

**THE STATE OF TEXAS §**

**COUNTY OF CAMERON §**

**BE IT REMEMBERED** on the 21st 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:**  
**ANTONIO O. GARZA, JR.**  
**COUNTY JUDGE**

\_\_\_\_\_  
**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:**  
**LUCINO ROSENBAUM, JR.**

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Ms. Michele Sanchez, Attorney-at-Law, 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 17, 1993, at 8:33 A. M.:

## **"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 Valencia, seconded by Commissioner Matz and carried unanimously, the

"Consent" Agenda Items were approved as follows:

- (10) APPROVAL OF A RESOLUTION AND PLAQUE HONORING MR. FRANK L. MANVILLE FOR 22 YEARS OF SERVICE TO THE CAMERON COUNTY ENGINEER AND RIGHT-OF-WAY DEPARTMENT
- (11) AUTHORIZATION TO AMEND AN ALREADY APPROVED AND RECORDED SUBDIVISION, PRECINCT 3, NUECES SUBDIVISION, BEING 63.22 ACRE TRACT OF LAND OUT OF VALLEY GROVES SUBDIVISION AND PALM VALLEY ESTATES, UNIT NO. 12
- (12) REQUEST FOR PRELIMINARY APPROVAL
  - a) **Precinct No. 1:**  
Houston Estates - being a subdivision of 22.57 acres in the West One-Half of Lot 2, Block 109, El Jardin Subdivision;
  - b) **Precinct No. 3 and No. 4:**  
Resaca Ridge Subdivision - being a subdivision of 58.648 acres in the West 72 acres of Block 59, as conveyed to James M. Thompson, recorded in Cameron County Deed of Trust Records; and
  - c) **Precinct No. 4:**  
Rancho Grande South Subdivision - being a subdivision of 689.98 acres comprised of 3 tracts. Tract I being of 591.85 acres, Tract II being of 48.81 acres, and Tract III being of 49.32 acres.
- (13) REQUEST FOR PRELIMINARY AND FINAL APPROVAL
  - a) **Precinct No. 4:**  
Pete Bustamante Subdivision - being the South 10 acres of Block 29, Parker Subdivision.
- (14) REQUEST FOR FINAL APPROVAL
  - a) **Precinct No. 4:**  
Del Valle Subdivision No. 3 - being a subdivision of a 10.61 acres of land out of Block 66.
- (15) RATIFICATION OF APPROVAL OF GRANT APPLICATION FOR LOCAL EMERGENCY PLANNING COMMITTEE BY THE TEXAS DEPARTMENT OF TRANSPORTATION

**The Application follows:**

- (16) APPROVAL OF A TWO (2) YEAR SERVICE CONTRACT BETWEEN CAMERON COUNTY AND AT&T FOR AT&T FAX REPAIRS/REPLACEMENT

**The Contract follows:**

- (17) AUTHORIZATION TO ADVERTISE FOR BIDS FOR THREE (3) USED ELECTRIC UTILITY VEHICLES AND TWO (2) UTILITY TRAILERS FOR COUNTY PARKS SYSTEM
- (18) AUTHORIZATION TO RECEIVE AND OPEN PROPOSALS FOR PURCHASE OF JUVENILE SERVICES FOR THE JUVENILE PROBATION DEPARTMENT

**The Proposals follow:**

- (19) AUTHORIZATION TO ACKNOWLEDGE AND FILE FOR RECORD THE CONTINUING EDUCATION CERTIFICATE OF THE COUNTY TREASURER IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 83.003 V.T.C.A.

**The Certificate follows:**

- (20) AUTHORIZATION TO OPEN ANNUAL BIDS FOR:

- a) **Patrol Tires**
- b) **Personal Computers - RFP #931201**

**The Bids received and opened follow:**

- (21) AUTHORIZATION TO OPEN BIDS FOR **RFP #931202** "LAW ENFORCEMENT: MANAGEMENT INFORMATION SYSTEMS AND/OR COMPUTER AIDED DISPATCHING SYSTEMS"

**The Bids received and opened follow:**

- (22) AUTHORIZATION TO OPEN BIDS FOR REPLACEMENT OF ONE (1) AIR CONDITIONER - HEATER FOR THE JUDICIAL BUILDING

**The Bids received and opened follow:**

- (23) AUTHORIZATION TO OPEN BIDS FOR PATROL CARS - SHERIFF'S DEPARTMENT

**The Bids received and opened follow:**

- (24) AUTHORIZATION TO AWARD ANNUAL BIDS FOR COMPUTER PRINTERS

**CEDAR COMPUTER CENTER - Austin, Texas**

|                     |            |      |
|---------------------|------------|------|
| 1) Okidata 320      | \$ 309.00  | each |
| 2) Okidata 321      | \$ 429.00  | each |
| 3) HP Laserjet 4    | \$1,389.00 | each |
| 4) HP Laserjet 4L   | \$ 639.00  | each |
| 5) HP Laserjet 4 SI | \$3,078.00 | each |

- (25) AUTHORIZATION TO ACCEPT CHECK FROM SOUTH DAKOTA FARM BUREAU MUTUAL TO PAY FOR DAMAGES TO SHERIFF'S VEHICLE IN THE AMOUNT OF \$1,497.75

- (26) CONSIDERATION AND ACTION FOR THE HEALTH DEPARTMENT TO ENTER INTO CONTRACT WITH THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE STATIONING OF A MEDICAID ELIGIBILITY WORKER AT THE HEALTH DEPARTMENT

