

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 20th day of JUNE, 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 Pro-tem Carlos Cascos, C.P.A., at 9:35 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 June 16, 2000, at 1:09 P.M., and the Supplemental Agendas posted and filed on June 16, 2000, at 3:10 P.M. and 3:44 P.M.:

**(5) APPROVAL OF THE LEASE AGREEMENT
(RENEWAL) FOR OFFICE SPACE FOR THE
CAMERON COUNTY TASK FORCE**

At this time, Commissioner Matz expressed concern as to whether the Lease Agreement had been reviewed by the Property Management Coordinator and stated that all Lease Agreements should be processed in a consistent manner.

Commissioner Benavides moved that the Renewal Lease Agreement for office space for the Cameron County Task Force be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Agreement is as follows:

**(6) APPROVAL OF THE LEASE AGREEMENT FOR
THE STORAGE OF VEHICLES BY THE CAMERON
COUNTY TASK FORCE**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Lease Agreement for the storage of vehicles by the Cameron County Task Force was approved.

The Agreement is as follows:

NOTE: COMMISSIONER VALENCIA JOINED THE MEETING.

- (7) **POSSIBLE APPROVAL OF AN AMENDMENT TO THE AFFILIATION AGREEMENT BETWEEN THE TEXAS STATE TECHNICAL COLLEGE (TSTC) - HARLINGEN AND CAMERON COUNTY HEALTH DEPARTMENT TO HAVE NURSING STUDENT UTILIZE CAMERON COUNTY FACILITIES FOR CLINICAL EXPERIENCE**

Commissioner Benavides moved that the Amendment to the Affiliation Agreement between the Texas State Technical College (TSTC) - Harlingen and Cameron County Health Department be approved to have nursing student utilize Cameron County Facilities for clinical experience.

The motion was seconded by Commissioner Valencia and carried unanimously.

- (8) **APPROVAL OF SCHOOL-TO-CAREERS WORK EXPERIENCE PROGRAM NONFINANCIAL WORKSITE AGREEMENT BETWEEN CAMERON COUNTY AND COMMUNITIES IN SCHOOLS, CAMERON COUNTY, INCORPORATED**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the School-to-Careers Work Experience Program Nonfinancial Worksite Agreement between Cameron County and Communities in Schools, Cameron County, Incorporated, was approved.

- (9) **APPROVAL TO PURCHASE ONE (1) DICTAPHONE (48 CHANNEL SYSTEM)**

Commissioner Valencia moved that the purchase of one (1) Dictaphone (48 Channel System), be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (1) **APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Mark Yates, County Auditor, informed the Court of budget issues concerning the correctional institutional facilities regarding the costs of operation and construction schedules and added that the preliminary appraisal rolls of County property had been received, noting that the net taxable amount was approximately 7.5 billion dollars. He highlighted the Cameron County Health Insurance Fund Balance Analysis and recommended that due to the low levels in Fund Balance, the Court should carefully examine the Health Care Plan in the following year.

NOTE: JUDGE HINOJOSA JOINED THE MEETING.

Mr. Yates presented an additional late claim as to Warrant No. 36842, payable to Cameron County Jury Fund, in the amount of \$3,313.00 and added that the telephone bill listings for amounts over \$1,000.00, were available to view upon request by the Court.

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the County Claims were approved, as presented by the County Auditor, inclusive of the late claim as to Warrant No. 36842, in the amount of \$3,313.00

At this time, Commissioner Cascos requested that once the final revenue numbers based on the appraised values were determined, a report be submitted of the effective tax rate due to the value of new businesses and accounts.

Mr. Yates stated that based on the preliminary figures provided by the Appraisal District, \$230,000,000.00 of the increase represented new construction, including the construction in the Sunrise Mall area.

Commissioner Cascos questioned whether the Insurance Committee had met to discuss the Health Care Issues and Mr. Yates replied that the Committee had met several months ago to discuss supplemental insurance issues.

The Budget Officer's Comments Report 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 OF MAY 30, 2000, JUNE
6, 2000, AND JUNE 13, 2000**

Commissioner Cascos moved that the Minutes of the Regular Meetings held May 30, 2000, June 6, 2000, and June 13, 2000, at 9:30 A.M., be approved, subject to the corrections noted on the Minutes of June 13, 2000.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: None

ABSTAINED: Commissioner Matz, as to the Minutes of June 6, 2000.

