

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 24th day of APRIL, 1992 there was conducted a SPECIAL Public Meeting of the 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:
ANTONIO O. GARZA, JR.
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

ABSENT:

ADOLPH THOMAE, JR.

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Mr. Allen Essex, Reporter from the Valley Morning Star Newspaper, 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 20, 1992, at 4:24 P. M.

(1) IN THE MATTER OF COUNTY CLAIMS (DENIED)

Ms. Rosemary Martinez, First Assistant County Auditor, stated that the only claim for approval at this time was for La Esperanza, Incorporated, Warrant No. 57993 in the amount of \$7,300.00, that being the "Monthly Contractual Payment."

Commissioner Cascos questioned whether the "receivable" on the contractual payment had been addressed and Ms. Martinez responded that the matter had been addressed, but that the measures needed to recoup the prior years' over-payment had not been addressed.

Judge Garza questioned why the County was making the payment if La Esperanza, Incorporated owed the County money, and suggested to withhold the payment and that it be used to "offset" the amount owed.

Commissioner Cascos moved that the payment not be approved.

At this time, Ms. Martinez asked whether the Court wanted to approve the measure of "offsetting"?

At this time, Commissioner Cascos withdrew his motion.

Commissioner Cascos moved that payment not be approved, and that the amount of \$7,300.00 be used to "offset" the amount owed.

At this time, Judge Garza questioned whether the Court had the legal right to "offset" the payment, and Legal Counsel responded that there were no provisions in the Contract for offsetting and suggested to defer action on this matter and place the Item for discussion in Executive Session.

At this time, Commissioner Cascos withdrew his motion.

Commissioner Cascos moved that the payment not be approved until the Court has received advice from Legal Counsel regarding whether or not the payment can be "offset", and if it can, then "offset" it.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(2) IN THE MATTER OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES (TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, this Item was TABLED.

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(3) IN THE MATTER OF MINUTES OF APRIL 20, 1992 (TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, this Item was TABLED.

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(4) **CONSIDERATION AND ACCEPTANCE OF RESIGNATION
FOR JUSTICE OF THE PEACE HORTENCIA MARTINEZ
EFFECTIVE APRIL 24, 1992**

Judge Garza read the following "Letter of Resignation" dated April 20, 1992, from Justice of the Peace Hortencia Martinez:

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the resignation of Justice of the Peace Hortencia Martinez effective April 24, 1992, as outlined in the Letter dated April 20, 1992, was accepted.

At this time, Commissioner Valencia introduced Mr. Arturo Salas, resident from La Feria, Texas, and presented a Letter from the La Feria City Officials requesting that Mr. Salas be appointed to the position of Justice of the Peace.

The Letter is as follows:

At this time, Commissioner Valencia asked Legal Counsel whether Mr. Salas could be appointed Justice of the Peace and that the action be ratified at the next Meeting.

Judge Garza responded that the Court should not take action on this matter because the appointment was not on the Agenda.

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(5) **RATIFICATION OF ACTION TAKEN ON APRIL 20, 1992
RELATIVE TO ADVERTISEMENT FOR BIDS FOR THE
CONSTRUCTION OF RYAN ROAD, PHASE II**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the approval given on April 20, 1992, regarding the advertisement for bids for the construction of Ryan Road, Phase II was ratified.

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(6) **AUTHORIZATION TO AWARD BIDS FOR LEASE
PURCHASE OF ONE (1) TRACTOR FOR PRECINCT NO. 1**

At this time, Commissioner Cascos stated that this Item should read: Lease Purchase of one (1) dump truck and not one (1) "tractor".

Commissioner Rosenbaum moved that the alternate bid of Boggus Motor Company, Harlingen, Texas, in the amount of \$58,425.80, for the Lease Purchase of one (1) dump truck for Precinct No. 1 be accepted, that being the low bid meeting specifications.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(7) **AUTHORIZATION TO AWARD BIDS FOR LEASE
PURCHASE OF ONE (1) TRACTOR FOR PRECINCT NO. 2**

Commissioner Cascos moved that the low bid of Barbee-Neuhaus Implement, Weslaco, Texas, in the amount of \$32,794.45, for the Lease Purchase of one (1) tractor for Precinct No. 2 be accepted.

The motion was seconded by Commissioner Valencia and carried unanimously.

(8) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 9:30 A. M. to discuss the following matters:

- b) 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
- c) 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 9:40 A. M.

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(9) ACTION RELATIVE TO EXECUTIVE SESSION

- b) Discuss acquisition of Parcel of real estate for Community Center Cameron Park.

Judge Garza reported that the Court reviewed the "Legal Documents" prepared by Counsel and that after some discussion, it was the consensus of the Court as determined by polling, that the County Judge be authorized to execute said Documents, subject to acceptance of the offer regarding certain parcels of real estate for the Community Center in Cameron Park.

Commissioner Rosenbaum moved that the County Judge be authorized to execute said "Documents" along the terms and conditions as outlined in Executive Session, subject to the acceptance of the offer regarding certain parcels of real estate for the Community Center in Cameron Park.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Documents are as follows:

- c) Consult with Legal Counsel concerning Agreement with Texas A & M University regarding Community Center Cameron Park.

Judge Garza reported that the Court received a Report from Counsel that the Agreement was acceptable in all respects, and after some discussion it was the consensus of the Court as determined by polling, that the County Judge be authorized to execute the documents after final review by Counsel.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the County Judge was authorized to execute the Agreement with Texas A & M University regarding the community Center in Cameron Park.

At this time, Ms. Gloria Moreno, representing the Community of Cameron Park, expressed the Community's appreciation for the action taken by the Court.

The Service Agreement is as follows:

(8) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 9:42 A. M. to discuss the following matter:

- a) Interview candidates for the position of Safety and Risk Coordinator and selection of individual to fill the vacancy, pursuant to Section 2(g) of Article 6252-17 (of the Texas Revised Civil Statutes).

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

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(9) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Interview candidates for the position of Safety and Risk Coordinator and selection of individual to fill the vacancy.

Judge Garza reported that the Court interviewed several candidates for the position of Safety and Risk Coordinator and after some discussion, it was the consensus of the Court as determined by polling, to offer the position to Mr. Raul Tijerina, Jr., Edinburg, Texas.

Commissioner Rosenbaum moved that the position of Safety and Risk Coordinator be offered to Mr. Raul Tijerina, Jr., Edinburg, Texas.

The motion was seconded by Commissioner Cascos and carried unanimously.

At this time, Judge Garza clarified that the position would be placed in the Office of the County Judge and that the Safety and Risk Coordinator would report to the Administrative Assistant to the County Judge, that being Ms. Rosemary Martinez, as of May 1, 1992.

Commissioner Rosenbaum moved that the position of Safety and Risk Coordinator be placed in the Office of the County Judge and to report to the Administrative Assistant to the County Judge, that being Ms. Rosemary Martinez, as of May 1, 1992.

The motion was seconded by Commissioner Cascos and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Rosenbaum, 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