

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 27<sup>th</sup> day of DECEMBER, 2001, there was conducted a SPECIAL 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:

9:00 A.M.

PRESENT:

GILBERTO HINOJOSA  
COUNTY JUDGE

PEDRO "PETE" BENAVIDES  
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.  
COMMISSIONER, PRECINCT NO. 2

DAVID A. GARZA  
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD "TIVIE" VALENCIA  
COMMISSIONER, PRECINCT NO. 4

Mary Robles Deputy Clerk  
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Pro-tem Carlos H. Cascos, C.P.A., at 9:02 A.M. He then asked Commissioner Valdez to lead 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 21, 2001, at 9:03 A. M.:

## **ACTION ITEMS**

**(5) AUTHORIZATION TO NEGOTIATE WITH  
SELECTED ENGINEER REQUEST FOR  
QUALIFICATIONS (RFQ) NO. 11201**

Mr. Juan Bernal, County Engineer-Public Works Director, noted that four (4) companies had submitted proposals for the Proposition 2 Drainage Improvement to Colonias, and were evaluated by four (4) members of the five (5) member Evaluation Committee, with the exception of Mr. Doug Wright, Commissioners' Court Legal Counsel, and requested authorization to negotiate with S&B Infrastructure.

**NOTE: JUDGE HINOJOSA JOINED THE MEETING, AT THIS TIME.**

Commissioner Cascos asked how much time was spent by the Committee in evaluating the proposals and whether the candidates were interviewed.

Mr. Bernal responded that the committee took approximately half an hour to review the proposal, but individually, he took two (2) hours to review the proposals, but the companies were not interviewed.

Commissioner Cascos noted that S&B Infrastructure had already conducted work for the County and noted that the difference of the evaluation between Guzman Engineering and S&B Infrastructure was minor. He pointed that S&B Infrastructure had an average of eighty-eight (88) points and Guzman Engineering had an eighty-four and a half (84 ½) points. He suggested that Guzman Engineering, which was a local company, be given the opportunity, based on the fact that there was very little differences in the evaluations and that they could perform the work.

**NOTE: COMMISSIONER BENAVIDES JOINED THE MEETING, AT THIS TIME.**

Commissioner Garza noted that only four (4) Engineering companies had submitted proposals.

Mr. Bernal stated that S&B Infrastructure represented four (4) different companies that submitted a proposal as a team.

Commissioner Garza questioned how the County would be assured of the assignment of work to four (4) different companies, in the event that S&B Infrastructure was approved, and whether any of them were local.

Mr. Bernal responded that the item pertained to the authorization of negotiations and that the percentage of work to be assigned to the companies would be considered with S&B Infrastructure at a later time, and added that the companies were local.

Judge Hinojosa suggested that the negotiations be approved with the understanding that the listed firms be part of the team.

Commissioner Garza noted that he would have a problem if the work was to be assigned by S&B Infrastructure.

Commissioner Garza moved that the negotiations with the Firm of S&B Infrastructure be authorized, with the condition that the four (4) different companies be part of the team and that it be included in the Contract during the negotiation process.

The motion was seconded by Commissioner Benavides.

At this time, Mr. Mark Yates, County Auditor, noted that the project was large and suggested that the County be divided into quadrants, to award the work to different companies, because of time constraints.

Mr. Bernal reported that ninety-five (95) percent of the work would be conducted in Precincts No. 3 and No.4.

Judge Hinojosa stated that there were time constrains in order to submit a proposal for the entitlement money, and that at some point other Engineering Firms would be allowed to participate in the Project.

Mr. Yates asked whether the funding source would be local or subject to State funding.

Judge Hinojosa responded that it would have to be funded through the Road and Bridge Fund.

Upon motion duly made by Commissioner Garza that the negotiations with the Firm of S&B Infrastructure be authorized, with the condition that the four (4) different companies be part of the team and that it be included in the Contract during the negotiation process.

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

AYE: Commissioners Benavides, Garza, Valdez, and Judge Hinojosa

NAY: None,

ABSTAIN: Commissioner Cascos.

**NOTE: COMMISSIONER GARZA AND JUDGE HINOJOSA LEFT THE MEETING, AT THIS TIME.**

(1) **APPROVAL OF BUDGET AMENDMENTS  
AND SALARY SCHEDULES**

Upon motion by Judge Pro tem Cascos, seconded by Commissioner Benavides and carried unanimously, the **Fiscal** Year Budget Amendment No. 2002-05 and the following Salary Schedules were approved:

Juvenile Department, Fund No. 450-5722;

Tax Assessor Collector Department, Fund No. 100-4990; and

County Clerk Records Management Department, Fund No. 100-4040.

**The Budget Amendments and Salary Schedules are as follow:**

- [REDACTED]
- (3) **IN THE MATTER REGARDING THE CONTRACTUAL AGREEMENT BETWEEN CAMERON COUNTY PARKS AND ANDY ANDREWS FOR THE BINGO DIRECTOR POSITION AT ISLA BLANCA PARK (TABLED)**
  - (4) **IN THE MATTER REGARDING CONTRACTUAL AGREEMENT BETWEEN CAMERON COUNTY AND ELIZABETH LITWILLER FOR THE RECREATION AND PROGRAM DIRECTOR POSITION AT ISLA BLANCA PARK (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, these Items were **TABLED**.

