

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 24th day of AUGUST, 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

INELDA T. GARCIA, Deputy
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Ms. Yvette Salinas, Health-Women, Infant and Children (WIC) 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 August 20, 1993 at 3:45 P. M.

(4) **CONSIDERATION AND ACTION AWARDDING A CONTRACT TO DAVEWAY ELECTRONICS, INCORPORATED FOR SECURITY SYSTEM (ANTI-CAR THEFT) INSTALLATION AT GATEWAY AND FREE TRADE BRIDGES**

Mr. Joe F. Galvan, Bridge System Director, stated that two (2) proposals received for an anti-theft security system, that being 1) Textrax - Bar Solutions, Brownsville, Texas, and 2) Daveway Electronics, Brownsville, Texas. He briefly outlined the two (2) proposals and added that three (3) members of the Court saw an actual demonstration by Daveway Electronics at the Los Indios Bridge and at Gateway International Bridge.

At this time, Mr. Debs Carter, Daveway Electronic's, explained that the system consisted of an "ignition disabling system" and a small sensor or transmitter, placed within the vehicle, that would emit a radio signal which would be sensed at the receivers and computers at the Bridges.

Commissioner Valencia questioned the cost of the equipment and whether it would qualify for an insurance discount and Mr. Carter responded that the cost was estimated between \$200.00 and \$250.00 and the ignition disabling system would qualify for the ten (10%) per cent insurance discount. He added that there would be an additional charge of \$20.00 Annual Fee, in order to update the data base, and a \$15.00 Administrative charge to change the data base if the border guard anti-theft system is retained when the vehicle is sold.

Mr. Carter added that the "ignition disabling system" would be presented to the State Commission of Auto Theft in Austin the following week, and that they were scheduled to meet with the State Insurance Commission to evaluate the system for the possibility of additional discounts for those along the Border utilizing the "Border Guard System".

At this time, Mr. Galvan stated that Daveway Electronics had submitted a two (2) page Agreement, for review by Legal Counsel, and he recommended that the Court approve the Contract with Daveway Electronics for the "border guard system" for the Gateway International Bridge and the Free Trade Bridge at Los Indios Bridge.

Commissioner Cascos questioned whether the system would be placed at the B and M Bridge and Mr. Galvan responded that the proposal was presented to them and that the Main Offices had authorized it.

Judge Garza suggested that instead of awarding a Contract, that Mr. Doug Wright, Cameron County Counsel, should be directed to negotiate a Contract with Daveway Electronics, Brownsville, Texas, subject to final review by the Court within two (2) weeks, and with the clear understanding that the County was in no way a "guarantor of service", rather the Court was collecting a "franchise fee," much the way the City of Brownsville collected from fees from the Cable Television.

Commissioner Rosenbaum moved that Mr. Doug Wright, Cameron County Counsel, be directed to negotiate a Contract with Daveway Electronics, Brownsville, Texas, for the installation of the "Border Guard Security System" at the Gateway International Bridge and the Free Trade Bridge, subject to final review by the Court within two (2) weeks.

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

AYE: Commissioners Rosenbaum, Matz and Valencia

NAY: None

ABSTAIN: Commissioner Cascos.

(20) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 1:45 P. M. to discuss the following matters:

- a) Discuss with Counsel of Cause No. 93-06-2336-C, Ms. Alicia Y. Rodriguez vs Cameron County, et al, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- b) Discuss with Counsel of Cause No. 93-07-2935-C, S.R. Garcia vs Alex Perez, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 2:00 P. M.

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(21) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Action regarding discussion with Counsel for Cause No. 93-06-2336-C, Ms. Alicia Y. Rodriguez vs Cameron County; and
- b) Action regarding discussion with Counsel for Cause No. 93-07-2935-C, S. R. Garcia vs Alex Perez.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel be directed to proceed in the defense of said matters, along the terms and conditions as outlined in Executive Session.

Commissioner Rosenbaum moved that County Counsel be directed to proceed in the defense of Cause No. 93-06-2336-C, Ms. Alicia Y. Rodriguez vs Cameron County and Cause No. 93-07-2935-C, S. R. Garcia vs Alex Perez, along the terms and conditions as outlined in Executive Session.

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

AYE: Commissioners Rosenbaum, Cascos and Matz

NAY: None

ABSTAIN: Commissioner Valencia.

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(3) IN THE MATTER OF MINUTES OF AUGUST 17, 1993

(TABLED)

Judge Garza stated that there were no Minutes for approval at this time.