(4) **PRESENTATION BY SHINER MOSELY AND
ASSOCIATES CONSULTANT CAPTAIN TOM
RODINO ON THE STATUS OF THE POST-
HURRICANE RECOVERY PROJECT**

At this time, Mr. Tom Rodino, Shiner Mosely and Associates, highlighted the Pre-Planning for Post-Hurricane Recovery Operations, the Pre-Positioned Contracts for Post-Hurricane/Disaster and the Recovery Operations - Project Status Report.

Commissioner Matz questioned whether Port Isabel and Laguna Vista had been contacted and Captain Rodino responded that he and the County Director of Management had conducted presentations last fall with several City Councils within the County regarding the nature and coordination of the program. He stated that all Cities and a few organizations in Cameron County had been sent letters from the County Judge's Office, inviting the entities to participate in the Emergency Management Training held in May, 2000, noting that there had been a minimal amount of response from the cities.

Commissioner Valencia questioned whether the Police Departments and the Department of Public Safety had been contacted and Captain Rodino replied that the Department of Public Safety and Police Departments had also been invited to attend the training sessions. Captain Rodino stated that in the case of road blocks during severe storms, all the Law Enforcement entities would be informed and given copies of the Contracts, in order to allow the Contractors into the County to assess the situations.

Commissioner Benavides expressed concern as to whether the County was coordinated with the electrical entities regarding electricity being restored in the hospitals and crucial areas.

Captain Rodino stated that the plans of restoring electricity had been discussed with Magic Valley and Central Power and Light and would be coordinated through the County's EOC Team.

Commissioner Matz moved that the Presentation by Shiner Moseley and Associates Consultant Captain Tom Rodino on the status of the Post-Hurricane Recovery Project be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Reports are as follow:

(10) **AWARD OF LOW BID TO CORNETT CONSTRUCTION COMPANY FOR THE LOMAX-MEYERS ROAD AND GRAN TESORO SECTION III SANITARY SEWER IMPROVEMENT PROJECT AND AUTHORIZATION TO NEGOTIATE CONSTRUCTION CONTRACT, CONSISTENT WITH THE PROJECT ENGINEER-S RECOMMENDATION FOR BID AWARD (TCDP CONTRACT NO. 718045)**

At this time, Mr. Frank Bejarano, Program Management and Development Director, stated that the recommendation had been made by the County Engineer to award the bid and process a Change Order reduction which would bring the Contract to an acceptable level. He stated that the lowest bid was \$523,018.00 and reported that the budget from grant funds was \$450,600.00, noting that there was a deficit, in the amount of \$72,418.00. Mr. Bejarano stated that the County Engineer had worked with the Contractors to process a Change Order deduction of approximately \$52,000.00, noting that the difference of the deficit and the grant funds would be absorbed by the Olmito Water Supply Corporation.

Commissioner Cascos expressed concern as to the list of possible cost reductions and as to the impact the reductions would have on the entire project.

Mr. James Ellum, Olmito Water Supply Corporation, stated that the possible reductions would not reduce the level of service to be provided and added that if said items would need to be included in the future, Olmito Water Supply Corporation would be responsible.

Commissioner Matz moved that the low bid be awarded to Cornett Construction Company, for the Lomax-Meyers Road and Gran Tesoro Section III Sanitary Sewer Improvement Project and that the Construction Contract be negotiated, consistent with the Project Engineer-s recommendation for bid award, that being the Texas Community Development Project Contract No. 718045.

The motion was seconded by Commissioner Cascos and carried unanimously.

The List is as follows:

**(11) AUTHORIZATION TO HOLD PUBLIC HEARING
TO ESTABLISH ROAD NAME CHANGES WITHIN
PRECINCTS NO. 3 AND NO. 4**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Public Hearing to establish road name changes within Precincts No. 3 and No. 4, was opened for public comment.

At this time, Mr. Juan Bernal, County Engineer, stated that the proposed road name changes were for 911 Rural Addressing System purposes and reported that notices had been given to the residents in the areas and were advertised in the newspapers.

Commissioner Cascos reported that he had received a faxed letter from residents, who were unable to attend the Public Hearing, as to clarification of the road name changes and requesting that the Paloma Cut Off Road and Main Street, including Padilla and Espinosa Roads, be Tabled until after July 15, 2000, when they were able to attend.

Ms. Martina Padilla Fernandez presented a petition consisting of twenty-six (26) signatures to keep the street named J. Padilla, beginning from Military Highway 281 into La Paloma.

