

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 7th day of DECEMBER, 1993, there was conducted a REGULAR PUBLIC 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:

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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:

ANTONIO O. GARZA, JR.

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The meeting was called to order by Judge Pro-tem Carlos H. Cascos. He then asked Ms. Lena Guerrero, Hart Forms and Services' Consultant, to lead the Court and the audience in reciting the Pledge of Allegiance to the Flag.

At this time, Judge Pro-tem Cascos requested a moment of silence in remembrance of the men and women who lost their lives on the occasion of Pearl Harbor Day.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on December 3, 1993, at 8:28 A. M.

(1) **APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Mark Yates, County Auditor, requested that Warrant No. 89326 be excluded from the County Claims to be approved.

Commissioner Valencia moved that the County Claims be approved as presented and as recommended by the County Auditor.

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 (NO ACTION TAKEN)**

There were no Budget Amendments or Salary Schedules for approval at this time.

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(3) **IN THE MATTER OF MINUTES' OF NOVEMBER 19 AND 30, 1993 (TABLED)**

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

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(4) **APPROVAL OF A RESOLUTION COMMITTING THE COUNTY TO A CASH MATCH OF \$500 FOR AN SBA TREE PLANTING GRANT FOR THE COURTHOUSE MAIN LAWN AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE RELATED GRANT DOCUMENTS**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution committing the County to a cash match of \$500.00 for a Small Business Administration (SBA) Tree Planting Grant for the Courthouse Main Lawn was adopted and the County Judge was authorized to execute related Grant documents, said funds to be allocated from Lapsed Salaries.

**The Resolution is as follows:**

(5) **IN THE MATTER OF A RESOLUTION COMMITTING THE COUNTY TO A CASH MATCH OF \$15,000 FOR AN SBA TREE PLANTING GRANT FOR THE MAIN PARKING LOT TO THE COUNTY COURT-HOUSE AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE RELATED GRANT DOCUMENTS (TABLED)**

Mr. Frank Bejarano, Program Development and Management Director, requested direction from the Court concerning the Tree Planting Project for the Main Parking Lot. He stated that the Project was dependent on the resurfacing of the Parking Lot and the \$15,000.00 was to be used for the Irrigation System.

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

At this time, Mr. Andy Cueto, County Engineer, explained that he had the designs and the estimates prepared but that he did not know if there was money available in the Budget for the Project.

Commissioner Valencia withdrew his original motion.

There were some additional comments concerning the designs and the Budget limitations and the suggestion was made to table the matter.

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

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(6) **AUTHORIZATION TO ESTABLISH DATES FOR EVALUATION, NEGOTIATION AND PRESENTATION FOR AWARD OF REQUEST FOR PROPOSAL (RFP) NO. 931102 BALLOT COUNTING ELECTIONS SYSTEM**

Mr. Michael Forbes, County Purchasing Agent, requested that the Court establish the dates to evaluate, negotiate and award the Contract for the Ballot Counting Elections System being considered. He explained that one of the vendors wanted to extend the awarding date until next year, while the other vendor preferred to finalize the award before the end of the year.

At this time, the following individuals described their Ballot Counting Elections System and explained their position concerning the awarding of the Contract:

Mr. Lynn Moore, Business Records Corporation, and

Ms. Lena Guerrero, Hart Forms and Services.

There was a lengthy discussion concerning the two (2) types of systems being considered, the time needed to evaluate the systems, the cost to the County and the problems associated with changing the tabulation system before a Primary Election.

Ms. Tencha de la Peña, Elections Administrator, stated that any changes to the election process would have to be submitted to Washington, D.C., and added that it would take over sixty (60) days for approval. She explained that Hart Forms was proposing to continue the same system currently in place, that being the Optical Scanner used for the

Early Voting whereby the Precinct Ballot Boxes would be returned to the Courthouse for tabulation, and added that she was not familiar with the system proposed by Business Records Corp.