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(7) APPROVAL OF CONTRACTS BETWEEN CAMERON COUNTY HEALTH DEPARTMENT, WIC PROGRAM, AND SAINT MARY'S CATHOLIC CHURCH, SANTA ROSA AND SAINT FRANCIS XAVIER CATHOLIC CHURCH, LA FERIA, TEXAS FOR WIC SATELLITE CLINICS

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the Contracts between Cameron County Health Department - Women Infant and Children Program (WIC), and Saint Mary's Catholic Church, Santa Rosa and Saint Francis Xavier Catholic Church, La Feria, Texas, for WIC Satellite Clinics were approved.

The Service Contracts are as follows:

**(8) AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE
GRANT CONTRACT WITH THE TEXAS DEPARTMENT
OF HOUSING AND COMMUNITY AFFAIRS FOR
SANITARY SEWER IMPROVEMENTS IN LAS PALMAS
SUBDIVISION, SECTION 4**

Commissioner Rosenbaum moved that the County Judge be authorized to execute the Grant Contract with the Texas Department of Housing and Community Affairs for Sanitary Sewer Improvements in Las Palmas Subdivision, Section 4.

The motion was seconded by Commissioner Matz and carried unanimously.

The Service Agreement is as follows:

(9) **APPROVAL OF CHANGE ORDER NO. 2 FOR THE STREET AND DRAINAGE IMPROVEMENTS FOR MAVERICK ROAD IN CAMERON COUNTY PRECINCT NO. 1**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, Change Order No. 2 for the Street and Drainage Improvements for Maverick Road, in Cameron County Precinct No. 1, was approved.

The Change Order is as follows:

(10) **AUTHORIZATION TO INITIATE A SUBDIVISION
REVIEW POLICY FOR COMMERCIAL AND INDUSTRIAL
SITES**

Commissioner Cascos moved that the Subdivision Review Policy for Commercial and Industrial Sites be initiated as outlined.

The motion was seconded by Commissioner Rosenbaum.

At this time, Mr. Andy Cueto, County Engineer, explained that the present Subdivision Policy does not differentiate between Industrial and Commercial Subdivision and since the County does not have authority to "zone", and that the internal policy has been to review the application based on residential standards, and he requested Court authorization to formalize the policy.

Upon motion duly made by Commissioner Cascos and seconded by Commissioner Rosenbaum, the motion carried unanimously.

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(11) **REQUEST FOR PRELIMINARY AND FINAL APPROVAL**

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

- a) **Precinct No. 1** - Garden Acres Subdivision No.2 - being 10.00 acres Block 21, Olmito Garden Tract No. 1, Share 15 Espiritu Santo Grant;
- b) **Precinct No. 2** -Rodolfo Garcia Subdivision - being a replat of 0.572 acre out of a 6.528 acre tract in Block 149, El Jardin Subdivision, Share 27 Espiritu Santo Grant located on the North side of Morrison Road, approximately 1/4 mile east of Old Port Isabel Road;
- c) **Precinct No. 3** -Zuniga Acres Subdivision - being 9.70 acres out of the Northwest 1/4 Block 242 of the San Benito Irrigation Company Subdivision, Share No. 1, Espiritu Santo Grant;
- d) **Precinct No. 2** -Country Gardens Subdivision - being a 14.4 acres of land west 5.00 acres out of Block 25, Olmito Garden Tract No. 1; and
- e) **Precinct No. 3** -Gutierrez Family Partition - being north of the 5.0 acres out of the east 20.0 acres out of Block 454, San Benito Irrigation Company Share 1, Espiritu Santo Grant.

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(12) **AUTHORIZATION TO ADVERTISE FOR 1993/1994
ANNUAL BIDS**

Commissioner Cascos moved that the advertising of the 1993/1994 Annual Bids be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(13) AUTHORIZATION TO UTILIZE STATE CONTRACT FOR ONE (1) YEAR WITH MCI FOR: 1) PAY PHONE LONG DISTANCE SERVICES AND 2) ONE PLUS DIALING BACK UP SERVICES

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the utilization of the State Contract for one (1) year with MCI for: 1) pay phone long distance services and 2) One plus dialing back up services was approved.

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(14) AUTHORIZATION TO OPEN BIDS FOR ONE (1) CHIPPER FOR PRECINCT NO. 3

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, approval was given to open bids as received for one (1) chipper for Precinct No. 3.