Judge Hinojosa explained that the street had a sign for ten to fifteen years which had APadilla Street® and noted that the street name had suddenly been changed to Main Street. He stated that there was not a record of the formal name change in the County Engineer-s Office and explained that the Engineer-s Office had been requested to formally change the name through the Engineer-s Office. Judge Hinojosa stated that the street had been named after Mr. Jesus Padilla, retired Deputy Constable, who served the community for a number of years.

Commissioner Valencia stated that the former Commissioner had assured him that the name change had been approved through the Commissioners-Court and suggested that both Padilla Street and Espinosa Street should remain the same, in order to avoid confusion.

At this time, Mr. Rigo Davila, 911 Rural Addressing Program, stated that the issue resulted from a subdivision that was approved and recorded and noted that the name of the road differed in one subdivision description from another.

Judge Hinojosa suggested that La Paloma Cut Off Road and Espinosa Road be Tabled, until the residents were able to attend and that the naming of Keller Street also be addressed at that time.

Commissioner Matz suggested that in addition, Main Street should be tabled as requested by the Keller and Leal families in the letter.

Mr. Davila noted that the street names in La Paloma were not consistent with the description of La Paloma, recorded in 1912.

Commissioner Cascos questioned whether the Historical Commission needed to be contacted concerning name changes, in order to prevent changing streets with historical significance and Mr. Bernal responded that certified letters had been sent to the Historical Commission.

At this time, Mr. Ramiro Treviño, Santa Rosa, expressed his concerns as to the name changing of Hooks and Hodges Road to San Felippo Road and added that Hooks and Hodges Road was well known by the residents and Law Enforcement entities and would cause confusion.

Commissioner Valencia explained that a portion of Hooks and Hodges Road was being changed to San Felippo Road, in order for San Felippo Road to run continuously and added that it would also assist the 911 System in locating the road.

Judge Hinojosa clarified that the purpose of the name change of Hooks and Hodges Road was to better assist the 911 System in locating the road and added that the road would be one consistent name to be recorded with the 911 Services. He suggested that the roads be examined in the area with the County Engineer, in order to clarify the matter and that the matter be addressed with Espinosa Road.

At this time, Mr. Eduardo McDonald, Precinct No. 3 resident, expressed his concerns as to McDonald Road and requested that the name remain the same, in memory of his grandparents who lived in the area for over ninety (90) years.

Ms. Gloria Esquivel, Precinct No. 3 resident, expressed her opposition as to the name change from Hooks and Hodges to San Felippo and requested that it remain as Hooks and Hodges Road.

Hearing and sensing no further comments, upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Public Hearing was closed.

The Letter and Petition are as follow:

(12) **AUTHORIZATION TO ADOPT AN ORDER
ESTABLISHING ROAD NAME CHANGES WITHIN
PRECINCTS NO. 3 AND NO. 4**

Commissioner Valencia moved that the Order establishing road name changes for the following roads within Precincts No. 3 and No. 4 be adopted, and that Hooks & Hodges Road, San Felippo Road and Espinosa Road, be **Tabled** until July 18, 2000:

McDonald Road, Precinct No. 3;

Toribio-s Road, Precinct No. 4;

Amigos Lane, Precinct No. 4;

Johnson Road, Precinct No. 4;

La Cantera Road, Precinct No. 4; and

Padilla Street, Precinct No. 4.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: None

ABSTAINED: Commissioners Cascos and Matz, as to Padilla Road, in Precinct No. 4.

At this time, Mr. Rigo Davila, 911 Rural Addressing System, noted that street signs were being placed before the name of the roads were approved in Court and suggested that the streets and/or roads be assigned a number, noting that the name change requests be processed through the Court.

Mr. Doug Wright, Commissioners-Court Legal Counsel, stated that the County was liable for placing the signs and added that if the name process was not followed correctly, the County would be exposed to law suits.

Judge Hinojosa suggested that all the roads without names be identified and submitted to the Court, in order to assign a number for the street and/or roads.

The Order is as follows:

(13) AUTHORIZATION TO REFUND TAXES

Commissioner Valencia moved that the following taxes be refunded:

- a) Valley Resaca Palms, in the amount of \$1,478.65, Change value, and
- b) Juan Manuel Zuniga, in the amount of \$644.49, Change value.

The motion was seconded by Commissioner Cascos and carried unanimously.

