

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 20TH day of APRIL, 1992 there was conducted a REGULAR Session 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:
1:30 P. M.

PRESENT:
ANTONIO O. GARZA, JR.
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

ADOLPH THOMAE, JR.
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Commissioner Thomae, Precinct No. 3, to lead the Court and the Audience in reciting the Pledge of Allegiance to the Flag.

The Court considered the following matters as posted and filed for Record in the County Clerk's Office on April 16, 1992, at 1:59 P. M.

At this time, Judge Garza welcomed Commissioner Thomae to the Meeting, after his extended absences due to illness.

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(1) APPROVAL OF COUNTY CLAIMS

Commissioner Valencia moved to approve the County Claims as presented by the County Auditor's.

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

AYE: Commissioners Rosenbaum, Thomae and Valencia

NAY: None

ABSTAIN: Commissioner Cascos as to the claims of Landair Travel, Warrant No. 57517 in the amount of \$615.00 and Warrant No.57518 in the amount of \$334.00; and Waters Implement Company, Inc., Warrant No. 57597 in the amount of \$482.20 and Warrant No. 57983 in the amount of \$25.20.

The Affidavits are as follows:

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

Upon motion by Commissioner Thomaе, seconded by Commissioner Cascos and carried unanimously, the 1991/1992 Budget Amendment No. 22, and the Salary Schedules for the Isla Blanca Park, Department No. 83-660, the Adolph Thomaе, Jr. Park, Department No. 83-662, and the County Judge's Office, Department No. 10-401 were approved.

The Budget Amendment and Salary Schedules are as follows:

(3) **APPROVAL OF MINUTES OF APRIL 6, 1992**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes of the Regular Meeting held on April 6, 1992 at 1:30 P. M. were approved.

(5) **PRESENTATION OF MONTHLY STATEMENT OF EXPENDITURES AND ENCUMBRANCES COMPARED WITH APPROPRIATIONS OF MAJOR FUNDS AS OF MARCH 31, 1992**

Ms. Rosemary Martinez, First Assistant County Auditor, presented a "Monthly Statement of Expenditures and Encumbrances compared with Appropriations" of major funds as of March 31, 1992, and highlighted the fund accounts with over fifty percent (50%) of their budget expended.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the "Monthly Statement of Expenditures and Encumbrances Compared with Appropriations" of major funds as of March 31, 1992 was acknowledged.

The Monthly Statement is as follows:

(6) APPROVAL TO REFUND TAXES TO JULIO ORTIZ IN THE AMOUNT OF \$785.40 AND OSCAR AND ANA MARIA MASCORRO IN THE AMOUNT OF \$796.66

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, approval was given to refund taxes to Julio Ortiz in the amount of \$785.40 and to Oscar and Ana Maria Mascorro in the amount of \$796.66, on the recommendation of the County Auditor's Office.

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(7) AUTHORIZATION TO RENEW THE COUNTY'S HEALTH AND LIFE WITH TRANSPORT LIFE

Ms. Rosemary Martinez, First Assistant County Auditor, reported that the Insurance Committee met with the representatives of Transport Life Insurance, the Group Health and Life Insurance providers for the County, and were informed that since the County had experienced a reduction in medical claims over the last policy year, the premium would remain at the current level for the May 01, 1992 to April 30, 1993 policy year.

Ms. Martinez stated that the insurance company recommended the inclusion of the "organ transplant network" and the "wellness" program to the "benefits" package as described in the following "Memorandum" dated April 10, 1992 from the Insurance Committee to the Court:

Ms. Martinez explained that the Insurance Committee did not recommend the inclusion of the "organ transplant network" at this time, because there is only one (1) organ transplant facility in Texas, and failure to utilize that facility would result in a penalty. She added that the Committee was recommending the inclusion of the "wellness" benefit of \$200.00 annual reimbursement, not subject to a deductible, for physical and eye examinations, eye glasses, prescribed contact lenses and cancer screening.

Commissioner Thomae questioned whether the "wellness" benefit would increase the number of claims and result in the elimination of the benefit the following year, and Ms. Martinez responded that the Committee based its recommendation on the fact that the Plan "experience" indicated an increase awareness of good health practices and "good" claims experience of the last few years. She added that the benefit would not be subject to the "re-insurance" during the first year.