Commissioner Matz suggested that the Elections Commission evaluate the matter and present their recommendations to the Court. Commissioner Valencia expressed his reservations concerning any changes and recommended to wait until after the Primaries.

Commissioner Valencia moved that the deadline for the Request for Proposals (RFP) No. 931102 for the Ballot Counting Elections System be extended until January 25, 1994.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(7) **APPROVAL OF CONTRACT BETWEEN  
CAMERON COUNTY AND PEOPLE AGAINST  
VIOLENT CRIME**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Contract between Cameron County and the People Against Violent Crime was approved.

**The Contract is as follows:**

(8) **AUTHORIZATION FOR CROCKETT ROAD,  
PRECINCT 4 TO BECOME PART OF THE  
COUNTY ROAD SYSTEM**

Mr. Andy Cueto, County Engineer, explained that the Item should read: "Crockett Court" instead of "Crockett Road".

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, Crockett Court in Precinct No. 4 was authorized to become part of the County Road System.

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(9) **IN THE MATTER CONCERNING THE  
RELOCATION OF THE COUNTY ENGINEER'S  
OFFICE AND THE PRECINCT NO. 2  
WAREHOUSE AND DESIGNATE INDIVIDUALS  
TO HEAD THE PROJECT (TABLED)**

Mr. Andy Cueto, County Engineer, reviewed the following evaluation criteria of possible sites for the relocation of the County Engineer's Office and the Precinct No. 2 Warehouse:

At this time, Commissioner Valencia expressed his reservations concerning the relocation of the County Engineer's Office and suggested that the Precinct No. 2 Warehouse be considered as a separate matter.

Commissioner Matz expressed his concerns regarding the relocation of the two (2) Offices and requested a cost analysis to support the recommendations.

Judge Pro-tem Cascos remarked that the move of the Precinct No. 2 Warehouse would have to be addressed at some point, since it was located in a high traffic area and the largest population served was in the Cameron Park area. He added that the reason for considering the two (2) issues together was to save money and suggested that the cost for the relocation be prepared.

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

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(12) **IN THE MATTER TO ADOPT THE SPECIAL  
ASSESSMENTS POLICY FOR CAMERON  
COUNTY (TABLED)**

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

**"CONSENT" AGENDA ITEMS**

**THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the following "Consent" Agenda Items were approved as follows, inclusive of Item No. 10 and Item No. 11:

**(10) APPROVAL OF ADOPTING RESOLUTION GRANTING CERTAIN TAX EXEMPTIONS TO CERTAIN HISTORIC SITES UNDER THE 1994 HERITAGE PLAN**

**The Resolution follows:**

- (11) AUTHORIZATION TO ADOPT A RESOLUTION CONCERNING SALARY ADJUSTMENTS FOR TWO ADJUDICATION OF DRUG OFFENDERS GRANT POSITIONS

The Resolution follows:

- (13) AUTHORIZATION TO DESIGNATE MR. TONY YZAGUIRRE, TAX COLLECTOR, MR. MARK YATES, COUNTY AUDITOR, AND MR. NORIO NISHIGUSHI, COMPUTER CENTER DIRECTOR, AS AUTHORIZED SIGNATURES FOR THE TASK ACCEPTANCE FORMS, RELATIVE TO THE INSTALLATION OF THE NEW COMPUTER TAX SYSTEM
- (14) AUTHORIZATION TO APPROVE ANNUAL DUES FOR THE TEXAS ASSOCIATION OF COUNTIES
- (15) APPROVAL OF GROUND LEASE PROPOSAL FROM THE CATHOLIC DIOCESE OF BROWNSVILLE AND AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE "GROUND LEASE AGREEMENT"

The Lease Agreement follows:

