

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 27th day of JULY, 1993 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

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

PRISCILLA J. KEE, Deputy
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Commissioner Cascos to lead 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 July 23, 1993 at 2:13 P. M.

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Valencia moved that the County Claims be approved as presented and on the recommendation of the County Auditor.

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

AYE: Commissioners Rosenbaum, Matz and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claims of E. de la Garza, Warrant No. 81723, in the amount of \$521.55, Warrant 81819, in the amount of \$54.36 and Brownsville Community Health Clinic, Warrant No. 81736, in the amount of \$244.36; and Commissioner Cascos as to the claim of Waters Implement Company, Warrant No. 82013 in the amount of \$35.24.

The Affidavits are as follows:

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

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, Fiscal Year 1993 Budget Amendment No. 32 and the Salary Schedule for the Health (WIC) Department, Department No. 32-630 were approved:

The Budget Amendment and Salary Schedule are as follows:

(3) APPROVAL OF MINUTES OF JULY 20, 1993

Commissioner Cascos moved that the Minutes of the Regular Meeting held July 20, 1993 at 1:30 P. M. be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

**(4) PRESENTATION OF THE TEXAS VETERANS
COMMISSION CERTIFICATE TO MR. SALVADOR
SALINAS, VETERANS OFFICER**

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Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the presentation of the Veterans Commission Certificate to Mr. Salvador Salinas, Veterans Services Officer, was acknowledged.

The Certificate is as follows:

(5) **APPROVAL OF CHANGE ORDERS NO. 1 AND NO. 2 FOR
THE RENOVATION OF THE BROWNSVILLE HEALTH
CENTER**

Commissioner Cascos moved that Change Orders No. 1 and No. 2 for the renovation of the Brownsville Health Center be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Change Orders are as follows:

(6) **APPROVAL OF THE PUBLIC HEALTH SERVICE CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF HEALTH FOR FISCAL YEAR 1994**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Public Health Service Contract between the Cameron County Health Department and the Texas Department of Health for Fiscal Year 1994 was approved.

The Public Health Service Contract is as follows:

At this time, Ms. Yvette Salinas, WIC Coordinator, demonstrated a "blanket" created by the Health Department Staff, commemorating "World Breast-feeding Day" to be celebrated on August 1, 1993, and which will be displayed at the State Capitol on Monday, August 2, 1993. She explained that the WIC Department promotes "breast-feeding" as the best alternative for infants, and added that the Department had been recognized by the State for their efforts.

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(7) **APPROVAL OF A RESOLUTION AUTHORIZING THE PD & M DEPARTMENT TO APPLY FOR SBA TREE PLANTING FUNDS, FROM THE TEXAS FOREST SERVICE, FOR LANDSCAPING IMPROVEMENTS TO THE COUNTY COURTHOUSE MAIN PARKING LOT**

Commissioner Rosenbaum moved that the Resolution authorizing the Planning Development and Management Department to apply for Small Business Administration (SBA) Tree Planting Funds from the Texas Forest Service be adopted for the landscaping improvements to the County Courthouse Main Parking Lot, and that Ms. Rosemary Martinez, Budget Officer, be directed to appropriate the amount of up to \$15,000.00 in the Budget for the next Fiscal Year for landscaping improvements.

The motion was seconded by Commissioner Matz and carried unanimously.

The Resolution is as follows:

**(8) APPROVAL OF A RESOLUTION ENDORSING THE
EXPANSION OF THE BROWNSVILLE - MATAMOROS
BRIDGE**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Resolution endorsing the Expansion of the Brownsville-Matamoros Bridge was adopted.

The Resolution is as follows:

(9) **IN THE MATTER OF CONTRACT RFP NO.93-0501 FOR "COMPUTERIZED TAX BILLING - TAX COLLECTION, ENTITY DISTRIBUTION AND TAX AUDITING - DATA PROCESSING SYSTEM: SOFTWARE PACKAGE AND HARDWARE" FOR CAMERON COUNTY TAX OFFICE (TABLED)**

Mr. Norio Nishiguchi, Computer Center Director, stated that the three (3) proposals received were reviewed and he was recommending that the Contract be awarded to Hamer Enterprises, McAllen, Texas.

At this time, Judge Garza polled the members of the Review Committee as to the recommendation by the Computer Center Director, and County Counsel and the Budget Officer replied negatively, the Tax-Assessor Collector did not have any comments and Mr. Rayburn MacNelly, County Auditor, remarked that he had major reservations regarding the execution of the Contract.

Mr. MacNelly highlighted some of the concerns regarding the Proposal and added that serious considerations should be exercised, not only regarding the collection of taxes, but the proper distribution and accounting of taxes. He stated that the award should not be rushed considering the amount of money involved and the amount of money already invested in the current System.

Judge Garza noted that he had the opportunity to review the Proposal and to consider the recommendation by the Computer Center Director as well as an option presented by Heard-Goggan and Blair. He stated that he was concerned with the amount of the expenses, not only with the Capital Expenditures to be financed over a period of five (5) years, but the increase in the annual Operating Budget, and added that he was not satisfied as to whether the matter had been completely researched.

Judge Garza stated that the Court made a decision to negotiate with Hamer Enterprises the previous week and he would not recommend to deviate from that decision, but suggested that the Committee continue to discuss the issue and evaluate the options available.

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

Judge Garza suggested that the Review Committee continue to review and research the matter and that it will be considered when a member of the Court places the Item on the Agenda.

