

**(16) APPROVAL OF VARIANCE TO THE BUILDING SETBACK
LINES AT FM 802 AND CENTRAL BOULEVARD BY VICC**

Ms. Jane Brasch, Attorney-at-Law, representing the owners of Maverick Market Stores, appeared before the Court requesting a variance from the County's Subdivision Ordinance to allow the installation of fuel pumps within the building set back lines. She stated that the Texas Water Commission required the removal of the fuel pumps from the current location for safety reasons.

She explained that the owners of the store wanted to move the fuel pumps to allow more "swing" for the vehicles as they backed out, and added that the owners were very concerned about the safety and the liability because they were sued in Brownsville in 1989, for the very same reason.

Mr. Jeff Coleman, Certified Building Designer, stated that moving the fuel pumps closer to the property lines and away from the building would increase the level of safety.

At this time, Mr. Andy Cueto, County Engineer, stated that the new location would not fall within the County's Subdivision Ordinance requirement of having a forty-five (45) set back line on Farm to Market Roads. However, he added that the new location would meet Texas Highway Department's twelve (12) foot set back requirement, that it is a Commercial Building and that he had no objections to the variance.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the variance to the Building set-back lines at FM 802 and Central Boulevard by the Valley Inn and Country Club (VICC), was approved.

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(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Rayburn MacNelly, County Auditor, presented the following late claims for approval: G & T Paving, Brownsville, Texas, Warrant No. 57388 in the amount of \$25,609.00, Warrant No. 57389 in the amount of \$22,696.76, and Warrant No. 57390 in the amount of \$8,451.00.

Commissioner Valencia moved to approve the County Claims as presented and on the recommendation of the County Auditor, inclusive of the late claims of G & T Paving, Brownsville, Texas, Warrant No. 57388 in the amount of \$25,609.00, Warrant No. 57389 in the amount of \$22,696.76, and Warrant No. 57390 in the amount of \$8,451.00.

The motion was seconded by Commissioner Rosenbaum and carried the following vote:

AYE: Commissioners Rosenbaum and Valencia

NAY: None.

ABSTAIN: Commissioner Cascos as to the claim of Waters Implement Company, Inc., Warrant No. 57295 in the amount of \$6.94.

The Affidavit is as follows:

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

Commissioner Valencia moved that the 1990/1991 Budget Amendment No. 50, the 1991/1992 Budget Amendment No. 21, and the Salary Schedule for the County Engineering Department, Department No. 15-622, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Budget Amendments and the Salary Schedule are as follows:

(3) APPROVAL OF MINUTES' OF MARCH 27, 1992, AND MARCH 30, 1992

Commissioner Cascos moved that the Minutes of the Special Meeting of March 27, 1992, at 9:30 A. M. and the Regular Meeting of March 30, 1992, at 1:30 P. M., be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(4) AUTHORIZATION TO AWARD BIDS FOR 150 MHZ RADIOS AND ANTENNAS FOR VARIOUS DEPARTMENTS

Commissioner Valencia moved that the bid of Rio Radio Supply, McAllen, Texas, for the 150 MHZ radios and antennas for the various Departments, that being the low bid meeting specifications, be accepted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(5) AUTHORIZATION TO AWARD BIDS FOR 800 MHZ RADIOS AND ANTENNAS FOR VARIOUS DEPARTMENTS

Commissioner Valencia moved that the low bid meeting specification of Rio Radio Supply, McAllen, Texas, for the 800 MHZ radios and antennas for the various Departments, be accepted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(6) AUTHORIZATION TO OPEN BIDS FOR ONE (1) 1.34 GB DISK STORAGE SYSTEM FOR DATA PROCESSING DEPARTMENT

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, approval was given to open bids as received for one (1) 1.34 Giga Byte (GB) Disk Storage System for the Data Processing Department.

The bids received and opened are as follows:

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the bids were referred to the Purchasing Agent and the Data Processing Department for tabulation and recommendation to the Court of the best bid in one (1) week.

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(7) **APPROVAL OF REQUEST BY THE AMERICAN LEGION TO USE BOCA CHICA BEACH TO CONDUCT FUND RAISING FISHING TOURNAMENT ON AUGUST 16, 1992**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the request by the American Legion to conduct a Fund Raising Fishing Tournament at the Boca Chica Beach, on August 16, 1992, was approved.