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the renewal of the County's Health and Life Plan with Transport Life was authorized, along the terms and conditions as recommended by the Insurance Committee and as presented by the County Auditor's Office.

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

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the low bid of Amtek Computer System, Tampa, Florida, in the amount of \$12,865.00 for one (1) 1.34 Giga Byte (GB) Disk Storage System for the Data Processing Department was accepted, said funds to be provided by the Attorney General's Child Support Enforcement Grant.

(4) **PRESENTATION OF THE AUDITED COM-PREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR 1991 BY THE CAMERON COUNTY AUDITOR AND LONG, CHILTON, PAYTE AND HARDIN, CPA'S**

Mr. Nacho Garza, Certified Public Accountant from the Accounting Firm of Long, Chilton, Payte and Hardin, presented the Audit Report of the Comprehensive Annual Financial Report by the Cameron County Auditor for the Fiscal Year ending September 30, 1991 and added that the "Management Letter" and the "Single Audit Compliance Report" would be presented in two (2) weeks.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the presentation of the Audited Comprehensive Annual Financial Report for the Fiscal Year 1991 by the Cameron County Auditor and the Firm of Long, Chilton, Payte and Hardin, Certified Public Accountants, was acknowledged.

The Report is as follows:

**(9) AUTHORIZATION TO OPEN BIDS FOR LEASE
PURCHASE OF ONE TRACTOR FOR PRECINCT NO. 2**

Upon motion by Commissioner Thomaе, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to open bids as received for the Lease Purchase of one (1) tractor for Precinct No. 2.

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 for tabulation and recommendation to the Court of the best bid in one (1) week.

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**(10) AUTHORIZATION TO OPEN BIDS FOR LEASE
PURCHASE OF ONE DUMP TRUCK FOR PRECINCT NO.
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Upon motion by Commissioner Thomaе, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to open bids as received for the Lease Purchase of one (1) tractor for Precinct No. 2.

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 for tabulation and recommendation to the Court of the best bid in one (1) week.

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(11) IN THE MATTER OF COUNTY PURCHAS-ING ONE VAN AND ONE PICKUP FOR THE W.I.C. PROGRAM (DENIED)

Mr. Rolando Martinez, Health Administrator, stated that he had approached the W.I.C. Program to fund the purchase of one (1) van and one (1) pick-up, but was informed that, as a formality, the vehicles should be requested from the County.

Commissioner Thomae moved that this Item be DENIED.

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

AYE: Commissioners Rosenbaum, Thomae and Valencia

NAY: Commissioner Cascos.

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(12) IN THE MATTER OF A PROJECT FOR ASSISTANCE UNDER THE SECOND ROUND OF THE 1991 TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS COLONIA FUND (PASSED)

Mr. Frank Bejarano, Program Development and Management Director, stated that the Court had considered the Colonia Fund Projects from the Texas Department of Commerce but the County declined to apply for funding because, at that time, the Program required "up front" Project financing by the County. He added that apparently not too many Counties applied for the funds; and that the State was budgeting that money for Grant Funds in the amount of \$300,000.00 for Water and Sewer Projects.

Mr. Bejarano outlined the possible Projects for consideration and the County Engineer provided the estimated costs as follows:

Mr. Andy Cueto, County Engineer, explained that the Brownsville Independent School District would be constructing a high school in the area of the Villa Pancho Subdivision and that perhaps the County could obtain some cost sharing. He added that Sunny Skies Subdivision was an "illegal" subdivision, and that the County would have to grant a variance to be able to obtain the Grant Funds. He added that the Attorney General's Office has an escrow account to improve the Subdivision according to County standards and that there would be no cost to the County, if the Grant was awarded.

At this time, Judge Garza questioned whether the City of Harlingen would provide some cost sharing regarding Las Palmas Subdivision, and requested that the County Engineer call to determine if the assistance would be available. Judge Garza suggested to defer action on this Item until later in the Meeting.

