

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 29TH day of JUNE, 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 Mr. Frank Bejarano, Program Development and Management Director, 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 Office of the County Clerk on June 26, 1992, at 9:30 A. M.

(7) **IN THE MATTER OF PETITION FOR THE CREATION OF CAMERON COUNTY DRAINAGE DISTRICT NO. 5 AND THE APPOINTMENT OF A CIVIL ENGINEER TO PREPARE A PRELIMINARY ENGINEERING REPORT AND MAP (TABLED)**

At this time, Judge Garza stated that County Counsel had advised him that a problem had existed in the "posting" of the Notice of the Public Hearing for the creation of Drainage District No. 5 scheduled for today and that the Public Hearing had been rescheduled for July 27, 1992, and suggested that this Item be tabled.

Mr. Doug Wright, County Counsel, requested that the Court authorize the "posting" and the "publication" of the Notices for the Public Hearing.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, Item No. 7 was TABLED.

Commissioner Thomae moved to approve the advertisement of the "postings" of the Notices for the Public Hearing scheduled for July 27, 1992, for the creation of Cameron County Drainage District No. 5, and that said Notices be posted accordingly.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Notice of Public Hearing is as follows:

SUPPLEMENTAL AGENDA

- (1) **CONSIDERATION, ACKNOWLEDGEMENT AND ACCEPTANCE OF MEMORANDUM OF ADVISORY COMMENTS IN CONNECTION WITH AUDIT OF THE FINANCIAL STATEMENT OF CAMERON COUNTY, TEXAS, AS OF SEPTEMBER 30, 1991, TO BE PRESENTED BY THE FIRM OF LONG, CHILTON, PAYTE AND HARDIN, C.P.A.'S**

At this time, Mr. Ygnacio Garza, Certified Public Accountant with the Accounting Firm of Long, Chilton, Payte and Harding, presented the Court with the Compliance Report and the Memorandum of Advisory Comments for the Fiscal Year ending September 30, 1992.

After a lengthy discussion, Commissioner Valencia moved that the Compliance Report and the Memorandum of Advisory Comments regarding the audit of the Financial Statement of Cameron County for the Fiscal Year ending September 30, 1991, be acknowledged and accepted, as presented by the Accounting Firm of Long, Chilton, Payte and Hardin.

The motion was seconded by Commissioner Thomae and carried unanimously.

The Reports are as follows:

(13) **AUTHORIZATION TO RENEW INTRALATA
COMMISSION CONTRACT ON INMATE PAY PHONES
WITH SOUTHWESTERN BELL**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, authorization was given to renew the INTRALATA (calls within the Valley) Commission Contract on the inmate pay phones with Southwestern Bell.

The Service Contract is as follows:

- (25) **STATUS REPORT ON ADA COMPLIANCE CHECKLIST FOR CAMERON COUNTY**
- (26) **APPROVAL TO DESIGNATE FRANK BEJARANO, PROGRAM DEVELOPMENT AND MANAGEMENT DIRECTOR, AS THE COUNTY'S ADA COMPLIANCE COORDINATOR**

Mr. Frank Bejarano, Program Development and Management Director, reviewed the procedures and time frame that the County must follow in order to comply with the Americans with Disabilities Act (ADA), including the transition plan, appointment of a Compliance Coordinator, a Grievance Committee and the adoption of grievance procedures.

Commissioner Thomae moved to acknowledge the Status Report on Americans with Disabilities Act (ADA) Compliance Checklist for Cameron County and to designate Mr. Frank Bejarano, Program Development and Management Director, as the County's ADA Compliance Coordinator.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The ADA Compliance Checklist is as follows:

(27) **CONSIDERATION AND ACTION TO ADOPT AN ADA GRIEVANCE PROCEDURE FOR CAMERON COUNTY AND APPOINTMENT OF AN ADA GRIEVANCE COMMITTEE**

Mr. Frank Bejarano, Program Development and Management Director, explained that the Americans with Disabilities Act (ADA) Grievance Procedures would provide an administrative remedy for members of the public, while the current Grievance Procedures were for County employees.