(14) AUTHORIZATION TO RENEW EMPLOYEE ASSISTANCE PROGRAM, INTERFACE EAP, INCORPORATED

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Employee Assistance Program, Interface EAP, Incorporated, was renewed.

The Agreement is as follows:

(15) POSSIBLE APPROVAL OF CONTRACT FOR LANDSCAPING SERVICES FOR THE NORTHWEST PARKING LOT

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, stated that the City of Brownsville had provided plants, trees and shrubberies for the parking lot, located between the Adult Probation Building and the Federal Courthouse and that the County had agreed to maintain the landscaping. He reported that the Building Superintendent had estimated the amount of \$6,000.00 a year to contract for landscaping services to maintain the parking lot's landscaping. Mr. Garza noted that the Court had determined that the Bridge Systems would be responsible for the parking lot, due to the revenue source to be received from the federal jurors' parking fees and added that there were funds available in the Bridge Systems' budget. He explained that the City of Brownsville had also agreed to provide plants and trees for other parking lots, as long as the Northwest Parking Lot was continuously maintained by the County.

Commissioner Cascos questioned how much the County had received in revenues from the parking lot and Mr. Mark Yates, County Auditor, responded that the first check, in the amount of \$2,400.00, had been received from the State Marshall's Office, on June 19, 2000.

Judge Hinojosa stated that the parking lot was solely built for the Federal Courthouse and added that the United States Marshall's Office had agreed to pay \$8.00, per day, per juror. He suggested that the parking lot be utilized for Federal and State jurors and County employees and added that the County employees be issued stickers. Judge Hinojosa added that priority be given to jurors on Federal and State Jury days and that the individual assigned to security be authorized to ticket vehicles without stickers.

Mr. Yates recommended that the County should work with the City to address Aon street's parking, due to the high number of vehicles parking on the curbs of the parking lot.

Commissioner Cascos questioned how the State Jurors would be identified and Mr. Yates suggested that the District Clerk's Office should send out a ticket to place on the vehicles' windshield with instructions as to where to park.

At this time, Ms. Aurora de la Garza, District Clerk, stated that jurors had complaints as to the availability of space at the parking lot designated for the State jurors.

Judge Hinojosa stated that the space was not available, due to the lack of a monitoring system, but noted that once an individual was assigned to patrol the parking lots, the individual could enforce the designated parking area.

Ms. Juanita Brodecky, Rio Hondo resident, expressed her opposition as to County employees and County vehicles parked in red zones in front of the Courthouse and suggested that additional handicap parking should be available.

Mr. Francisco Sifuentes, Brownsville resident, stated that the parking issues should be addressed immediately and added that County employees and Law Enforcement should not be allowed to park in the red zones.

Judge Hinojosa explained that two (2) parking lots were added on each side of the County Courthouse which totaled approximately three hundred additional parking spaces and noted that the County's dilemma was the lack of space to construct additional parking lots, due to the location of the Courthouse. He stated that the only way to build additional parking lots, would be to knock down the surrounding buildings and noted that the property values had increased significantly, due to the new Federal Courthouse and surrounding facilities. Judge Hinojosa stated that the County would have to purchase the lots from the property owners and would be an enormous expense for the County.

Mr. Sifuentes suggested that the County should build high rise parking garages and that parking fees for the parking garage be implemented.

Mr. Yates stated that it would cost the County \$10,000.00 per space to build an elevated parking garage, which would total approximately four million dollars for three hundred to four hundred spaces.

Commissioner Benavides stated that elevated parking garages were not cost effective and added that the structure of the garages was also not appealing.

Mr. Yates noted that the parking needs would be alleviated once the new County Jail complex was constructed and County business was relocated to the County Courthouse Annex.

Mr. Sifuentes expressed concern as to the bad conditions of Harrison Street and as to why the County did not address the matter with the City of Brownsville.

Judge Hinojosa stated that the number of handicap spaces and the time allocated to the spaces should be addressed and added that certain spaces should be provided for Law Enforcement Officers, for quick access to the Courthouse. He noted that the red zones should be preserved for the fire department and emergency vehicles and added that the police department should enforce the red zone by restricting vehicle parking on the curb.

At this time, Mr. John Brodecky, Rio Hondo resident, suggested that the front row of the parking lot across the County Administrative Building should be utilized for handicap parking spaces.

Ms. de la Garza stated that the District Clerk's Office was constantly transporting heavy boxes of files and suggested that a space in front of the Courthouse should be designated for loading and unloading.