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(8) **APPROVAL OF CONTRACT AMENDMENT FOR TDH DOCUMENT NO. C2000348, CHANGE NO. 4**

Mr. Rolando Martinez, Health Administrator, explained that the Change Order would increase the Contract amount by \$4,845.00, said funds to be provided by the Texas Department of Health.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Contract Amendment for the Texas Department of Health (TDH) Document No. C2000348, Change No. 4, was approved.

The Change Order is as follows:

(9) **APPROVAL OF REQUEST FROM TSC STUDENT ACTIVITIES OFFICE TO USE TWO VOTING MACHINES TO HOLD BOUGAINVILLEA ELECTIONS ON APRIL 15, 1992**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, Texas Southmost College (TSC) Student Activities Office's request to use two (2) voting machines for the April 15, 1992 Bougainvillea Elections was approved, subject to the standard agreement.

(10) **APPROVAL OF REQUEST BY PORTER HIGH SCHOOL STUDENT COUNCIL TO USE FOUR VOTING MACHINES TO CONDUCT STUDENT ELECTIONS ON APRIL 24, 1992**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the request of Porter High School Student Council to use four (4) voting machines to conduct the Student Elections on April 24, 1992, was approved, subject to the standard agreement.

(11) **RATIFICATION OF ACTION TAKEN ON MARCH 30, 1992, IN REGARD TO APPROVAL OF VOTING MACHINE LEASE AGREEMENT WITH DEMOCRATIC PARTY OF CAMERON COUNTY FOR 64 VOTING MACHINES**

Commissioner Cascos moved that the approval given for Lease Agreement with the Democratic Party of Cameron County for the use sixty-four (64) voting machines, be ratified.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(12) **AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE ENGAGEMENT LETTER WITH ARTHUR ANDERSON FOR EVALUATION OF DATA PROCESSING DEPARTMENT**

Commissioner Cascos moved that the County Judge be authorized to execute the "Engagement Letter" with Mr. Arthur Anderson for the evaluation of the Data Processing Department.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Letter is as follows:

(13) **AUTHORIZATION TO REINSTATE AND APPROPRIATE FUNDS FOR COUNTY JUDGE'S ADMINISTRATIVE ASSISTANT POSITION**

Judge Garza explained that the position of an Administrative Assistant has been in and out of his Budget several times and that the position had never been filled. He requested that the position be reinstated with a salary range up to \$43,000.00 annually, that funds be allocated from Lapsed Salaries initially, and if funds were not available, then funds to be allocated from the General Fund.

Commissioner Cascos moved that the County Judge's Administrative Assistant position be reinstated and that the annual salary range in the amount up to \$43,000.00 be appropriated, initially from Lapsed Salaries, and if funds are not available, then funds to be allocated from the General Fund.

The motion was seconded by Commissioner Valencia and carried unanimously.

**(14) APPROVAL TO OPEN BIDS SUBMITTED FOR THE LOS
INDIOS AND GATEWAY INTERNATIONAL BRIDGES
TOLL EQUIPMENT**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, approval was given to open bids as received for the Los Indios and Gateway International Bridges Toll Equipment.

The bid received and opened is as follows:

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the bid was referred to the Project Manager, County Auditor, and County Engineer for tabulation and recommendation to the Court.

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(15) CONSIDERATION AND ACTION ON DRAINAGE OF LEVENS WAY

Mr. Andy Cueto, County Engineer, explained that a landowner had leveled his land in the Levens Way area of the Adams Gardens Subdivision and that in the process of leveling, the natural drainage was blocked causing a flood situation to the neighboring properties and roadway.

Commissioner Valencia expressed concerned with the flooding situation created and the problems associated because the property is located within an existing Irrigation and Drainage District (Adams Gardens).

Mr. Cueto stated that there appeared to be sufficient Right-of-Way to construct a small drainage ditch which could be tied to an existing ditch by using Adams Gardens' Right-of-Way. He said that funding would be a concern and that he did not know how much it would cost. He suggested that his Department conduct a "Drainage Feasibility Study" of the area and work with the Adams Gardens Irrigation District to recommend a solution.

Commissioner Valencia moved to direct the County Engineer to work with the Adams Gardens Irrigation District for a resolution of the problem, not only with respect to Levens Way but also Tam Lane and Bass Boulevard, to present the recommendations to the Court and to encourage the participation of the Irrigation District, in particular with funding.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(17) REQUEST FOR PRELIMINARY APPROVAL

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:
a)L & I Subdivision - being a 1.201 acre subdivision out of a certain 3.469 acre parcel, out of block 34, Pomelo Subdivision, Cameron County, Texas.