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(10) **APPROVAL OF APPOINTMENT OF GLORIA CAVAZOS, PRESIDING JUDGE, PRECINCT NO. 67, FOR TERM OF AUGUST 1, 1993 TO JULY 31, 1994**

Commissioner Valencia moved that Ms. Gloria Cavazos be appointed as the Presiding Judge for Precinct No. 67, for the term of August 1, 1993 to July 31, 1994.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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NOT ON AGENDA APPROVAL OF APPOINTMENT OF MS. DOROTHY BARTON, PRESIDING JUDGE, PRECINCT NO. 2, FOR TERM OF AUGUST 1, 1993 TO JULY 31, 1994

At this time, Ms. Tencha de la Pena, Elections Administrator, requested that the appointment of Ms. Dorothy Barton, San Benito, Texas, as Presiding Judge for Precinct No. 2, be approved for the term of August 1, 1993 to July 31, 1994.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, Ms. Dorothy Barton, San Benito, Texas, was appointed as the Presiding Judge for Precinct No. 2, for the term of August 1, 1993 to July 31, 1994.

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(11) APPROVAL OF APPOINTMENT OF MR. DAVID MERRILL TO THE CHILD WELFARE BOARD

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, Mr. David Merrill, Brownsville, Texas, was appointed to the Child Welfare Board.

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(12) APPROVAL OF REQUEST BY JUDGE TONY TORRES, TO PURCHASE A CELLULAR PHONE

Judge Garza suggested that the Budget Officer review the different options available regarding the cellular phone rates in order to obtain the same package currently utilized by other County employees.

Commissioner Rosenbaum moved that the purchase of a cellular phone for Judge Tony Torres, Justice of the Peace, be approved, and that the Budget Officer be directed to obtain the correct cost for the Budget for the next Fiscal Year and that the sufficient amount of money be appropriated for the balance of the year.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(13) AUTHORIZATION TO TRAVEL AND OR APPROVAL OF TRAVEL EXPENSES

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

- a) Ms. Sonya Etheridge, Assistant WIC Director, to travel to Denver, Colorado, on August 7-11, 1993 to attend the National WIC Nutrition Services Conference;
- b) Three (3) Health Department employees to travel to Houston, Texas, on August 5-7, 1993 to attend the "Breast-Feeding Update 1993" Conference;
- c) Mr. Rolando Martinez, Health Administrator, to travel to Austin, Texas, on July 23, 1993 to attend the meeting regarding the Immunization Sliding Fee Schedule;
- d) Ms. Ofelia Hess, Registered Nurse with the Health Department, to attend the "Pediatric Physical Assessment" Conference in San Antonio, Texas, on August 19-20, 1993;
- e) Mr. Ray Rodriguez, Chief Sanitarian, to attend the "Monitoring Workshop 1993" in San Antonio, Texas, on July 28, 1993;
- f) Mr. Rolando Martinez, Health Administrator, and Mr. Ray Rodriguez, Chief Sanitarian, to travel to San Antonio, Texas, on August 18-19, 1993 to attend the Texas-Mexico Conference on Health Effects of Toxic Substances and Risk Communication;
- g) Commissioner Matz to travel to Austin, Texas, on August 5-6, 1993, to participate in the Texas Urban Forestry Council SBA Tree Planting Grants Review Committee;
- h) Mr. Salvador Salinas, Veterans Officer, to attend the "Post Traumatic Stress Disorder" Seminar in San Antonio, Texas, on July 27-28, 1993; and

- i) Ms. Tencha de la Peña, Election Administrator, to travel to Austin, Texas, for the Secretary of State's Election Seminar on August 11-13, 1993.

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(14) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 1:50 P. M. to discuss the following matters:

- a) Discuss Old Alice Road, Parcel No. 14, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Discuss Dakota Avenue South, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- c) Evaluate the County Engineer, pursuant to Section 2(g) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 3:30 P.M.

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(15) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Action regarding discussion of Old Alice Road (Parcel No. 14).

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, to proceed along the terms and conditions as agreed to in Executive Session regarding said parcel.

Commissioner Valencia moved that the matter concerning Old Alice Road (Parcel No. 14) should proceed along the terms and conditions as agreed to in Executive Session.

The motion was seconded by Commissioner Matz and carried unanimously.

- b) Action regarding discussion of Dakota Avenue South.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that an offer should be extended to Mr. Mitchell Spears on behalf of the County along the terms and conditions as outlined in Executive Session, and to direct the acquisition of that Right-of-Way, subject to the relocation of a fence.

Commissioner Rosenbaum moved that an offer be extended to Mr. Mitchell Spears regarding the Dakota Avenue South Parcel, along the terms and conditions as outlined in Executive Session, and that the acquisition of that Right-of-Way be directed, subject to the relocation of a fence.

The motion was seconded by Commissioner Cascos and carried unanimously.

- c) Action regarding evaluation of County Engineer.

Judge Garza reported that the Court had the opportunity to evaluate the County Engineer and after some discussion, the Court was prepared to announce a favorable recommendation regarding the evaluation, noting that there were some reservations expressed about certain areas of performance, but generally the evaluation was "good", and to recommend an increase in salary to the sum of \$48,500.00, effective on October 1, 1993, and to conduct the appropriate review in six (6) months.

Commissioner Rosenbaum moved that the favorable evaluation of the County Engineer be acknowledged, that the salary be increased to the sum of \$48,500.00 effective on October 1, 1993, and that the appropriate review be conducted in six (6) months.

The motion was seconded by Commissioner Valencia and carried unanimously.

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

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APPROVED this **3rd** day of **August**, 1993.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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