Mr. Bejarano explained that during a Public Hearing held on June 18, 1992, Mr. David Vander Hee, a member of Valley Association for Independent Living (VAIL), requested representation on the Grievance Committee and he proposed that the same members of the current Grievance Committee serve as the ADA Grievance Committee and to include Mr. Vander Hee.

Commissioner Thomae moved that the Americans with Disabilities Act (ADA) Grievance Procedure for Cameron County be adopted and that the ADA Grievance Committee be appointed, as outlined, which has been the Committee that had been working on the ADA recommendations.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Grievance Procedures are as follows:

(28) CONSIDERATION AND ACTION TO APPROVE THE USE OF INTERPRETERS FOR THE HEARING DISABLED ON AN "AS NEEDED BASIS" FOR COURTROOM PROCEEDINGS, PUBLIC MEETINGS AND HEARINGS AND OFFICIAL GOVERNMENT ACTIVITIES

Mr. Frank Bejarano, Program Development and Management Director, explained that during the Public Hearings held regarding the Americans with Disabilities Act (ADA) Compliance, the most common request was the need for interpreters for the benefit of the "Hearing impaired" during Courtroom proceedings. He said that the Committee reviewed the request and determined that it was a matter of budgetary considerations since the usual cost for an interpreter was \$50.00 flat rate for a Public Hearing and \$25.00 an hour for Courtroom proceedings and he suggested to retain an interpreter on an "as needed basis".

Upon motion by Commissioner Thoma, seconded by Commissioner Rosenbaum and carried unanimously, approval was given for the use of interpreters for the Hearing Disabled on an "as needed basis" for Courtroom Proceedings, Public Meetings, Hearings and Official Government Activities.

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(29) IN THE MATTER TO ADOPT AN ADA TRANSITION PLAN FOR CAMERON COUNTY (TABLED)

At this time, Judge Garza suggested that this Item be Tabled and instead be considered at a "Workshop" or during the Special Meeting scheduled for Thursday, July 9, 1992.

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

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(23) **CONSIDERATION AND ACTION ON TAX ABATEMENT AGREEMENT FOR SNR CORPORATION DBA PRECISION MOLD AND TOOL SOUTH, IN THE LA FERIA ENTERPRISE ZONE**

Commissioner Valencia moved that the Tax Abatement Agreement for SNR Corporation dba Precision Mold and Tool South in the City of La FERIA Enterprise Zone be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Service Agreement is as follows:

**(24) AUTHORIZATION TO SPONSOR A BLOOD DRIVE ON
JULY 10, 1992**

Upon motion by Commissioner Valencia, seconded by Commissioner Thomaе and carried unanimously, authorization was given to sponsor a "Blood Drive" for County employees on July 10, 1992, at the Central Jury Room in the Cameron County Courthouse.

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**(6) PRESENTATION OF COUNTY WIDE LITTER
ABATEMENT PROGRAM AND AVAILABLE FUNDING
SOURCES BY THE LRGVDC WASTE MANAGEMENT
ADVISORY COMMITTEE**

Mr. James Matz, Chairman of the Waste Management Advisory Committee for the Lower Rio Grande Valley Development Council (LRGVDC), presented a brief report concerning the County Litter Abatement Program as mandated by the Environmental Protection Agency (EPA) and the Grant funding available. He said that the Committee identified two (2) major problems concerning waste disposal, that being "Maquiladora waste" and "illegal dumping", and recommended that the County adopt a County wide "anti-litter" campaign, and to provide for the collection and disposal systems in the County Precincts.

At this time, Judge Garza commented on the actions by the County which are consistent with the recommendations and are as follows: (1) Commissioner Rosenbaum and the County Engineer would be attending the Seminar in San Antonio, July 7, 1992, (2) the Texas Water Commission had been contacted regarding a Grant Application, (3) Commissioner Cascos had been working on disposal systems in his Precinct and that (4) the County Wide Litter Abatement Program had been an "on again-off again" discussion Item. Mr. Matz presented a brief report of the Bi-National Advisory Commission which was established to monitor the implementation of the Border Environmental Plan.