Ms. Deborah Cox, Brownsville Beautification Committee, commended the County for including landscaping on the parking lot areas and suggested that the County should include funding in each of the Precincts budgets for the maintenance of the facilities' landscaping, in order to continue the beautification of Brownsville.

At this time, there was some discussion as to the process of obtaining landscaping services and the suggestion was made for the Building Superintendent to solicit and recommend a proposal to the Court.

Judge Hinojosa noted that the City had agreed to participate on the parking lot project with the County, noting that the Federal Courthouse was placed by the City and added that the City had then backed out financially. He stated that the load of the parking lot responsibility had been placed on the County and noted that the expenses were being made because of the City.

Mr. Garza clarified that the Superintendent would be authorized to obtain three (3) proposals and that the County Judge would sign off on the Contract, noting that the Contract be limited to \$6,000.00.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Building Superintendent was directed to obtain three (3) proposals for Landscaping Services for the Northwest Parking Lot, and the County Judge was authorized to sign the recommended Contract, noting that the cost be limited to \$6,000.00.

(16) **POSSIBLE ACTION REGARDING PARKING LOT SECURITY FOR THE CAMERON COUNTY COURTHOUSE**

At this time, Judge Hinojosa explained that there was a need for surveillance equipment at the parking lots to provide protection for the public and reported that the Sheriff had solicited a proposal from Superior Alarms for an estimate of video equipment, in the amount of \$17,310.00. He stated that discussions had been held with the Sheriff and Constable Precinct No. 2 concerning an individual to secure the area on a full-time basis, and added that the suggestion had been made to alternate the Deputies on a weekly basis, between the two (2) departments.

Mr. Yates stated that the cost for a full-time security guard with equipment would cost approximately \$40,000.00, per year, but noted that two (2) guards would be necessary for back up to annual leave. He stated that it had been suggested to obtain a golf cart for the Deputy to patrol the parking lots. Mr. Yates stated that light duty officers could be utilized for the position, but noted that the determination had to be made regarding the duties of a light duty officer.

Judge Hinojosa stated that there was enough law enforcement personnel to provide security back up, as opposed to hiring an additional person and added that Constable Precinct No. 2 had agreed to provide a Deputy from 8:00 to 5:00 P.M., if the Sheriff's Department would also provide a Deputy, noting that the County Judge's would be responsible for coordinating the schedules.

Mr. Yates recommended that a second golf cart should be purchased as a back up, in the case of the first cart breaking down and noted that the golf carts were appropriate for carrying the necessary equipment and weather conditions.

At this time, there was some discussion as to surveillance equipment and Mr. Yates suggested that the services be augmented from the current services provided to the Tax Office and other departments.

Judge Hinojosa recommended that a Resolution be adopted to alternate one (1) Sheriff's Deputy and one (1) Deputy Constable and that the two (2) golf carts be purchased. He questioned the source of funding for the golf carts and Mr. Yates replied that the carts would be included in the equipment list.

Judge Hinojosa stated that a committee consisting of the Tax Assessor-Collector, a Sheriff's Department representative and the Bridge Systems Director research the surveillance issue and submit a recommendation to the Court in two (2) weeks.

Upon motion by Judge Hinojosa, seconded by Commissioner Cascos and carried unanimously, the Resolution regarding the Parking Lot Security for the Cameron County Courthouse was adopted, to alternate one (1) Sheriff's Deputy and one (1) Deputy Constable, to purchase two (2) golf carts and include them on the equipment list, and for the Committee consisting of the Tax Assessor-Collector, a Sheriff's Department and the Bridge Systems Director, to research the surveillance system and submit a recommendation to the Court in two (2) weeks.

SUPPLEMENTAL AGENDA

- (1) **APPROVAL OF AGREEMENT FOR LEGAL SERVICES BETWEEN CAMERON COUNTY AND MONTALVO AND RAMIREZ, ATTORNEYS AT LAW, FOR THE ISSUANCE OF CERTIFICATES OF OBLIGATIONS FOR THE COST OF IMPROVEMENTS TO THE OSCAR DANCY BUILDING; COST OF IMPROVEMENTS AND EXPANSION OF THE DARRELL B. HESTER JUVENILE JUSTICE CENTER; AND THE COST OF CONSTRUCTION AND EQUIPMENT OF A NEW COUNTY DETENTION FACILITY AND SHERIFF'S DEPARTMENT ADMINISTRATION BUILDING**

At this time, Judge Hinojosa stated that the Bond Council hired by the Commissioners-Court had been notified by the Attorney General's Office that the Financing Plan recommended by Cameron County, is in compliance with the Certificates of Obligation Statute and to proceed forward. He stated that Mr. Noe Hinojosa, Estrada Hinojosa, had been notified and was working on the details regarding said matter.

