING BUSINESS AS SONNY'S BEACH SERVICE**
- (13) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ISLA BLANCA PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND JUAN MARTINEZ, DOING BUSINESS AS JETTIES BAIT STAND**
- (14) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ISLA BLANCA PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND BENNIE OCHOA, III, DOING BUSINESS AS ANACABANA**

At this time, Commissioner Matz requested that the calculations on the Agreement with Clifford Benedict, doing business as, Oasis Snack Bar be verified and stated that all the issues in the Agreements had been addressed in a consistent manner.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Concessionaire Agreements (renewals), between Cameron County Parks System and the following Concessionaires were approved:

Daniel Bryant, doing business as Fun-N-Shade in Isla Blanca Park;

Clifford Benedict, doing business as, Oasis Snack Bar, in Andy Bowie Park;

Daniel Bryant, doing business as Island Fun Spot in Andy Bowie Park;

Will Cabler, doing business as La Playa Beachwear in Isla Blanca Park;

Sonny Gentry, doing business as Sonny's Beach Service in Isla Blanca Park;

Juan Martinez, doing business as Jetties Bait Stand in Isla Blanca Park; and

Bennie Ochoa, III, doing business as Anacabana, in Isla Blanca Park.

The Agreements are as follow:

(15) APPROVAL TO ENTER INTO A SUBCONTRACT BETWEEN THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER AND CENTRO CULTURAL DE EDUCACION Y ASISTENCIA DE CAMERON PARK

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Subcontract between the Texas A&M University System Health Science Center and Centro Cultural De Educacion Y Asistencia De Cameron Park.

(16) APPROVAL OF A BEACH CLEANING SERVICE AGREEMENT BETWEEN CAMERON COUNTY PARKS SYSTEM AND CARLOS GALVAN

Commissioner Matz moved that the Beach Cleaning Service Agreement between Cameron County Parks System and Carlos Galvan be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Agreement is as follows:

(17) **AUTHORIZATION FOR THE COUNTY ELECTIONS ADMINISTRATOR TO CONTRACT WITH THE SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT FOR THE CONDUCT OF MAY 6, 2000, ELECTION**

Commissioner Benavides moved that the County Elections Administrator contract with the South Texas Independent School District for the Conduct of May 6, 2000, Election.

The motion was seconded by Commissioner Matz and carried unanimously.

(21) **APPROVAL TO FUND NON-BUDGETED EXPENDITURES TO FUND THE ADMINISTRATION OF UPCOMING ELECTION**

At this time, Mr. Robert Mendoza, Elections Administrator, stated that the amount of \$62,000 was needed for the expenditures for the administration of the upcoming election and added that a portion of the funding would be allocated from the Elections Administration's budget.

There was some discussion as to the issues which could be excluded to reduce the costs and the suggestion was made that the extra-help costs, in the amount of \$25,000 be addressed at a later date.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the funding of non-budgeted expenditures, in the amount of \$37,000 for the administration of the upcoming election was approved, said funding to be allocated from the Lapsed Salaries Fund.

(18) **APPROVAL OF LAW ENFORCEMENT SAFETY COORDINATOR JOB DESCRIPTION AND AUTHORIZATION TO ADVERTISE FOR THE POSITION**

At this time, Judge Hinojosa stated that the position would pay for itself by reducing the injury claims in the Workers' Compensation Fund and recommended that the annual salary be advertised in the amount of \$30,000 to \$35,000.

Mr. Manuel Villarreal, Personnel/Safety Risk Director, stated that the qualifications for the position should include experience in the Law Enforcement area and noted that the position should be expanded to include safety training for the Bailiffs and Deputy Constables.

Commissioner Matz moved that the Law Enforcement Safety Coordinator Job Description be approved and the position be advertised, as recommended by the Personal Director.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Job Description is as follows:

(20) POSSIBLE ACTION REGARDING THE GRANT APPLICATION ON BEHALF OF EL NORTE SUBDIVISION TO THE RIO GRANDE VALLEY EMPOWERMENT ZONE

Commissioner Matz moved that the Grant Application on behalf of the El Norte Subdivision to the Rio Grande Valley Empowerment Zone be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

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

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

- a) Public Works Right-of-Way Agent to attend a ASeminar on High Impact Communication® in McAllen, Texas, on March 20, 2000;
- b) International Bridge Systems Director to tour the Industrial Parks in Reynosa, Tamaulipas, Mexico, on February 3, 2000;
- c) Computer Center employee to attend the A32nd Annual TAAO Region 5 Tip-O-Tex Conference® in McAllen, Texas, on February 24-26, 2000;
- d) County Treasurer to attend the ACounty Treasurers= Region No. 8 Meeting® in Cotulla, Texas, February 16-17, 2000;
- e) Juvenile Justice Alternative Education Administrator to attend the ASecond Annual Reading/Language Arts Institute® in South Padre Island, Texas, on February 25, 2000;
- f) 107th District Court employee to attend the ATexas Court Reporters Association Midyear Seminar® in Beaumont, Texas, on February 18-20, 2000;
- g) Health Department employee to attend a ANew WIC Director=s Orientation® in Austin, Texas, on February 29, 2000, through March 2, 2000;
- h) Health Department employee to attend a APFA Training Confirmation® in Austin, Texas, on February 23-25, 2000;
- I) County Court at Law No. 3 Administrator to attend the ATexas College of Probate Judges Seminar® in San Antonio, Texas, on March 8-10, 2000;
- j) Ten (10) Sheriff=s Department employees to attend the AInstructors= Course at the University of Texas® in Harlingen, Texas, on February 14-18, 2000;
- k) Juvenile Probation Officer to attend the A20th Annual Texas Parent Coordination Council Conference® in Austin, Texas, on February 9-11, 2000;

- l) Tax Automobile and Titles Registration Theft Division Deputy Investigator to attend the APractical Vehicle Theft Investigation Training Seminar® in South Padre Island, Texas, on February 21-22, 2000;
- m) County Auditor to attend the ATraining Seminar in Governmental Accounting® in Austin, Texas, on February 6-7, 2000;
- n) Assistant County Administrator, Sheriff, Chief and Major to meet with Texas Commission on Jail Standards and Landmark in Austin, Texas, on February 15-16, 2000; and
- o) Executive Assistant to attend the AState Annual Conference on Emergency Management® in Austin, Texas, on February 19-23, 2000.