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SUPPLEMENTAL AGENDA ITEM:

(1) **ADOPTION OF PROPOSED CAPITAL IMPROVEMENTS PROGRAM AS OUTLINED IN CAMERON COUNTY JUDGE ANTONIO O. GARZA, JR.'S LETTER OF APRIL 16, 1992, TO JUDGE ROBERT GARZA DETAILING TIMELINE FOR DISCUSSION AND ACTION REGARDING CAPITAL IMPROVEMENTS**

Judge Garza reported that the County was confronted with the prospect that the Juvenile Detention Center would not be available for usage as of midnight April 21, 1992.

He stated that he had visited with each member of the Court, the Juvenile Board, the Juvenile Director and other interested parties and their concern was that the Detention Center does not currently, or for that matter has ever since 1978, met State Standards and they requested a plan of action that would indicate to them a good faith effort, on the part of the Court, to address the situation.

Judge Garza added that in a "Letter" dated April 16, 1992 to Judge Robert Garza, Chairman of the Juvenile Board, he outlined a Capital Improvements Program that defined the "timeline" for the process of identifying the Projects, and the method of financing of said projects.

The Letter is as follows:

Judge Garza added that the ambitious schedule was indicative of a "good faith" effort on the part of the Court, not only to address the problem as perceived by the Juvenile Board as "very immediate", but an opportune time for the Court to discuss Capital Improvements, generally in the context of County Projects. He said that he visited with the District Judges and the suggestion was made that the Court adopt the Capital Improvements Project Plan as outlined in the Letter.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the proposed Capital Improvements Program, as outlined in Cameron County Judge Antonio O. Garza, Jr.'s Letter of April 16, 1992 to Judge Robert Garza detailing timeline for discussion and action regarding Capital Improvements, was adopted.

At this time, Commissioner Thomae stated that if the facility did not meet State Standards at the time it was built, the District Judges should not have accepted it. He then added that part of the problem was that juveniles today were a lot tougher than they were fourteen (14) years ago.

Mr. Amador Rodriguez, Detention Center Director, expressed his appreciation for the action taken by the Court and added that he would relay the information to the District Judges at their afternoon Meeting.

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**(14) APPROVAL OF RESOLUTION REVISING THE FUNDING
REQUEST FOR THE DISTRICT ATTORNEY'S JUVENILE
JUSTICE ADVOCACY NETWORK GRANT APPLICATION**

Mr. Frank Bejarano, Program Development and Management Director, stated that the District Attorney's Office had submitted an application to the Criminal Justice Division requesting \$75,652.00 for the Juvenile Justice Advocacy Network.

He added that the application was approved but with reduced funding, that being \$27,360.00 with no County match.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Resolution revising the funding request for the District Attorney's Office Juvenile Justice Advocacy Network Grant Application, was adopted.

The Resolution is as follows:

**(15) APPROVAL OF REQUEST TO APPOINT COMMISSIONER
LUCINO ROSENBAUM TO THE CAMERON-WILLACY
COUNTIES COMMUNITY PROJECTS BOARD**

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, Commissioner Rosenbaum was appointed to serve on the Cameron-Willacy Counties Community Projects Board.

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**(16) APPROVAL OF A RESOLUTION DECLARING THE WEEK OF APRIL 22-26, 1992, AS VIOLENT CRIMES
VICTIMS' WEEK IN CAMERON COUNTY**

Commissioner Thomae moved that the Resolution declaring the Week of April 22-26, 1992, as "Violent Crimes Victims' Week" in Cameron County, be adopted.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Resolution is as follows:

(17) **APPROVAL OF REQUEST TO PROCLAIM THE MONTH
OF MAY AS NATIONAL FOSTER CARE MONTH**

Upon motion by Commissioner Thomaе, seconded by Commissioner Cascos and carried unanimously, approval was given to proclaim the Month of May as "National Foster Care Month."