Upon motion by Commissioner Thomaе, seconded by Commissioner Valencia and carried unanimously, the presentation of the County Wide Litter Abatement Program and available funding sources by the Lower Rio Grande Valley Development Council (LRGVDC) Waste Management Advisory Committee, as well as the action currently taken by the Court with respect to the those items reported by Judge Garza, was acknowledged.

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(38) AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING BY COMMISSIONERS COURT ON THE PORT ISABEL - CAMERON COUNTY AIRPORT HAZARD ZONING ORDER

Upon motion by Commissioner Thoma, seconded by Commissioner Rosenbaum and carried unanimously, authorization was given to publish a Notice of Public Hearing by the Commissioners' Court for the Port Isabel - Cameron County Airport Hazard Zoning Order.

The Notice is as follows:

(39) **CONSIDERATION FOR REQUEST FOR ACCEPTANCE
AND ACKNOWLEDGEMENT OF THE FINAL REPORT
FROM THE ZONING COMMISSION OF THE PORT
ISABEL - CAMERON COUNTY AIRPORT**

Mr. Andy Cueto, County Engineer, explained that in order to qualify for a radar system and other State funding, the County needed to adopt a Zoning Ordinance which included the limitation of obstructions, non-compatible land use and the height restrictions and added that the Final Report of the Airport Zoning Commission recommended adoption of the Zoning Map.

Commissioner Thomae moved that the Final Report of the Port Isabel - Cameron County Airport Zoning Commission as presented, in the form of a Hazard Zoning Order, be accepted and acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Final Report is as follows:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Rayburn MacNelly, County Auditor, requested that the travel advances for Commissioner Rosenbaum, Warrant No. 61516 and Commissioner Valencia, Warrant No. 61517 be approved, in order to attend the South Texas County Judges' and Commissioners' Conference in San Antonio on July 1-3, 1992.

Commissioner Valencia moved to approve the County Claims as presented, inclusive of the late claims of Commissioner Rosenbaum, Warrant No. 61516 in the amount of \$631.05 and Commissioner Valencia, Warrant No. 61517 in the amount of \$626.50.

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

AYE: Commissioners Rosenbaum, Thomae and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claims of E. de la Garza, Warrant No. 60687 in the amount of \$2,237.42, Warrant No. 60782 in the amount of \$1,920.94, Warrant No. 60783 in the amount of \$1,157.22 and Warrant No. 60784 in the amount of \$33.32; and Commissioner Cascos as to the claims of Landair Travels, Inc., Warrant No. 60843 in the amount of \$956.00, Warrant No. 60844 in the amount of \$510.00 and Warrant No. 61312 in the amount of \$2,832.00; and Waters Implement Company, Inc., Warrant No. 60981 in the amount of \$17.46, Warrant No. 60982 in the amount of \$464.20, Warrant No. 61433 in the amount of \$25.92 and Warrant No. 61434 in the amount of \$188.99.

The Affidavits are as follows:

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

Commissioner Cascos moved that the 1991/1992 Budget Amendment No. 31 and the Salary Schedules for the MCH Block, Department No. 27-637, the Health Women, Infant and Children (WIC) Department, Department No. 32-630, the Cameron - Willacy Counties Community Service Corrections Division, Department No. 48-530, and the County Attorney, Department No. 90-475 be approved.

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

AYE: Judge Garza, Commissioners Rosenbaum and Cascos

NAY: Commissioners Thomae and Valencia.

At this time, Commissioners Thomae and Valencia expressed their reservations regarding the Salary Schedule for the Health Women, Infant and Children (WIC) Department and the comments published in the newspapers regarding the Commissioners Court action of the previous week.

The Budget Amendment and Salary Schedules are as follows:

(3) APPROVAL OF MINUTES' OF JUNE 1, 8, 15 AND 18, 1992

Commissioner Cascos moved that the Minutes' of the Regular Meeting held on June 1, 1992, at 1:30 P. M., the Regular Meeting held on June 8, 1992, at 1:30 P. M., the Regular Meeting held on June 15, 1992, at 1:30 P. M., and the Special Meeting held on June 18, 1992, at 2:00 P. M., be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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**(4) IN THE MATTER OF THE COMPLIANCE REPORT AND
MEMORANDUM OF ADVISORY COMMENTS FOR THE
FISCAL YEAR 1992 BY LONG, CHILTON, PAYTE AND
HARDIN, C.P.A'S (NO ACTION TAKEN - CONSIDERED
DURING SUPPLEMENTAL AGENDA)**

Judge Garza reported that NO ACTION needed to be taken on this Item.