The bids received and opened are as follows:

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the bids were referred to the Commissioner Precinct No. 3 and the Purchasing Agent for tabulation and recommendation to the Court of the best bid in one (1) week.

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**(15) AUTHORIZATION TO OPEN BIDS FOR FOUR (4)
VEHICLES FOR TASK FORCE DEPARTMENT**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, approval was given to open bids, as received, for four (4) vehicles for the Task Force Department.

The bids received and opened are as follows:

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the bids were referred to the Purchasing Agent and the Task Force Coordinator for tabulation and recommendation to the Court of the best bid in one (1) week.

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(16) AUTHORIZATION TO CUT OFF PURCHASE ORDER REQUESTS ON SEPTEMBER 3, 1993, EXCEPT FOR EMERGENCY SITUATIONS

At this time, Ms. Rosemary Martinez, Budget Officer, explained that Purchase Orders usually take about sixty (60) days to clear and the reason for the request was in order for the Auditor's Office to prepare the Financial Statements for the year end.

Commissioner Cascos moved that the cut off date for Purchase Order requests be on September 3, 1993, except for emergency situations.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(17) AUTHORIZATION TO ADOPT RESOLUTION FOR PARTICIPATION IN STATE PURCHASING CONTRACTS - GENERAL SERVICES COMMISSION FOR FISCAL YEAR 1993/1994

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution for participation in the State Purchasing Contracts - General Services Commission for the Fiscal Year 1993/1994, was adopted.

The Resolution is as follows:

**(18) IN THE MATTER TO ADOPT RESOLUTION FOR THE
CENTRAL NORTH AMERICAN TRADE CORRIDOR
ASSOCIATION (TABLED)**

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

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**(19) 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) Four (4) Women Infant and Children (WIC) employees to attend Cardio-Pulmonary Resuscitation (CPR) instructions on August 30-31, 1993 and September 1, 1993 in Harlingen, Texas;
- b) Ms. Irma Hockaday, Health Department Registered Nurse, to attend the "Legal System and the Nurse" Meeting in Austin, Texas, on October 16, 1993; and
- c) Judge Everardo Garcia, County Court-at-Law No. 1, to attend Advanced Personal Injury Law Course on August 25 - 27, 1993.

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(1) APPROVAL OF COUNTY CLAIMS

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the County Claims were approved as presented.

At this time, Ms. Lynda Irvine, Assistant County Auditor, presented the following late claim for approval: J. L. Williams Construction, Warrant No. 83621 in the amount of \$35,806.50. Commissioner Valencia moved that the late claim of J. L. Williams Construction, Harlingen, Texas, Warrant No. 83621 in the amount of \$35,806.50 be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Fiscal Year 1993 Budget Amendment No. 35 and the Salary Schedule for the Sheriff's Department, Department No. 10-560 were approved.

The Budget Amendment and Salary Schedule are as follows:

(3) IN THE MATTER OF MINUTES OF AUGUST 17, 1993

Judge Garza noted that there were no Minutes for approval at this time.

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**(5) AUTHORIZATION AND ACTION RELATIVE TO WATER
DISPENSING AGREEMENT FOR ONE YEAR FOR ONE
LOCATION IN ISLA BLANCA PARK, AT THE ISLA
BLANCA COIN OPERATED LAUNDRY**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Agreement for Water Dispensing for one (1) year at one (1) location in Isla Blanca Park, that being the Isla Blanca Coin Operated Laundry, was awarded to Water Point Systems, Grand Prairie, Texas.

The Agreement is as follows:

(6) **IN THE MATTER OF ESTABLISHMENT OF MONTHLY RENTAL RATES FOR RESIDENT PARK MANAGER AND RESIDENT PARK RANGER AT ANDY BOWIE COUNTY PARK (TABLED)**

Mr. Kenneth Conway, Parks Director, explained that he had conducted a Telephone Survey regarding the rates charged at other Park Facilities that have resident managers or rangers living within the Parks and briefly outlined his recommendation: that being a one (1) bedroom unit at \$150.00 per month, or a two (2) bedroom duplex unit at \$175.00 per month, either with water and sewer included, and added that the resident would be available for nighttime calls for security purposes.

Commissioner Valencia expressed his concerns and added that he did not favor "obligating employees" to live at the Park.

Mr. Doug Wright, Cameron County Counsel, stated that the issues of the compensation, the fair market value of the Lease, and the "on-call" duty needed to be researched.

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

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

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APPROVED this **7th** day of **September**, 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