Mr. Doug Wright, Commissioners-Court Legal Counsel, stated that Legal Counsel contacted the Attorney General's Office Finance Division, as directed by the Court, concerning the amount of the Errors and Omissions (E&O)

Professional Liability Insurance required by Bond Council and reported that there were no guidelines regarding said matter. He added that the matter would be referred to Mr. Hinojosa for a recommendation.

Judge Hinojosa suggested that the Agreement be approved, subject to the submission of an appropriate Errors and Omissions (E&O) Policy requirements, by Legal Counsel, based on the recommendations of the County's Financial Advisor.

Commissioner Benavides moved that the Agreement be approved for Legal Services between Cameron County and Montalvo and Ramirez, Attorneys at Law, for the issuance of Certificates of Obligations for the cost of improvements to the Oscar Dancy Building; cost of improvements and expansion of the Darrell B. Hester Juvenile Justice Center; and the cost of construction and equipment of a new County Detention Facility and Sheriff's Department Administration Building, subject to the submission of an appropriate Errors and Omissions (E&O) Policy requirements, by Legal Counsel, based on the recommendations of the County's Financial Advisor.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: Commissioner Matz

ABSTAINED: Commissioner Cascos.

The Agreement is as follows:

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:

At this time, Commissioner Matz questioned whether the County provided the cost associated with certification of employees, as referenced in Item No. 17 Ae® and An® and Judge Hinojosa responded in the affirmative.

Mr. Manuel Villarreal, Personnel Director, referred to Item 17 Am® and explained that there was a document required for all County employees which needed to be notarized. He stated that the forms authorized the Personnel Department to release or not to release information, requiring notarization and added that the notary would only be utilized for County purposes.

Commissioner Matz questioned the number of sessions necessary for the Elections Administrator to complete the certification and Mr. Robert Mendoza, Elections Administrator, replied that there were four (4) sessions remaining.

Commissioner Cascos expressed concern as to Item No. 17 Ac®, regarding a Sheriff's Deputy attending a ASniper's Course® and Item No. 17 Ad®, whereas the same Deputy was taking the TCLEOSE State Exam. He stated that the Deputy should not attend the ASniper's Course® unless the TCLEOSE State Exam was passed.

Commissioner Valencia moved that the AConsent® Agenda Items be approved.

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

AYE: Commissioner Benavides, Matz and Valencia

NAY: Commissioner Cascos, as to Item No. 17 Ac.®

At this time, Commissioner Cascos expressed concern as to the purchases without purchase orders for the Elections Administration Office Items and Mr. Mendoza explained that the amounts were unknown, until the entire projects were completed.

Mr. Mark Yates, County Auditor, explained that the County Auditor's Purchasing Department required a general amount, in order to encumber the funds and that the final amount was then invoiced to the entity.

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

- a) District Attorney Crime Victim Coordinator and Crime Victim Advocate to attend the AChanging Times Changing Minds Conference® in Edinburg, Texas, on July 25, 2000;
- b) County Judge and Bridge System Director to meet with Railroad Officials regarding the Railroad Relocation Project in San Antonio, Texas, on June 21, 2000;

- c) Sheriff Deputy to attend the ASniper-s Course@in Kingsville, Texas, on June 19-23, 2000;
- d) Six (6) Sheriff-s Officers to attend the ATCLEOSE State Exam at the University of Texas at Brownsville Campus@ in Brownsville, Texas, on March 24, 2000;
- e) Elections Administrator to attend the AElection Center-s Professional Education Program Summer Session@in Riverside, California, on July 21-29, 2000;
- f) County Extension Agent to accompany the Cameron County 4 Her-s to the Texas 4-H Roundup@ in College Station, Texas, on June 14-16, 2000;
- g) Three (3) County Security employees to attend the ACourt Security Seminar@in San Antonio, Texas, on June 26-28, 2000;
- h) Juvenile employee to work at the Juvenile Office for one day in Brownsville, Texas, on May 10, 2000;
- I) Six (6) Juvenile Probation employees to attend the ATitle IV-E Conference@ in South Padre Island, Texas, on May 23, 2000;
- j) Juvenile Probation employee to attend the ACaseworker User-s Meeting@in Austin, Texas, on June 23, 2000;
- k) Two (2) Juvenile Probation employees to purchase clothes for the Boot Camp Juveniles from the General Service Commission in San Antonio, Texas, on May 15, 2000;
- l) Two (2) Juvenile Probation employees to attend the ACaseworker 4 Training@ in Austin, Texas, on July 18-19, 2000;
- m) Personnel/Safety Coordinator to attend the ATexas Notary Law and Procedures Seminar@in Harlingen, Texas, on June 13, 2000;
- n) Personnel/Safety Coordinator to attend the AProfessional in Human Resources Certification Test Pre Class at the University@in Brownsville, Texas, on August 11, 2000, through November 29, 2000; and
- o) Deputy Constable Precinct No. 4 to attend the AIntoxilyzer Operator School@in San Antonio, Texas, on May 21-26, 2000.