[REDACTED]

(23) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

El Rinconcito Subdivision - being 7.80 acres and being the West half of Block No. 77, Adams Gardens Subdivision AB®.

(24) PRELIMINARY APPROVAL

a) Precinct No. 4

Resaca Paloma No. 2 Subdivision - being a subdivision of 87.836 acres and being all of Blocks Nos. 46 and 47, 16.351 acres of Block No. 34, 13.679 of Block No. 35 and 12.145 out of Block No. 36, all as per the partial amended plat of Rice Tract Subdivision; and

b) Precinct No. 3

Pasto Verde Subdivision - being a 67.83 acre tract out of part of Blocks Nos. 186, 188 and 189, Fresnos Land and Irrigation Company Subdivision.

(25) OPEN BIDS

- a) LUBES: OIL, GREASE, ANTI-FREEZE, FLUIDS - ANNUAL BID NO. 1993; AND**
- b) TYPEWRITER MAINTENANCE - ANNUAL BID NO. 1920.**

The Bids received and opened are as follow:

(26) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 11:13 A.M. to discuss the following matters:

- a) Confer with County Counsel on the case styled Jose Luis Hernandez, Jr. vs. Cameron County, Cause No. 2000-1-93-E, 357th Judicial District Court, to advise Commissioners= Court on the legal issue of the case and obtain authority for attorney representation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- b) Deliberation regarding the Real Property concerning the possible purchase of the following legal descriptions: 51.194 acres, being the Western half of a 102.388 acres tract in Share No. 22, out of Espiritu Santo Grant, comprised of part of Block No. 56, and part of Block No. 57 and part of Block No. 58, out of the Palo Alto Groves Subdivision and part of Blocks Nos. 15, 16 and 17, out of Rincon Subdivision in Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding prospective gift or donation concerning the possible acceptance of all improvements, located upon San Benito - San Benito Land and Water Company, Pt. Block No. 148 and Pt. Lot No. 1, Block No. 174, 2.21 acres (building only); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Confer with County Counsel concerning Laguna Madre Water District; application for approval of \$7,971,000 Bond issue; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- f) Deliberation regarding the Real Property concerning the possible lease of office space at 700 Levee Street with Pesa, Incorporated, for the Juvenile Probation Department and associated Juvenile Programs; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 11:45 A.M.

(27) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Confer with County Counsel on the case styled Jose Luis Hernandez, Jr. vs. Cameron County, Cause No. 2000-1-93-E, 357th Judicial District Court, to advise Commissioners= Court on the legal issue of the case and obtain authority for attorney representation.**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the hiring of outside Counsel to represent Cameron County on the case styled Jose Luis Hernandez, Jr. vs. Cameron County, Cause No. 2000-1-93-E, 357th Judicial District Court was approved.

- b) **Deliberation regarding the Real Property concerning the possible purchase of the following legal descriptions: 51.194 acres, being the Western half of a 102.388 acres tract in Share No. 22, out of Espiritu Santo Grant, comprised of part of Block No. 56, and part of Block No. 57 and part of Block No. 58, out of the Palo Alto Groves Subdivision and part of Blocks Nos. 15, 16 and 17, out of Rincon Subdivision in Cameron County, Texas;**

- c) **Deliberation regarding prospective gift or donation concerning the possible acceptance of all improvements, located upon San Benito - San Benito Land and Water Company, Pt. Block No. 148 and Pt. Lot No. 1, Block No. 174, 2.21 acres (building only);**
- e) **Confer with County Counsel concerning Laguna Madre Water District; application for approval of \$7,971,000 Bond issue; and**
- f) **Deliberation regarding the Real Property concerning the possible lease of office space at 700 Levee Street with Pesa, Incorporated, for the Juvenile Probation Department and associated Juvenile Programs.**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, these

Items were **TABLED**.

(20) **POSSIBLE ACTION REGARDING THE GRANT APPLICATION ON BEHALF OF EL NORTE SUBDIVISION TO THE RIO GRANDE VALLEY EMPOWERMENT ZONE**

At this time, Mr. Frank Bejarano, Program Development and Management Director, advised that a preliminary application had been submitted to the Empowerment Zone in November, 1999, to request the amount of \$200,000 to pave streets in the El Norte Subdivision, but noted that since that time, the residents and the Empowerment Zone had expressed concern as to improving the drainage in addition to the street paving improvements. He stated that the scope of the work had changed and advised the Court that the Engineering Department was reviewing the matter, in order to determine the additional necessary costs.

Judge Hinojosa stated that the Special Assessment Policy should be utilized for the program, whereas the County's matching commitment would be twenty-five percent (25%) and the funding for materials and equipment would be allocated from the seventy-five percent (75%).

Mr. Bejarano noted that the total costs might exceed the available Empowerment Zone funds and Judge Hinojosa responded that the matter be addressed once the total costs were determined.

Commissioner Matz requested a detailed outline of the drainage work to be performed and noted that there could possibly be annexation of the area by the Town of Laguna Vista.

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at **11:50 A.M.**

APPROVED this **21st** day of **March, 2000**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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