- (16) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT (PD&M) DEPARTMENT TO REQUEST ENGINEERING PROPOSALS FOR THE LAS PALMAS SUBDIVISION, SECTIONS 1, 2, 3 AND 4 GRANT PROJECT
- (17) APPROVAL OF APPOINTMENT OF MR. GUY ANDERSON TO THE EMERGENCY COMMUNICATION DISTRICT 911 AND PRESENTATION OF THE 1992 AUDIT REPORT

The Audit Report follows:

- (18) AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE CONTRACT WITH BOLAND AND ASSOCIATES, INC. FOR ARCHITECTURAL SERVICES AT THE COUNTY AIRPORT

The Contract follows:

- (19) AUTHORIZATION TO AWARD BID FOR LEASE PURCHASE OF ONE (1) WATER TRUCK FOR PRECINCT NO. 4

**BOGGUS MOTORS, HARLINGEN, TEXAS**

Without trade                      \$41,295.15

(20) AUTHORIZATION TO AWARD ANNUAL BIDS FOR THE FOLLOWING:

a) Janitorial Supplies

ASTRO SUPPLY - McAllen, Texas

CATEGORY A:

3. Liners 33 X 40 recycled \$ .0494 each

CATEGORY B:

1. Floor wax-drum \$ 5.50 gallon  
2. Floor cleaner-case \$ 3.38 gallon  
3. Floor wax-case \$ 5.50 gallon  
4. Bathroom disinfectant cleaner-bucket \$ 3.62 gallon  
5. Bathroom disinfectant cleaner-case \$ 3.62 gallon

CATEGORY C:

2. Multi-fold beige recycled \$ .0025 sheet  
4. JRT Scott tissue recycled \$ .0011229 feet  
5. Toilet tissue \$ .0002 feet  
6. Folded toilet tissue recycled \$ .00087 each

CATEGORY D:

2. Lotion hand soap \$ 4.14 gallon

CATEGORY E:

3. All purpose cleaner-case \$ 3.38 gallon  
8. Ajax cleanser \$ .0202 ounces  
9. Moth balls \$ .0808 ounces

CATEGORY G:

2. JRT Scott toilet tissue \$ 18.00

BEN KEITH FOODS - San Antonio, Texas

CATEGORY A:

1. Liners 24 X 33 recycled \$ .01347 each  
5. Liners 38 X 60 recycled \$ .0816 each

CATEGORY D:

5. Bath soap-regular \$ .04197 ounces

CATEGORY E:

7. Furniture polish \$ 4.56 gallon  
11. Air freshener-Lysol spray \$ .1063 ounces

CATEGORY G:

3. Hand soap-lotion twin pack \$ 4.95

GULF COAST PAPER - Brownsville, Texas

CATEGORY A:

2. Liners 18 X 12 X 45 non-recycled \$ .072

CATEGORY C:

3. Natural roll-towels recycled \$ .0026 feet  
7. Stay Free Maxi-Pads \$ .1208 each



**CATEGORY E:**

- 4. Glass Cleaner \$ 3.45 gallon
- 6. Stainless steel cleaner-oil base \$ 12.89 gallon
- 1. Broom regular-janitorial \$ 2.89 each
- 5. Toilet bowl brush round head \$ 2.05 each

**CATEGORY F:**

**CATEGORY G:**

- 1. Paper towel-8" hand roll \$ 34.67 each
- 4. Liquid hand soap-gallon \$ 1.85 each
- 5. Toilet tissue two (2) per roll \$ 14.44 each

**INDUSTRIAL SALES - McAllen, Texas**

**CATEGORY E:**

- 2. All purpose cleaner bucket \$ 3.36 gallon

**CENTURY PAPERS - McAllen, Texas**

**CATEGORY A:**

- 4. Liners 40 X 48 recycled \$ .0799 each
- 6. Liners 38 X 40 recycled \$ .0869

**CATEGORY C:**

- 1. Wipers 14 X 21 \$ .06793 sheet

**CATEGORY D:**

- 3. Lotion hand soap twin pack \$ 3.06 gallon
- 4. Bath soap-regular \$ .08698 ounces