The Resolution is as follows:

(18) AUTHORIZATION TO ALLOW THE BROWNSVILLE JAYCEES TO USE HOPE PARK LOCATED AT CORNER OF ELIZABETH AND EAST 14TH STREETS TO CONDUCT A RUMMAGE SALE ON SATURDAY, MAY 16, 1992, PURSUANT TO THE NORMAL TERMS AND CONDITIONS REQUIRED BY COUNTY

Commissioner Cascos moved to authorize the use of Hope Park located at corner of Elizabeth and East Fourteenth (14th) Streets by the Brownsville Jaycees to conduct a rummage sale on Saturday, May 16, 1992, pursuant to the normal terms and conditions required by the County.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(19) APPROVAL FOR COUNTY ENGINEER TO CONDUCT A DRAINAGE SURVEY FOR THE SHERIFF'S DEPARTMENT FIRING RANGE ON OLD PORT ISABEL ROAD BY LOMA ALTA

Chief Carlos Tapia, Sheriff's Department, explained that the Reserve Deputies' Association funded the construction of a firing range by Loma Alta, but that they had been unable to use it because of flooding problems due to poor drainage. He requested that the County Engineer be authorized to survey the area to determine the drainage available before they attempt to fix the firing range.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the County Engineer was directed to conduct a drainage survey for the Sheriff's Department Firing Range on Old Port Isabel Road by Loma Alta.

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(20) IN THE MATTER OF CONDUCTING A FUND RAISER FOR DISABLED VETERANS AT BAB'S LOUNGE, 855 EL JARDIN HEIGHTS ROAD, BROWNSVILLE, TEXAS [NO ACTION TAKEN]

Judge Garza stated that this Item was a "solicitation for funds" and should not have been on the Agenda; therefore, NO ACTION was required.

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(21) CONSIDERATION OF VOTING MACHINES AND SERVICE AGREEMENTS FOR ELECTIONS TO BE HELD MAY 2, 1992

Ms. Tencha de la Peña, Elections Administrator, stated that in addition to the approval of the Service Agreement for the Voting Machines for the May 2, 1992 Elections, the City of Harlingen, Texas, had requested the use of voting machines for training before the Election on April 24, 1992.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the following Voting Machine and Service Agreements for Elections to be held on May 2, 1992 were approved, as outlined in Items "a through o", and in addition, Item "p" for the City of Harlingen, noting that it pre-dated the Election:
a) Texas Southmost College

- b)San Benito Consolidated Independent School District
- c)Harlingen Consolidated Independent School District
- d)Cameron County Fresh Water Supply District No. 1
- e)Town of South Padre Island
- f)Rio Hondo Independent School District
- g)City of Los Fresnos
- h)Brownsville Independent School District
- i)City of Port Isabel
- j)City of La Feria
- k)Los Fresnos Consolidated Independent School District
- l)City of Rio Hondo
- m)City of San Benito
- n)La Feria Independent School District
- o)Brownsville Navigation District
- p)City of Harlingen.

The Service Agreements are as follows:

(22) **RATIFICATION OF NEW SOUTH PADRE ISLAND
CONVENTION LEASE INCORPORATING PROVISIONS
REQUIRED BY T.A.B.C.**

Commissioner Cascos moved that the approval given to the "new" South Padre Island Convention Lease, incorporating the provisions as required by Texas Alcoholic Beverage Commission (T.A.B.C.), be ratified.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Lease Agreement is as follows:

**(23) IN THE MATTER OF SECOND QUARTER ANALYSIS FOR
PARK SYSTEM (TABLED)**

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

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**(24) APPROVAL OF LOS INDIOS BRIDGE MARKETING PLAN
AND APPROPRIATION OF FUNDS THEREFORE**

Judge Garza reported that he had presented members of the Court the proposed Budget estimated at \$88,865.00 for the Los Indios Bridge Marketing Plan. He said that the County's portion would be \$44,342.60, said funding to be allocated from existing Bridge Surplus and that the balance would be funded by the Communities of San Benito and Harlingen, in equal parts.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Los Indios Bridge Marketing Plan and the appropriation of funds in the amount of \$44,342.00 from the Bridge Surplus Fund were approved.

The Marketing Plan is as follows:

(25) AUTHORIZATION TO ALLOW ENGINEER TO PREPARE PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS ON A BRIDGE REPLACEMENT AT DAKOTA ROAD, SOUTH OF FM 511

Mr. Andy Cueto, County Engineer, stated that an existing Bridge at Dakota Road, in Precinct No. 1, was in need of upgrading due to anticipated development in the area. He said that Commissioner Rosenbaum had some existing concrete pipes left over from the Florida Road Project that could be utilized and that Commissioner Rosenbaum requested that the County Engineer's Office prepare Plans and Specifications and advertise for bids.