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**(5) REPORT ON RABIES VACCINATION CLINICS BY RAY
RODRIGUEZ, HEALTH DEPARTMENT CHIEF
SANITARIAN**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, the Report on Rabies Vaccination Clinics was acknowledged as presented by Mr. Ray Rodriguez, Health Department Chief Sanitarian.

The Report is as follows:

(8) AUTHORIZATION TO APPROPRIATE REMAINING NEW EQUIPMENT BUDGET APPROXIMATELY \$15,000.00 TO SAFETY EQUIPMENT LINE ITEM - ALL FISCAL YEAR 1992 EQUIPMENT HAS BEEN PURCHASED

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the remaining New Equipment Budget of approximately \$15,000.00 was appropriated to the Safety Equipment Line Item since all Fiscal Year 1992 equipment has been purchased.

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(9) IN THE MATTER TO INCREASE COUNTY JUDGE'S BUDGET FOR START-UP COSTS ASSOCIATED WITH THE SAFETY RISK COORDINATOR POSITION IN THE AMOUNT OF \$4,953.00 (NO ACTION TAKEN)

Judge Garza reported that NO ACTION needed to be taken on this Item since it had been part of the Budget Amendment.

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(10) AUTHORIZATION FOR TAX ASSESSOR-COLLECTOR TO SOLICIT PROPOSALS FOR LASER PRINTING OF 1992 TAX STATEMENTS AND ENVELOPES

At this time, Mr. Tony Yzaguirre, County Tax Assessor-Collector, stated that the Item should read: "Solicit Bids" instead of "Solicit Proposals".

Commissioner Cascos moved that the advertisement to solicit bids for the Laser Printing of the 1992 Tax Statements and envelopes be authorized.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(11) AUTHORIZATION TO REJECT BIDS FOR 2 VANS FOR COUNTY WIC DEPARTMENT

At this time, Mr. Michael Forbes, County Purchasing Agent, stated that this Item should read: "Reject and Re-advertise for Bids".

Mr. Forbes stated that the two (2) bids received were forwarded to the State but have not yet received approval and since the car dealers were preparing for the 1993 year models, he recommended to reject the bids and re-advertise for 1992 or 1993 model vehicles.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, authorization was given to reject and re-advertise for bids for two (2) vans for the County Health Women, Infant and Children (WIC) Department.

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(12) AUTHORIZATION TO ADVERTISE FOR BIDS ON 1 (ONE) USED OIL DISTRIBUTION TRUCK FOR PRECINCT NO. 4

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the advertisement for bids for one (1) used oil distribution truck for Precinct No. 4 was authorized.

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(14) **APPROVAL TO ADVERTISE TO LEASE FIVE (5) VEHICLES FOR USE BY THE CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE IN THEIR OPERATION**

Commissioner Thomae moved that the advertisement to lease five (5) vehicles for use by the Cameron County Drug Enforcement Task Force in their operation be authorized.

The motion was seconded by Commissioner Valencia and carried unanimously.

(15) **IN THE MATTER OF APPOINTMENT OF ELECTION OFFICIALS FOR THE PERIOD FROM AUGUST 1, 1992, THROUGH JULY 31, 1993 (TABLED)**

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

(16) **AUTHORIZATION TO ADVERTISE FOR BIDS ON AIR CONDITIONING UNIT FOR DISTRICT COURTS**

Commissioner Cascos moved that the advertisement for bids on an air conditioning unit for the District Courts be authorized.

The motion was seconded by Commissioner Valencia and carried unanimously.

(17) **AUTHORIZATION TO ADVERTISE FOR BIDS FOR REPAIRS ON PASOL BUILDING**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, the advertisement for bids for repairs on the Pasol Building was authorized.