**BUTLER PAPER - Corpus Christi**

**CATEGORY D:**

- 1. Liquid hand soap \$ 2.75 gallon

**CATEGORY E:**

- 1. Air freshener-bubble gum \$ 3.82 gallon
- 5. Stainless steel cleaner spray \$ .1055 ounces
- 10. Toilet bowl deodorizer \$ .092 ounces

**CATEGORY F:**

- 2. Mopheads-16 oz. medium \$ 2.62 each
- 3. Mopheads-32 oz. large \$ 4.76 each
- 4. Mop handles \$ 3.89 each

**b) Emulsion Oils**

**KOCH MATERIALS - Austin, Texas**

**CATEGORY A:**

Anionic Emulsion  
Type RS-2 \$ .6714 gallon

**CATEGORY B:**

Anionic Emulsion  
Type MS-2 \$ .6714 gallon

**CATEGORY C:**

Anionic Emulsion  
Type MS-1 \$ .6714 gallon

**CATEGORY D:**

Anionic Emulsion  
Type SS-1 \$ .6714 gallon

**CATEGORY E:**

High Float Emulsion  
Type AES-300 \$ .6714 gallon

**c) Surfacing Materials**

**VULCAN MATERIALS - San Antonio, Texas**

**CATEGORY A:**

**COLD MIX LIMESTONE ASPHALT (CLASS "A")**

1. Type "CC" \$ 13.50  
2. Type "D" \$ 13.50

**CATEGORY F:**

**COLD MIX LIMESTONE ASPHALT (CLASS "A")**

1. Type "CC"  
(a) Pct. 1 and 2 \$ 44.55  
(b) Pct. 3 \$ 42.88  
(c) Pct. 4 \$ 41.62  
(d) Zone 1 \$ 41.62  
(e) Zone 2 \$ 42.88  
(f) Zone 3 \$ 42.88  
(g) Zone 4 \$ 44.55  
(h) Zone 5 \$ 46.64  
2. Type "D"  
(a) Pct. 1 and 2 \$ 44.55  
(b) Pct. 3 \$ 42.88  
(c) Pct. 4 \$ 41.62  
(d) Zone 1 \$ 41.62  
(e) Zone 2 \$ 42.88  
(f) Zone 3 \$ 42.88  
(g) Zone 4 \$ 44.55  
(h) Zone 5 \$ 46.64

**CATEGORY G:**

**AGGREGATE FOR SURFACE TREATMENTS**

1. Type P.E., Grade 3  
(a) Zone 1 \$ 38.62  
(b) Zone 2 \$ 39.88  
(c) Zone 3 \$ 39.88  
(d) Zone 4 \$ 41.55  
(e) Zone 5 \$ 43.64  
2. Type P.E., Grade 4  
(a) Zone 1 \$ 39.22  
(b) Zone 2 \$ 40.48  
(c) Zone 3 \$ 40.48  
(d) Zone 4 \$ 42.15

(e) Zone 5 \$ 44.24

3. Type P.E., Grade 5

(a) Zone 1 \$ 39.22

(b) Zone 2 \$ 40.48

(c) Zone 3 \$ 40.88

(d) Zone 4 \$ 42.15

(e) Zone 5 \$ 44.24

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

**a) Precinct No. 4:**

**Benavidez Ranch Subdivision - being a re-subdivision of Lot 14, 5.0 acres of Huisache Subdivision.**

**(22) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THE BUDGET:**

**a) Vehicle Maintenance Director to attend the "General Motors Seminar on Transmissions and Brakes" in San Antonio, Texas, on December 6-10, 1993;**

**b) Chief Juvenile Probation Officer to attend a "Texas Juvenile Probation Commission Board Meeting" in Austin, Texas, on December 15-17, 1993; and**