[REDACTED]

**NOTE: JUDGE HINOJOSA JOINED THE MEETING, AT THIS TIME.**

- (7) **APPROVAL OF PAYMENT TO THE CITY OF PORT ISABEL FOR SERVICES RENDERED FOLLOWING THE COLLAPSE OF THE QUEEN ISABELLA CAUSEWAY**

Commissioner Cascos moved that the payment to the City of Port Isabel, for services rendered following the collapse of the Queen Isabella Causeway, be approved.

Mr. Mark Yates, County Auditor, stated that the amount of \$5,700.71 for the services rendered following the collapse of the Queen Isabella Causeway were separate from the previous \$30,202.50 payment, and that he would submit an additional request.

Judge Hinojosa clarified that the monies would be reimbursed by TxDOT.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the payment to City of Port Isabel, for services rendered following the collapse of the Queen Isabella Causeway, were approved.

**The Invoice and letter are as follow:**

## **CONSENT ITEMS**

**ALL ITEMS UNDER THE CONSENT AGENDA WERE HEARD COLLECTIVELY UNLESS OPPOSITION WAS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WOULD BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.**

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

ITEM NO. 8: Commissioner Cascos questioned how long it would take for the cellular phone usage stipend to be implemented.  
Mr. Mark Yates, County Auditor, indicated it would take some time, adding that he was currently working with Departments to minimize the excessive usage of cellular phones.

Commissioner Valdez moved that the following "Consent" items, be approved.

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

AYE: Commissioners Benavides, Garza, Valdez, and Cascos,

NAY: None,

ABSTAIN: Judge Hinojosa as to Laguna Madre Water District, Warrant No. 00068041, in the amount of \$3,778.67.

**(8) APPROVAL OF CLAIMS;**

**Additional claims:**

a) **Central Power and Light, Warrant No. 00068230, in the amount of \$2,018.18.**

## **TRAVEL ITEMS**

**(9) AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

- (a) Justice of the Peace Precinct No. 5, Place No. 2, to attend the "20 Hour Justice of the Peace Seminar Training", in Corpus Christi, Texas, January 15-18, 2002;
- (b) Veteran's employees to attend the "Veterans Service Officers Training", in Houston, Texas, January 14-18, 2002;
- (c) District Attorney to attend the "Southwest Border HIDTA Executive Meeting", in El Paso, Texas, January 16-17, 2002;
- (d) Three (3) District Attorneys to attend the "Prosecutor Trial Skills Course", in Austin, Texas, January 13-18, 2002;
- (e) Health Department employee to attend the "Texas Public Health Standards Conference", in Austin, Texas, January 7-9, 2002;
- (f) Two (2) Health Department employees to attend the "Mandatory State WIC Training", in Austin, Texas, February 12-13, 2002;
- (g) Health Department employee to attend the "Mandatory Texas Association of Local WIC Directors Board Meeting", in Austin, Texas, January 22-25, 2002; and
- (h) Seven (7) Health Department employees to attend the "Continuing Education", in Weslaco, Texas, January 23, 2002.

- (8) APPROVAL OF CLAIMS.**  
**The Affidavit is as follows:**



[REDACTED]

## EXECUTIVE SESSION

**(10) EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 9:35 A.M., to discuss the following matters:

**NOTE: JUDGE HINOJOSA LEFT THE MEETING, AT THIS TIME.**

- a) Deliberation regarding Real Property concerning property acquisition for the Laguna Heights Drainage Improvement Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;

Upon motion by Commissioner Valdez, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 9:44 A.M.

[REDACTED]

**(11) ACTION RELATIVE TO EXECUTIVE SESSION:**

- a) **Deliberation regarding Real Property concerning property acquisition for the Laguna Heights Drainage Improvement Project**

Upon motion by Commissioner Valdez, seconded by Commissioner Benavides and carried unanimously, the report by Mr. Frank Bejarano, Program Development and Management Director, regarding Real Property concerning property acquisition for the Laguna Heights Drainage Improvement Project was acknowledged.

[REDACTED]

**(2) ACCEPTANCE OF DONATION OF A CERTAIN .71  
ACRE TRACT OF LAND FOR THE LAGUNA  
HEIGHTS DRAINAGE PROJECT**

Upon motion by Commissioner Benavides, seconded by Commissioner Valdez and carried unanimously, the **donation** of a certain .71 Acre tract of land for the Laguna Heights Drainage Project was accepted, as recommended by the Program Development and Management Director.

**The Deed is as follows:**

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There being no further business to come before the Court, upon motion by Judge Pro-Tem Cascos, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 9:45 A.M.

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**APPROVED** this 15<sup>TH</sup> day of **January, 2002**.

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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.**