(18) **APPROVAL OF PAYMENT OF ANNUAL DUES TO THE SOUTH TEXAS COUNTY JUDGES' AND COMMISSIONERS' ASSOCIATION IN THE AMOUNT OF \$100.00**

Commissioner Valencia moved that the payment of Annual Dues to the South Texas County Judges' and Commissioners' Association in the amount of \$100.00 be authorized.

The motion was seconded by Commissioner Thomae and carried unanimously.

(19) **APPROVAL OF CONTRACT FOR EMPLOYMENT SERVICES BETWEEN CAMERON COUNTY AND THE TEXAS EMPLOYMENT COMMISSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Employment Services Contract between Cameron County and the Texas Employment Commission was approved.

The Contract for Services is as follows:

**(20) APPROVAL OF PERSONAL PROTECTIVE EQUIPMENT
ISSUE STATEMENT**

Mr. Lee Thompson, Safety/Risk Coordinator, stated that the purpose of the Personal Protective Equipment Issue Letter was to document that the County had issued, educated and trained County employees on certain equipment needed to be used during the performance of their duties, as outlined by the Occupational Safety and Health Administration (OSHA) Regulations.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Personal Protective Equipment Issue Statement was adopted.

The Issue Statement Letter is as follows:

(21) **APPROVAL OF COUNTY HAZARD COMMUNICATION
PLAN**

Commissioner Thomae moved that the County Hazard Communication Plan be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Plan is as follows:

(22) **APPROVAL OF COUNTY LOSS PREVENTION COMMITTEE**

Mr. Lee Thompson, Safety/Risk Coordinator, suggested that a twelve (12) member committee be appointed to assist in the evaluation of injuries as well as to promote the safety programs and recommended the following individuals:

Mr. Frank Bejarano, Program Development and Management Director,

Mr. Lee Lozano, Vehicle Maintenance Department,

Mr. Kevin McNutt, Auditor's Office,

Ms. Yvette Salinas, Health Department,

Mr. Andy Cueto, County Engineer,

Chief Carlos Tapia, Sheriff's Department,

Ms. Rosaura Flores, Precinct No. 1,

Mr. Frank Burnias, Precinct No. 2,

Mr. Andres Cavazos, Precinct No. 3,

Ms. Gracie Garcia, Precinct No. 4, and

Mr. Rudy Juarez, Computer Center Director.

At this time, Commissioner Valencia requested that Mr. David Lopez serve on the Committee instead of Ms. Garcia.

Upon motion by Commissioner Thoma, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to appoint the County Loss Prevention Committee as follows:

Mr. Frank Bejarano, Program Development and Management Director,

Mr. Lee Lozano, Vehicle Maintenance Department,

Mr. Kevin McNutt, Auditor's Office,

Ms. Yvette Salinas, Health Department,

Mr. Andy Cueto, County Engineer,

Chief Carlos Tapia, Sheriff's Department,

Ms. Rosaura Flores, Precinct No. 1,

Mr. Frank Burnias, Precinct No. 2,

Mr. Andres Cavazos, Precinct No. 3,

Mr. David Lopez, Precinct No. 4, and

Mr. Rudy Juarez, Computer Center Director.

(30) **APPROVAL OF CHANGE ORDER NO. 1 ON THE
BROWNSVILLE NAVIGATION DISTRICT
CONSTRUCTION CONTRACT WITH FITZGERALD
CONTRACTING INCORPORATION**

Mr. Frank Bejarano, Program Development and Management Director, explained that this change related to the Phase II of the Fishing Harbor Dock Improvement funded by the Texas Department of Commerce through Cameron County at no cost to the County.