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(18) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:
a)Carricitos Subdivision No. 4 - being 6.288 acres of land comprising 2.591 acres out of Block 229 and 3.697 acres out of Block 231, San Benito Land and Water Company Subdivision, (Volume 1, Page 6, Maps and Records) Concepcion de Carricitos Grant, Cameron County, Texas.

(19) APPROVAL OF TRAVEL EXPENSE

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the following travel expenses were approved subject to availability of funds in their budget:

- a) Tax Assessor-Collector and Chief Deputy to attend Annual Conference on April 7-9, 1992, in Odessa, Texas;
- b) Javier Mendez, County Building Inspector, and Jim Gomez, Building Inspector, to attend Building Codes Inspection Course in San Antonio, Texas, on April 21-23, 1992;
- c) Yvette Salinas, Health Department employee, Women, Infants, and Children (WIC), to Navasota, Texas, to attend Implementation Meeting on May 18-21, 1992; and
- d) Judge A. G. Betancourt to attend Seminar in Houston, Texas, on April 9-10, 1992.

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(20) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 2:15 P. M. to discuss the following matters:

- a) Discuss condemnation of Parcel Nos. 6, 10, 14, and 15 within Loop 590, Section III, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Confer regarding the resale and value of real property held by Cameron County through delinquent tax judgment/ sale, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- c) Evaluate applications for the Safety and Risk Coordinator and designation of candidates for the interview for position, pursuant to Section 2(g) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 3:00 P. M.

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(21) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Discuss condemnation of Parcel Nos. 6, 10, 14, and 15 within Loop 590, Section III.

Judge Garza reported that the Court received a status Report from Counsel and the County Engineer and that after some discussion, it was the consensus of the Court as determined by polling, to authorize the condemnation proceedings on these Parcels and that the Court be authorized to execute any indictments attendant to that condemnation in Open Session.

Commissioner Cascos moved that the condemnation proceeding on Parcel Nos. 6, 10, 14, and 15 within Loop 590, Section III, be authorized and that the Court be directed to execute the "Orders of Condemnation" in Regular Session.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Orders are as follows:

- b) Confer regarding the resale and value of real property held by Cameron County through delinquent tax judgment and sale.

Judge Garza reported that the Court received a status Report from Mr. Luis Saenz, District Attorney, with respect to potential disposition of the property that had been "struck-off" the County rolls and that after further review the District Attorney would report to the Court on this matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Report by Mr. Luis Saenz, District Attorney, regarding to the resale and value of real property held by Cameron County through Delinquent Tax Judgment and Sale, was acknowledged.

c)Evaluate applications for Safety and Risk Coordinator and designation of candidates for the interview for position. [NO ACTION TAKEN]

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that although No Action would be taken, the list of ten (10) applicants to be interviewed Friday, April 17, 1992, at approximately 9:30

A. M. for the position of the Safety and Risk Coordinator would be as follows:

Alfonso Padilla, Jr. - Brownsville, Texas

Diane Teter - Brownsville, Texas

Jose de la Cerda - Brownsville, Texas

Jack G. Cockrill - Center Point, Texas

Raul Tijerina, Jr. - Edinburg, Texas

Timothy Lee Thompson - Encino, Texas

Ed L. Bolick - Mission, Texas

James M. Newberry - Stockdale, Texas

H. W. Bill Steins - Corpus Christi, Texas

Fred Mitchell - Drasco, Arkansas.

At this time, Judge Garza noted that the Regular Meeting would not be held Monday, April 13, 1992, but instead it would be held after the "Interview Workshop" on Friday, April 17, 1992.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the list of the ten (10) applicants for the Safety and Risk Coordinator was acknowledged; those being the following:

Alfonso Padilla, Jr. - Brownsville, Texas

Diane Teter - Brownsville, Texas

Jose de la Cerda - Brownsville, Texas

Jack G. Cockrill - Center Point, Texas

Raul Tijerina, Jr. - Edingburg, Texas

Timothy Lee Thompson - Encino, Texas

Ed L. Bolick - Mission, Texas

James M. Newberry - Stockdale, Texas

H. W. Bill Steins - Corpus Christi, Texas

Fred Mitchell - Drasco, Arkansas.

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There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the meeting was adjourned.

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APPROVED this _____ day of April, 1992.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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