

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

BE IT REMEMBERED on the 15th day of DECEMBER, 1993, there was conducted a SPECIAL 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:  
10:00 A. 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

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 December 10, 1993, at 11:00 A. 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 Matz 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, INC.:**

Warrant No. 89524 - \$8,495.13,

Warrant No. 89525 - \$4,539.07,

Warrant No. 89526 - \$9,671.15,

Warrant No. 89527 - \$5,492.64, and

Warrant No. 89701 - \$ 329.01,

**BROWNSVILLE COMMUNITY HEALTH CENTER:**

Warrant No. 89539 - \$ 11.56, and

Commissioner Cascos as to the claim of:

**WATERS IMPLEMENT:**

Warrant No. 89907 - \$ 14.89.

**The Affidavits are as follows:**

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

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Fiscal Year 1994 Budget Amendment No. 94-07 was approved.

**The Budget Amendment is as follows:**

**(3) APPROVAL OF MINUTES OF NOVEMBER 30, 1993, AND NOVEMBER 19, 1993, AND DECEMBER 7, 1993 (TABLED)**

**NOVEMBER 30, 1993**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Special Meeting held November 30, 1993, at 1:30 P. M. were approved.

**NOVEMBER 19, 1993 and DECEMBER 7, 1993(TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes of November 19, 1993 and December 7, 1993, were TABLED.

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**(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 COURTHOUSE AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE RELATED GRANT DOCUMENTS (TABLED)**

Mr. Frank Bejarano, Program Development and Management Director, explained that the tree planting in the Main Parking Lot was dependent on an irrigation system that was the County's "cash match" of \$15,000.00, but that the system was dependent on the resurfacing of the Parking Lot. He added that there were some questions regarding the Grant and the cost of the Parking Lot Resurfacing Project that must be resolved before continuing with the Grant.

Mr. Andy Cueto, County Engineer, presented the following three (3) resurfacing options and associated costs:

He explained that the County Engineer's Office prepared a detailed survey of the needs for resurfacing but that the final design had not been drawn.

Judge Garza questioned whether the Project could be "phased" and Mr. Cueto responded that it would be more expensive to phase the job and would totally changed the design of the Parking Lot.

There was some additional discussion concerning the cost of "phasing" the Project and the suggestion was made to have the County Engineer prepare the cost of "phasing" the Project, and that the amount of money that the Court was willing to commit to the Project be determined.

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

(6) **AUTHORIZATION TO ADOPT THE SPECIAL ASSESSMENTS POLICY FOR CAMERON COUNTY**

Ms. Rosemary Martinez, Budget Officer, explained that the Court had expressed the desire to make several changes and added that those changes were now incorporated in the following Special Assessment Policy:

Commissioner Valencia expressed his concerns regarding the Policy, adding that he felt that the public was not aware of the Special Assessment Policy and suggested that a Public Hearing be held before approval.

Ms. Martinez explained that the Assessment Policy was the "tool" provided by statutes in order to have Special Assessments, but that it was up to the Commissioners whether to pay for the road improvements from the Road Precinct Budget or through Special Assessments.

Ms. Martinez explained that the property owners in Commissioner's Precinct No. 3 requested an alternative to improve their road and they were willing to have the Special Assessments. She explained that the Special Assessment Policy would define the legal requirements that must be followed for compliance with Special Assessments, should a Commissioner decide to have the Assessments.

Commissioner Matz moved that the Special Assessment Policy for Cameron County be adopted with the modification as outlined.

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

**AYE:** Commissioners Rosenbaum, Cascos, and Matz

**NAY:** None

**ABSTAIN:** Commissioner Valencia.

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(7) **IN THE MATTER OF THE AUDITED INTERNATIONAL  
TOLL BRIDGE SYSTEM FUND FINANCIAL  
STATEMENTS, THE PARK SYSTEM FUND (TABLED)**

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

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(8) **IN THE MATTER OF COURT ORDER ADOPTING  
PROCEDURES FOR THE ABATEMENT OF REFUSE AND  
OTHER NUISANCES (TABLED)**

There was a discussion concerning the staff to be assigned to enforce the Policy, the issuances of citations and the Assessments of fines by Commissioners' Court and the suggestion was made to table the matter in order to resolve the issues raised by the discussion.

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

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(9) **AUTHORIZATION OF A RESOLUTION ADOPTING NEW VOTING  
PRECINCT LINES AND A NEW VOTING PRECINCT (68)  
AND ADOPTION OF METES AND BOUNDS DESCRIPTION  
OF SAID VOTING PRECINCT AS REQUIRED BY THE  
TEXAS LEGISLATIVE COUNCIL**

(10) **CONSIDERATION BY COURT TO ADD PARTS OF  
VARIOUS VOTING PRECINCTS TO OTHER PRECINCTS**

(11) **AUTHORIZATION BY COURT TO DIRECT COUNTY ENGINEER TO DRAW NEW VOTER PRECINCT LINES FOR ABOVE CHANGES IN VOTING PRECINCTS**

At this time, Ms. Tencha de la Peña, Elections Administrator, reviewed the following proposed changes to the various Precincts as prepared by her Office:

- a) From Precinct No. 20 to Precinct No. 2, small area in Sh. 17 between Lines 29 and 32;
- b) From Precinct No. 48 to Precinct No. 62, area in Quail Hollow and area East of Laredo Road;
- c) From Precinct No. 48 to Precinct No. 49, area of Sugar Tree, Applewood, etc.;
- d) From Precinct No. 29 to Precinct No. 36, area West of Dixieland Road;
- e) In the creation of new Voting Precinct No. 68, voting line must be drawn between Old Port Isabel Road and area of Precinct No. 14, affected by State Representative line; and
- f) Determination by Court to add part of Precinct No. 14 to either Precinct No. 46 or Precinct No. 60.