(18) PRELIMINARY APPROVAL

a) Precinct No. 3

Cenizo Subdivision - a 9.066 acre tract of land, more or less, being out of Block No. 17, Parker Tract Subdivision;

b) Precinct No. 4

Lagos Subdivision - being a 9.971 acre tract of land, more or less, out of Block No. 13, Rice Tract Subdivision; and

c) Precinct No. 4

Triny-s Subdivision - a tract of parcel of land containing 0.577 gross acre, more or less, situated in and a part of Block No. 28, Minnesota - Texas Land and Irrigation Company.

(19) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Santa Rosa Gardens Subdivision - 37.20 acres out of the South part of Block No. 20, Cameron County Development Company-s Subdivision of the Cantu Tract.

(20) APPROVAL THE AMENDED PLAT OF HOPE SUBDIVISION, PRECINCT NO. 4, BEING A 1.14 ACRE, MORE OR LESS SUBDIVISION, OUT OF BLOCK NO. 24, RANCHO DE SANTA MARIA SUBDIVISION

(21) OPEN REQUEST FOR PROPOSAL

a) ELECTRONIC MONITORING SYSTEM - REQUEST FOR PROPOSAL NO. 1530-000403

The Request for Proposals received and opened are as follow:

(22) RENEW AWARD OF BIDS

- a) COMPUTER SUPPLIES - ANNUAL BID NO. 2020

OFFICE DEPOT - Harlingen, Texas

Total \$6,328.10

- b) SAFETY GLASSES - PRESCRIPTION - ANNUAL BID NO. 2610

HERMAN-S WHOLESALE - Brownsville, Texas

Description	Cost
Single Vision	\$77.95 each
Bifocals - straight top	\$99.95 each

- c) SAFETY SUPPLIES - ANNUAL BID NO. 2600

VALLEN SAFETY - Corpus Christi, Texas

Total \$28,206.64

- d) PAPER: RECYCLED STOCK, COMPUTER, ENVELOPES - ANNUAL BID NO. 2460

CORPORATE EXPRESS - Brownsville, Texas

Description	Cost
Recycled Bond Paper	\$2,312.00
Non-recycled Computer Paper	\$1,225.16

GULF COAST PAPER - Brownsville, Texas

Description	Cost
Recycled Bond Paper	\$21,265.00
Recycled Envelopes	\$4,553.90
Recycled Computer Paper	\$9,676.46
NCR Non-Recycled Paper Superior	\$5,651.90

(23) PURCHASE WITHOUT A PURCHASE ORDER

- a) HART INFORMATION SERVICES, IN THE AMOUNT OF \$27,091.94;
b) ELECTION SYSTEMS SOFTWARE, IN THE AMOUNT OF \$4,700.00;
c) GLOBAL ELECTIONS SYSTEMS, IN THE AMOUNT OF \$1,786.83; AND
d) THE BROWNSVILLE HERALD, IN THE AMOUNT OF \$62.40.