Commissioner Cascos moved that Change Order No. 1 for the Brownsville Navigation District Construction Contract with Fitzgerald Construction Incorporated, Donna, Texas, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Change Order is as follows:

(31) **APPROVAL OF CONTRACT WITH THE PRIVATE
INDUSTRY COUNCIL FOR THE SUMMER YOUTH
EMPLOYMENT PROGRAM AND AUTHORIZATION FOR
FRANK BEJARANO TO SIGN SAID CONTRACT**

Commissioner Cascos moved that the Contract with the Private Industry Council for the Summer Youth Employment Program be authorized and that Mr. Frank Bejarano, Program Development and Management Director, be directed to sign said Contract.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Service Agreement is as follows:

(32) **AUTHORIZATION TO SUBMIT FIRST YEAR GRANT APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR A NEW GRANT CAMERON COUNTY FINANCIAL DESTRUCTION TASK FORCE FOR A TOTAL OF \$403,940.00 IN FEDERAL FUNDS UNDER HIDTA**

Mr. Crispin C. Treviño, Drug Enforcement Task Force Director, explained that the amount of \$403,940.00 had been appropriated for Cameron County to create a "Financial Destruction Task Force" to seek the assets and financial bank accounts identified as derived from drug trafficking.

Upon motion by Commissioner Thoma, seconded by Commissioner Rosenbaum and carried unanimously, the First Year Grant Application to the Governor's Office of Criminal Justice Division was authorized, for a new Grant for the Cameron County "Financial Destruction Task Force" for a total amount of \$403,940.00 in federal funds provided through the High Intensity Drug Traffic Area (HIDTA).

The Resolution for the Application is as follows:

(33)

APPROVAL OF LEASE RENEWAL BETWEEN CAMERON COUNTY PARK SYSTEM AND CHUCK BORTON, DBA BREAKWATER RENTALS

Mr. Kenneth Conway, Parks Director, explained that Mr. Charles Borton had operated a concession at Isla Blanca Park for several years and that the lease had been renewed twice. He added that the lease payments have always been prompt and that the audit reports have been very favorable and recommended a five (5) years six (6) months Lease renewal. Mr. Conway stated that Mr. Borton had requested an extension beyond the five (5) years or the "right to first refusal" and that he explained the need for Court approval on said extension.

At this time, Mr. Borton addressed the Court and explained that a "right to first refusal" or the extension options on the Lease would provide long range security and a lengthy discussion followed concerning the County's interest and possible problems associated with the request.

Commissioner Thomae moved that the Lease renewal between the Cameron County Park System and Mr. Charles Borton dba Breakwater Rentals be approved for a period of five (5) years and six (6) months on the recommendation of the County Parks Director.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Lease Agreement is as follows:

**(34) CONSIDERATION OF STATUS REPORT ON
CONSTRUCTION OF THE LAGUNA MADRE NATURE
TRAIL IN ANDY BOWIE PARK DEVELOPED AND
FUNDED BY CENTRAL POWER AND LIGHT**

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the Status Report on the construction of the Laguna Madre Nature Trail in Andy Bowie Park, developed and funded by Central Power and Light, was acknowledged.

The Report is as follows:

(35) APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO EXECUTE LICENSE AGREEMENT NO. LSF/G-1464 WITH THE INTERNATIONAL BOUNDARY AND WATER COMMISSION FOR THE IMPROVEMENTS LYING WITHIN THE RIO GRANDE FLOOD CONTROL PROJECT WHICH ARE A PART OF THE LOS INDIOS INTERNATIONAL BRIDGE PROJECT

Commissioner Thomae moved that a Resolution authorizing the County Judge to execute the License Agreement No. LSF/G - 1464 with the International Boundary and Water Commission for the improvements lying within the Rio Grande Flood Control Project be adopted.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(36) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Rosenbaum, 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) Elizarraraz Subdivision - being 4.00 acres out of Block 196, Adams Gardens Subdivision.

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(37) REQUEST FOR PRELIMINARY APPROVAL

Commissioner Rosenbaum moved that preliminary approval be given to East Fresnos Subdivision, being 153.867 acres out of Lots 1, 2, and 3, Cole Tract Subdivision on the recommendation of the County Engineer.