Upon motion by Commissioner Cascos seconded by Commissioner Matz, and carried unanimously, the 1) Resolution defining the Voting Precinct Lines was adopted, 2) various Voting Precincts were added to other Precincts and 3) the County Engineer was directed to draw new Voter Precincts for the following changes:

- a) From Precinct No. 20 to Precinct No. 2, small area in Sh. 17 between Lines 29 and 32;
- b) From Precinct No. 48 to Precinct No. 62, area in Quail Hollow and area East of Laredo Road;
- c) From Precinct No. 48 to Precinct No. 49, area of Sugar Tree, Applewood, etc.;
- d) From Precinct No. 29 to Precinct No. 36, area West of Dixieland Road;
- e) In the creation of new Voting Precinct No. 68, voting line must be drawn between Old Port Isabel Road and area of Precinct No. 14, affected by State Representative line; and
- f) Determination by Court to add part of Precinct No. 14 to Precinct No. 46.

**The Resolution is as follows:**

## **"CONSENT" AGENDA ITEMS**

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

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the "Consent"

Agenda Items were approved as follows:

(15) AUTHORIZATION FOR DRIVE SURVEYING TO PERFORM ADDITIONAL WORK IN CONJUNCTION WITH THE LEVEE CROSSING ASSOCIATED WITH LOS TOMATES BRIDGE PROJECT LEVEE RELOCATION

(16) AUTHORIZATION FOR CHANGE ORDER NO. 3 BETWEEN CAMERON COUNTY AND J. L. WILLIAMS CONSTRUCTION FOR ANDY BOWIE PARK

**The Change Order follows:**

(17) APPROVAL OF CONTRACT BETWEEN SHIRLEY J. LANE AND CAMERON COUNTY FOR SERVICES AS ACTIVITIES DIRECTOR AT ISLA BLANCA PARK FOR PERIOD DECEMBER 8, 1993, THROUGH MARCH 31, 1994

**The Contract follows:**

(18) AUTHORIZATION TO TERMINATE CELLULAR ONE CELLULAR PHONE SERVICE AND INITIATE SOUTHWESTERN BELL CELLULAR PHONE SERVICE FOR ONE (1) YEAR

(19) AUTHORIZATION TO ADVERTISE FOR CASH OR LEASE PURCHASE OF TWO (2) MOTOR GRADERS - PRECINCTS NO. 2 AND NO. 4

(20) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING; SUBJECT TO AVAILABLE FUNDS IN THE BUDGETS:

a) **Commissioner Precinct No. 3 to attend "TNRCC Municipal Solid Waste Management Options for Texas '94 Conference" in Austin, Texas, on January 18 - 21, 1994;**

b) **Two (2) Juvenile employees to attend the "Juvenile Probation Officer Basic Workshop" on January 16 - 21, 1994, in Huntsville, Texas; and**

c) **One (1) Engineer and Right-of-Way employee to attend a "Presentation" on December 8, 1993, in McAllen, Texas.**

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**ITEM NO. 16**

**AUTHORITIZATION FOR CHANGE ORDER NO. 2 BETWEEN CAMERON COUNTY AND J. L. WILLIAMS CONSTRUCTION FOR ANDY BOWIE PARK**

**The Change Order follows:**

**ITEM NO. 17**

**APPROVAL OF CONTRACT BETWEEN SHIRLEY J. LANE AND CAMERON COUNTY FOR SERVICES AS ACTIVITIES DIRECTOR AT ISLA BLANCA PARK FOR PERIOD DECEMBER 8, 1993, THROUGH MARCH 31, 1994**

**The Contract follows:**

**(12) DISCUSSION AND ACTION REGARDING THE RELOCATION OF THE COUNTY ENGINEER'S OFFICE AND THE PRECINCT NO. 2 WAREHOUSE AND DESIGNATE INDIVIDUALS TO HEAD THE PROJECT**

The County Engineer presented the following options for the relocation of the County Engineer's Office and the Precinct No. 2 Warehouse:

He explained the criteria used to evaluate the sites and the cost associated with the relocation.

There was some discussion concerning the relocation and the cost associated and Commissioner Valencia expressed his concern with the relocations and suggested that both Precincts No. 1 and No. 2 move together.

Commissioner Cascos moved that the County Auditor, the Budget Officer and the County Engineer be designated to work on the Relocation Project under the guidance, leadership and counsel of Commissioner Cascos.

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

**AYE:** Commissioner Rosenbaum, Cascos and Matz

**NAY:** Commissioner Valencia.

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**(13) CONSIDERATION AND ACTION TO ALLOW THE HEALTH DEPARTMENT TO BID OUT ON EMERGENCY FOR ONE (1) PICKUP TRUCK**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Health Department was authorized to solicit bids, on an emergency basis for one (1) pick up truck, said funds to be allocated from Lapsed Salaries.

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**(14) CONSIDERATION AND ACTION TO APPROVE HEALTH INSURANCE PROPOSALS SPECIFICS AND TO PROVIDE PERMISSION TO PROCEED WITH A REQUEST FOR PROPOSALS FOR HEALTH INSURANCE**

Commissioner Rosenbaum moved that the Health Insurance Proposals and specifications be acknowledged and permission be given to proceed with the Request for Proposals (RFP) for the Health Insurance.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Proposal Specifications are as follows:**

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 **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**