Commissioner Valencia moved that the County Engineer be directed to prepare plans and specifications and advertise for bids on a Bridge replacement at Dakota Road, South of FM 511.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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NOT ON AUTHORIZATION TO ADVERTISE FOR AGENDA BIDS FOR THE CONSTRUCTION OF RYAN ROAD, PHASE II

At this time, Mr. Andy Cueto, County Engineer, requested authorization to advertise for bids for the construction of Ryan Road, Phase, II.

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, approval was given to advertise for bids for the construction of Ryan Road, Phase II, to be ratified on Friday, April 24, 1992.

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(26) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:

- a) Hearn and Hearn Estates Subdivision, being 37.07 acres of land out of Block 40, David and Stephenson Subdivision, according to the Map recorded in Volume 1, Page 2, of the Map Records of Cameron County, Texas.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:

- b) Ruben Marquez Subdivision, being 1.47 acres out of Block 138, San Benito Sugar Company Subdivision, Cameron County, Texas.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:

- c) Country Boy Heaven Subdivision, being 17.81 acres out of the North 20.00 acres of Block 22, of the Minnesota-Texas Land and Irrigation Company Subdivision, of lands in the La Feria Grant, Cameron County, Texas, according to the Map thereof recorded in Volume 1, Page 10, of the Map Records of Cameron County.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:

- d) Lakeway Subdivision, Section II re-plat of Lot 10 and 13, Block 5, Lot 10, Block 5, out of the re-plat of Lakeway Subdivision, Section II as recorded in Cabinet 1, Slot 810-A and 810-B Map Records, Cameron County, Texas; and Lot 13, Block 5, out of Lakeway Subdivision, Section II as recorded in Cabinet 1, Slots 621-B and 622-A, Map Records, Cameron County, Texas.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:

- e) Contreras Estates Subdivision, being 4.28 acres out of Lot 11, Block 10 Barreda Gardens Subdivision, according to the Map recorded in Volume 8, Page 20, of the Map Records of Cameron County, Texas.

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(27) REQUEST FOR FINAL APPROVAL

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, final approval was given to the following subdivision, on the recommendation of the County Engineer:

- a) Baker Potts Estates Subdivision, being 0.74 acres out of a certain 4.22 acres tract (Tract No. 5) out of a 30.94 acre tract in survey 296, Stuart Place Subdivision in Cameron County, Texas.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, final approval was given to the following subdivision, on the recommendation of the County Engineer:

- b) L and 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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(28) PUBLIC HEARING REGARDING (A) THE ABANDONMENT OF A PORTION OF MAVERICK ROAD WITHIN PRECINCT NO. 1; AND (B) ADOPTION OF RESOLUTION FOR THE ABANDONMENT OF SAID ROAD, AS SHOWN ON THE MAP OF THE ESPERANZA ADDITION AND RECORDED IN VOLUME 7, PAGE 3, OF THE MAP RECORDS

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Public Hearing was opened.

At this time, Mr. William A. Faulk, Attorney-at-Law representing the property owners, requested that a portion of Maverick Road be abandoned since it had never been used by the Public and had never been opened.

Mr. Andy Cueto, County Engineer, stated that the proper Notices were given and that the documentation appeared to be in order.

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

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution for the abandonment of a portion of Maverick Road within Precinct No. 1 and the adoption of the Resolution for the abandonment of said Road, as shown on the Map of the Esperanza Addition and recorded in Volume 7, Page 3, of the Map Records, was adopted.

The Resolution is as follows:

(29) **APPROVAL TO OPEN BIDS RECEIVED FOR THE LOS
INDIOS INTERNATIONAL BRIDGE TOLL BUILDING AND
TOLL CANOPIES**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, approval was given to open bids as received for the Los Indios International Bridge Toll Building and Toll Canopies.

The bids received and opened are as follows:

Upon motion by Commissioner Thomaе, seconded by Commissioner Cascos and carried unanimously, the bids were referred to the Project Manager, the County Architect, and the County Auditor, for tabulation and recommendation to the Court of the best bid.