(24) EXECUTIVE SESSION

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 11:30 A.M. to discuss the following matters:

- a) Deliberation regarding Real Property concerning Sea Ranch Marina Concession involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);

- b) Deliberation regarding the Real Property concerning Cameron County land known, as 3.0 acre tract, more or less out of 18.83 acre tract, at the Los Tomates Bridge; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with County Counsel concerning Brownsville Original Townsite, the remainder of Lots Nos. 3, 4, 5, 6, 7 and 9, out of Block No. 61, involving matters in which the duty of the attorney to the governmental body, under the Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- d) Deliberation regarding the Real Property concerning a concession site at Sand Piper Pavilion within Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Deliberation regarding Economic Development negotiations with Finsa-Harvest, Ltd., and Highland Supply Corporation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.086(1)(2);
- f) Deliberation regarding Real Property concerning the possible Lease Renewal of the Cameron County Juvenile Probation Special Projects Office; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- g) Deliberation regarding Real Property concerning various issues at the Port Isabel/Cameron County Airport; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- h) Confer with County Counsel regarding mediation and settlement authority for Cause No. 99-07-2912-A, Cameron County vs. International Bank of Commerce, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B);
- i) In the matter of the amendment to County Road Policies involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); (**TABLED**) and

SUPPLEMENTAL AGENDA

(1) EXECUTIVE SESSION

- a) Confer with County Counsel concerning the case styled Ruben Peña vs. Cameron County, et. al., for discussion and authorization to make an Amicus Curiae Appearance in State Commission on Judicial Conduct vs. Gualberto Weaver; 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 12:40 P.M.



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

- a) **Deliberation regarding Real Property concerning Sea Ranch Marina Concession involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act.**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Sea Ranch Marina Concession involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act.

- b) **Deliberation regarding Real Property concerning Cameron County land, known as 3.0 acre tract, more or less out of 18.83 acre tract, at the Los Tomates Bridge; and**
- c) **Confer with County Counsel concerning Brownsville Original Townsite, the remainder of Lots Nos. 3, 4, 5, 6, 7 and 9, out of Block No. 61, involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Reports by County Counsel were acknowledged regarding the Cameron County land, known as 3.0 acre tract, more or less out of 18.83 acre tract, at the Los Tomates Bridge, and Brownsville Original Townsite, the remainder of Lots Nos. 3, 4, 5, 6, 7 and 9, out of Block No. 61, involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act.

- d) **Deliberation regarding Real Property concerning a Concession site at Sand Piper Pavilion within Isla Blanca Park.**

Commissioner Matz moved that the Parks System Director be directed to negotiate the Concession site at Sand Piper Pavilion within Isla Blanca Park, with the Concessionaires Clifford H. and Norma Benedict.

The motion was seconded by Commissioner Valencia and carried unanimously.

- e) **Deliberation regarding Economic Development negotiations with Finsa-Harvest, Ltd. and Highland Supply Corporation.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report by the Program Development and Management Director regarding Economic Development negotiations with Finsa-Harvest, Ltd. and Highland Supply Corporation.

f) Deliberation regarding Real Property concerning the possible Lease Renewal of the Cameron County Juvenile Probation Special Projects Office.

Commissioner Matz moved that the Property Management Coordinator be directed to negotiate the extension of the Lease Renewal of the Cameron County Juvenile Probation Special Projects Office to October 15, 2000.

The motion was seconded by Commissioner Valencia and carried unanimously.

g) Deliberation regarding Real Property concerning various issues at the Port Isabel/Cameron County Airport.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report by the Property Management Coordinator was acknowledged regarding various issues as the Port Isabel/Cameron County Airport.

i) In the matter of the amendment to County Road Acceptance Policies involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act. (TABLED)

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED**, noting that there was no discussion regarding said matter.

h) Confer with County Counsel regarding mediation and settlement authority for Cause No. 99-07-2912-A, Cameron County vs. International Bank of Commerce, Brownsville.

Commissioner Matz moved that the Status Report by the County Auditor be acknowledged regarding mediation and settlement authority for Cause No. 99-07-2912-A, Cameron County vs. International Bank of Commerce, Brownsville, noting that the County Judge was not present during this discussion.

The motion was seconded by Commissioner Benavides and carried unanimously.

SUPPLEMENTAL AGENDA

(2) ACTION RELATIVE TO EXECUTIVE SESSION

a) Confer with County Counsel concerning the case styled Ruben Peña vs. Cameron County, et. al., for discussion and authorization to make an Amicus Curiae Appearance in State Commission on Judicial Conduct vs. Gualberto Weaver.

Commissioner Matz moved that County Counsel be directed to file an Amicus Curiae Brief with the State Commission regarding the proceedings pending the case styled Ruben Peña vs. Cameron County, et. al., on Judicial Conduct vs. Gualberto Weaver.

The motion was seconded by Commissioner Valencia and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the meeting was **ADJOURNED** at **12:44 P.M.**

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APPROVED this 27th day of **June, 2000**.

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GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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