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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(40) IN THE MATTER TO ACCEPT ARROYO DRIVE WITHIN STUART PLACE COUNTRY ESTATES, UNIT 5, AS A COUNTY ROAD FOR COUNTY MAINTENANCE (TABLED)

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

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(41) APPROVAL OF TRAVEL EXPENSES

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

- a) Ms. Gloria Cañas and Ms. Lupita Valenzuela, Eligibility ICP Clerks, Health Department, to Austin, Texas, to attend Workshop on Indigent Health on July 15-17, 1992;
- b) One (1) Health Department employee to Corpus Christi, Texas, on July 17, 1992, to attend Medical Educational Services Workshop;
- c) Ms. Mary Ann Flores, Juvenile Investigator, to attend Training School on Interrogating Techniques, Houston, Texas;

- d) Program Development and Maintenance Director to Harlingen and Rancho Viejo, Texas, on July 14-17, 1992, to attend Texas Enterprise Zone Conference;
- e) Mr. Woodie Peables, People Against Violent Crime (PAVC) Chairman and Ms. Alicia Peables, Assistant, to attend PAVC Annual Meeting in Austin, Texas, on July 18, 1992;
- f) County Auditor and an Assistant to attend Texas Department of Human Services County Indigent Health Care Workshop on July 14-17, 1992, in Austin, Texas;
- g) District Clerk and two (2) clerks to attend Annual District and County Clerk State Conference in Plano, Texas, on June 22-27, 1992;
- h) Community Development Coordinator to Corpus Christi, Texas, to attend Texas Department of Housing and Community Affairs Application Workshop on June 25-26, 1992;
- i) Justice of the Peace Oscar de la Fuente to attend Justice of the Peace Multi-death Inquest and Disaster Planning Conference in San Antonio, Texas, on July 22-24, 1992;
- j) Drug Enforcement Task Force Director to attend **HIDTA** Funds Meeting in Austin, Texas, on June 17, 1992; and
- k) Commissioners Thomae and Valencia to San Antonio, Texas, to attend South Texas County Judges' and Commissioners' Conference on July 1-3, 1992.

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(42) EXECUTIVE SESSION

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, the Court met in Executive Session at 3:35 P. M. to discuss the following matter:

- a) Discuss and negotiate a Contract with the City of Brownsville for a Public Park to be relocated on approximately 7.5 acres of City land approximately 1500 feet west of the intersection of California Road and FM 511. Authorization for Engineer's Office to prepare a site plan for the facilities and determination of funding for the Project, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, the Court reconvened in Regular Session at 4:10 P. M.

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(43) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Discuss and negotiate a Contract with the City of Brownsville for a Public Park to be relocated on approximately 7.5 acres of City land approximately 1500 feet west of the intersection of California Road and FM 511. Authorization for Engineer's Office to prepare a site plan for the facilities and determination of funding for the project.

Judge Garza reported that after some discussion, it appeared to be the consensus of the Court as determined by polling, that the County Engineer be directed to continue discussions with the City of Brownsville with respect to the provision of recreation facilities on the California Road Park Site. He reported that some direction was given on the security to be provided by the City of Brownsville through their Airport security, the fencing of the site and participation of the construction of certain amenities, whether by usage of equipment or materials. Judge Garza stated that the County Engineer would report back to the Court in the form of a proposal and would provide for the discussion of "terms".

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the County Engineer was directed to continue "discussions" with the City of Brownsville along the terms and conditions as outlined in Executive Session.

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SUPPLEMENTAL AGENDA

- (2) **CONSIDERATION, ACTION AND APPOINTMENT OF ROSEMARY MARTINEZ, C.P.A., AS BUDGET OFFICER FOR THE CAMERON COUNTY COMMISSIONERS COURT FOR FISCAL YEAR 1993, PUR-SUANT TO APPLICABLE SECTION OF TEXAS GOVERNMENT CODE AUTHORIZING APPOINTMENT THEREOF**

Commissioner Cascos moved that Ms. Rosemary Martinez, Certified Public Accountant (C.P.A.), be appointed as Budget Officer for the Cameron County Commissioners' Court for the Fiscal Year 1993, pursuant to the applicable Section of the Texas Government Code authorizing the appointment thereof.

The motion was seconded by Commissioner Rosenbaum 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 Cascos and carried unanimously, the meeting was adjourned.

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APPROVED this 13th day of July, 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