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(30) AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE AN AMENDED CORRECTION DEED FOR FM 509 RIGHT- OF-WAY FROM U.S. HIGHWAY 281 TO THE LOS INDIOS INTERNATIONAL BRIDGE FACILITIES SITE

Mr. Jack Brown, Project Manager, explained that the Texas Highway Department requested correction to the extension of the Right-of-Way to include up to the North Right-of-Way of the County Road.

Upon motion by Commissioner Thomaе, seconded by Commissioner Cascos and carried unanimously, the County Judge was authorized to execute an Amended Correction Deed for FM 509 Right-of-Way from U.S. Highway 281 to the Los Indios International Bridge Facilities Site.

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(31) APPROVAL OF TRAVEL EXPENSES

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

- a) Sheriff Alex Perez and S.R. Garcia to attend Seminar in Austin, Texas, on April 20-24, 1992;
- b) One (1) Nurse Practitioner from the Health Department to attend Perinatal Connection Meeting in San Antonio, Texas, on June 11-12, 1992;
- c) District Clerk to attend Texas Judicial Council Meeting on April 23-24, 1992, in Austin, Texas;
- d) Ms. Rose Chapa, Assistant County Auditor, to attend Conference in Galveston, Texas, on May 26-29, 1992;
- e) Ms. Yvette Salinas and Ms. Irma Tristan, Health Department Employees to Kingsville, Texas, for training on April 24, 1992; and
- f) County Engineer to travel to San Antonio, Texas, on Gateway International Bridge matter on April 15-16, 1992. (RATIFICATION)

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(32) EXECUTIVE SESSION

Upon motion by Commissioner Thomaе, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 3:00 P. M. to discuss the following matters:

- a) Consult with Legal Counsel concerning the Lease with La Esperanza, Incorporated, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Discuss personnel matters involving the evaluation and possible discipline of the County Veterans Service Officer, pursuant to Section 2(g) of Article 6252-17 (of the Texas Revised Civil Statutes);
- c) Discuss engineering and Right-of-Way personnel matters related to filling the County Right-of-Way Agent and Office Manager positions, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes);
- d) Discuss the acquisition of Parcels 14 and 15 within Loop 590, Section III, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- e) Discuss farm/tenant lease adjacent to the Los Indios Bridge site, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- f) Discuss reversionary interest by and between Amigoland, Incorporation, and Cameron County, Texas, regarding Tract Nos. 2 and 3 as described in Volume 931, Page 378, Deed Records of Cameron County, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- g) Discuss acquisition of parcel of real estate for Community Center Cameron Park, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- h) Consult with Legal Counsel concerning agreement with Texas A & M University regarding Community Center Cameron Park, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 4:40 P. M.

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

- a) Consult with Legal Counsel concerning Lease with La Esperanza, Incorporated.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that Counsel be directed to proceed with the appropriate legal action and to prepare a "Thirty (30) Day Notice" to terminate the Lease with La Esperanza, Inc., as well as the "Request" for payment of monies currently outstanding.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, Counsel was directed to proceed with the appropriate legal action and to prepare a "Thirty (30) Day Notice" to terminate the Lease with La Esperanza, Inc., as well as the "Request" for payment of monies currently outstanding.

- b) Discuss personnel matters involving the evaluation and possible discipline of the County Veterans Service Officer. [NO ACTION TAKEN]

Judge Garza reported that the Court received a status Report on the pending litigation, and that after some discussion in Executive Session it was the consensus of the Court as determined by polling, that NO ACTION to be taken on this matter.

Commissioner Cascos moved to acknowledge the Report on the pending litigation and that NO ACTION be taken regarding the personnel matters of the County Veterans Service Officer.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

- c) Discuss Engineering and Right-of-Way personnel matters related to filling the County Right-of-Way Agent and Office Manager positions.

Judge Garza reported that after some discussion it was the consensus of the Court as determined by polling, that Option IV, as outlined on the County Engineer's Memorandum regarding "Acquisition Procedures" dated April 20, 1992, to the Court, which is available to the public, be adopted and that the necessary funds to implement Option IV, in the amount of \$24,800.00, be appropriated from existing Road and Bridge Surplus Fund.