**c) Task Force Commander to attend "Commanders Meeting" in San Antonio, Texas, on December 1, 1993.**

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**ITEM NO. 10**

**APPROVAL OF ADOPTING RESOLUTION GRANTING  
CERTAIN TAX EXEMPTIONS TO CERTAIN HISTORIC  
SITES UNDER THE 1994 HERITAGE PLAN**

**The Resolution follows:**

**ITEM NO. 11**

**AUTHORIZATION TO ADOPT A RESOLUTION  
CONCERNING SALARY ADJUSTMENTS FOR TWO (2)  
ADJUDICATION OF DRUG OFFENDERS GRANT  
POSITIONS**

**The Resolution follows:**

**ITEM NO. 15**

**APPROVAL OF GROUND LEASE PROPOSAL FROM  
CATHOLIC DIOCESE OF BROWNSVILLE AND  
AUTHORIZATION FOR THE COUNTY JUDGE TO  
EXECUTE "GROUND LEASE AGREEMENT"**

**The Lease Agreement follows:**

**ITEM NO. 17**

**APPROVAL OF APPOINTMENT OF MR. GUY ANDERSON  
TO THE EMERGENCY COMMUNICATION DISTRICT 911  
AND PRESENTATION OF THE 1992 AUDIT REPORT**

**The Audit Report follows:**

**ITEM NO. 18**

**AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE  
CONTRACT WITH BOLAND AND ASSOCIATES, INC.  
FOR ARCHITECTURAL SERVICES AT COUNTY  
AIRPORT**

**The Contract follows:**



## **SUPPLEMENTAL AGENDA**

(1) **CONSIDERATION AND ADOPTION OF NEW  
REDISTRICTING LINES FOR CAMERON  
COUNTY**

At this time, Ms. Tencha de la Peña, Elections Administrator, explained that in order to mail the Voter Registration Cards on a timely basis, her Office studied the Maps and prepared the following Redistricting Lines:

Ms. de la Peña stated that most of the changes were minor but that Precinct No. 54 would exceed the 3000 voter limitation and she recommended that Precinct No. 54 be split and that the new Precinct be designated as Precinct No. 68.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the new Redistricting Lines for Cameron County were adopted as recommended by the Elections Administrator.

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**(23) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 2:40 P. M. to discuss the following matters:

- a) Discuss financial matters pertaining to Commercial Boating and Charter Activities in the Sea Ranch Marina, Isla Blanca Park, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Discuss Lease Proposal for land in Isla Blanca Park, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- c) Discuss pending litigation, Briones vs. Cameron County, U. S. District Court Southern District, Brownsville Division, No. B-93-154, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A) and (B).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 3:45 P.M.

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

- a) Discuss financial matters pertaining to Commercial Boating and Charter Activities in the Sea Ranch Marina, Isla Blanca Park.

Judge Pro-tem Cascos reported that the Court received a Status Report and that after some discussion, it was the consensus of the Court as determined by polling, that the Parks Director proceed along the terms and conditions as outlined in Executive Session and that the Item be placed on the Agenda for the following Meeting.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Parks Director was directed to proceed along the terms and conditions as outlined in Executive Session concerning the matter of Commercial Boating and Charter Activities in the Sea Ranch Marina, Isla Blanca Park, and that the Item be placed on the Agenda for the next Meeting.

- b) Discuss Lease Proposal for land in Isla Blanca Park.

Judge Pro-tem Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, to accept the minimum proposal components regarding the Lease Proposal for land in Isla Blanca Park, along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the minimum proposal components were accepted regarding the Lease Proposal for land in Isla Blanca Park, along the terms and conditions as outlined in Executive Session.

- c) In the matter concerning pending litigation, Briones vs. Cameron County U. S. District Court Southern District, Brownsville Division, No. B-93-154. (NO ACTION TAKEN)

Judge Pro-tem Cascos noted that there was NO ACTION taken on Item "c".

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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 **18th** day of **January**, 1994.

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**ANTONIO O. GARZA, JR.**  
**COUNTY JUDGE**

**ATTEST:**

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