Commissioner Thomae moved that Option IV, as outlined on the County Engineer's Memorandum of "Acquisition Procedures" dated April 20, 1992 to the Court, regarding the Engineering and Right-of-Way personnel matters, be adopted and that the amount of \$24,800.00 for implementation be appropriated from the Road and Bridge Surplus Fund.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Memorandum of "Acquisition Procedures" is as follows:

- d) Discuss the acquisition of Parcels 14 and 15 within Loop 590, Section III.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that said Parcels would be acquired along the terms and conditions as outlined in Executive Session, at the counter offer of \$4,000.00 per acre.

Commissioner Cascos moved that Parcel Nos. 14 and 15 within Loop 590, Section III, be acquired along the terms and conditions as outlined in Executive Session, at the counter offer of \$4,000.00 per acre.

The motion was seconded by Commissioner Thomae and carried unanimously.

- e) Discuss farm/tenant lease adjacent to the Los Indios Bridge Site.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer be directed to clarify that the Lease Property would, at all times, be available to the Court and the County for use with respect to the Los Indios Bridge, and to report to the Court at the next Meeting.

Commissioner Thomae moved to direct the County Engineer to clarify that the Lease Property adjacent to the Los Indios Bridge Site would be available to the County and to report to the Court at the next Meeting.

The motion was seconded by Commissioner Cascos and carried unanimously.

- f) Discuss reversionary interest by and between Amigoland, Incorporation, and Cameron County, Texas, regarding Tract Nos. 2 and 3 as described in Volume 931, Page 378, Deed Records of Cameron County.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the Court acknowledge that reversionary interests do, in effect, exist; that the time period had lapsed and that said property should revert to Amigoland.

Commissioner Thomae moved to acknowledge that reversionary interests by and between Amigoland Incorporated and Cameron County do exist, that the time period had lapsed and that said property should revert to Amigoland Incorporated.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

- g) Discuss acquisition of parcel of real estate for Community Center Cameron Park. [NO ACTION TAKEN]
- h) Consult with Legal Counsel concerning agreement with Texas A & M University regarding Community Center Cameron Park. [NO ACTION TAKEN]

Judge Garza reported that the Court received a presentation in Executive Session with respect to the proposed Community Center in Cameron Park. He added that after some discussion with Legal Counsel concerning certain aspects of the proposed Agreement, it was the consensus of the Court as determined by polling, that a decision could not be made, at this time, and that these Items would be considered on Friday, April 24, 1992.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Report concerning the Community Center at Cameron Park was acknowledged and action was deferred until Friday, April 24, 1992.

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(13) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS UNDER THE SECOND ROUND OF THE 1991 COLONIA FUND**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Resolution authorizing the submittal of an Application to the Texas Department of Housing and Community Affairs under the second round of the 1991 Colonia Fund was adopted.

The Resolution is as follows:

(12) **SELECTION OF A PROJECT FOR ASSISTANCE UNDER
THE SECOND ROUND OF THE 1991 TEXAS
DEPARTMENT OF HOUSING AND COMMUNITY
AFFAIRS COLONIA FUND**

Judge Garza indicated that the County Engineer obtained the information as was requested earlier.

Mr. Frank Bejarano, Program Development and Management Director, stated that a decision had to be made today, in order to advertise and schedule the Public Hearings.

Commissioner Thomae moved to select and split Las Palmas Project for assistance under the second round of the 1991 Texas Department of Housing and Community Affairs Colonia Fund, to serve a portion of the population, not to exceed the amount of \$300,000.00.

The motion was seconded by Commissioner Valencia and the vote was as follows:

AYE:Commissioners Thomae and Valencia

NAY:Commissioners Rosenbaum and Cascos, and Judge Garza.

Commissioner Rosenbaum moved that Jaime Lake and Sunny Sky Subdivision be selected as the Project for Assistance under the second round of the 1991 Texas Department of Housing and Community Affairs Colonia Fund, to serve the population of three hundred (300), in the amount of \$258,000.00

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

AYE:Commissioners Rosenbaum and Cascos and Judge Garza

NAY:Commissioners Thomae and Valencia.

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

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APPROVED this _____ day of May, 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