**The Contract follows:**

- (27) APPROVAL OF TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THE BUDGETS:
- a) **Director of Cameron County Drug Enforcement Task Force to attend the "Operations Command Meeting" in December 7 - 8, 1993, in Fort Worth, Texas;**
  - b) **Juvenile Probation Officer to attend a "Basic Workshop" on January 16 - 21, 1994, in Huntsville, Texas;**
  - c) **County Engineer to attend a meeting in reference to the Los Tomates Bridge on December 20, 1993, in San Antonio, Texas; and**
  - d) **Two (2) Local Emergency Planning Committee members to attend the "LEPC Conference" on January 18 - 20, 1994, in Montgomery, Texas.**

At this time, Mr. Andy Cueto, County Engineer, read a Resolution and presented a Plaque to Mr. Frank L. Manville in recognition of his twenty-two (22) years of service to Cameron County.

**The Resolution is as follows:**

**ITEM NO. 15**

**RATIFICATION OF APPROVAL OF GRANT  
APPLICATION FOR LOCAL EMERGENCY PLANNING  
COMMITTEE BY THE TEXAS DEPARTMENT OF  
TRANSPORTATION**

**The Application follows:**

**ITEM NO. 18**

**AUTHORIZATION TO RECEIVE AND OPEN PROPOSALS  
FOR PURCHASE OF JUVENILE SERVICES FOR THE  
JUVENILE PROBATION DEPARTMENT**

**The Proposals follow:**

**ITEM NO. 19**

**AUTHORIZATION TO ACKNOWLEDGE AND FILE FOR  
RECORD THE CONTINUING EDUCATION CERTIFICATE  
OF THE COUNTY TREASURER IN ACCORDANCE WITH  
LOCAL GOVERNMENT CODE 83.003 V.T.C.A.**

**The Certificate follows:**

**ITEM NO. 20**

**AUTHORIZATION TO OPEN ANNUAL BIDS FOR:**

**a) Patrol Tires**

**The bids received and opened follow:**



**b) Personal Computers - RFP #931201**

**The Bids received and opened follow:**

**ITEM NO. 21**

**AUTHORIZATION TO OPEN BIDS FOR RFP #931202  
"LAW ENFORCEMENT: MANAGEMENT INFORMATION  
SYSTEMS AND/OR COMPUTER AIDED DISPATCHING  
SYSTEMS"**

**The Bids received and opened follow:**

**ITEM NO. 22**

**AUTHORIZATION TO OPEN BIDS FOR REPLACEMENT  
OF ONE (1) AIR CONDITIONER - HEATER FOR THE  
JUDICIAL BUILDING**

**The Bids received and opened follow:**

**ITEM NO. 23**

**AUTHORIZATION TO OPEN BIDS FOR PATROL CARS -  
SHERIFF'S DEPARTMENT**

**The Bids received and opened follow:**

**(28) EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the

Court met in Executive Session at 1:50 P. M. to discuss the following matters:

- a) Confer with Counsel on placing utilities for South Padre Island underground, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071;
- b) Confer with Counsel concerning County Permit Authority and Utility Hook-Up, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) and (2); and
- c) Consult with Attorneys about Castillo v. Cameron County, Cause No. B-93-260, United States District Court, Southern District, Brownsville Division, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A).

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 3:00 P.M.

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**(29) ACTION RELATIVE TO EXECUTIVE SESSION:**

- b) Action regarding conference with Counsel concerning County Permit Authority and Utility Hook-Up.

Judge Garza reported that after some discussion with the County Counsel, the County Engineer, and the Health Department, it was the consensus of the Court as determined by polling, that the Standards, as in force in 1976, would be applicable to the Subdivision being discussed, that having been filed in 1978, and that the number of Utility Hook-ups that would be allowed would be consistent with the Regulations of that date. He added that the Regulations would be reviewed by the County Engineer, the County Engineer would determine the number of Clearance Permits allowed for that area, and that said recommendation would be provided to the County Judge's Office no later than 8:30 A.M. on December 22, 1993.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Standards, as in force in 1976, would be applicable to the Subdivision being discussed, the number of Utility Hook-ups that would be allowed would be consistent with the Regulations of that date, the Regulations would be reviewed by the County Engineer, the County Engineer would determine the number of Clearance Permits allowed for that area, and said recommendations would be provided to the County Judge's Office no later than 8:30 A.M. on December 22, 1993.

- a) Action regarding an Amendment to the Zoning Ordinance for Padre Island, Cameron County, Texas, requiring all new connections from the electric power supplier to be installed underground, and additional requirements as stipulated.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that said action would be deferred until February 1, 1994, and that in the interim, Commissioner Matz and the Parks Director would meet with the individuals from CPL.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, action concerning an Amendment to the Zoning Ordinance for South Padre Island was deferred until February 1, 1994, and in

the interim, Commissioner Matz and the Parks Director were directed to meet with the individuals from CPL.

- c) Action regarding consultation with Attorneys about Castillo vs. Cameron County, Cause No. B-93-260, United States District Court, Southern District, Brownsville Division.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the Court would follow the lead of Assistant District Attorney, Richard Burst, with respect to the defense of said matters.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the lead of Assistant District Attorney Richard Burst would be followed, with respect to the defense concerning the case styled Castillo vs. Cameron County, Cause No. B-93-260, United States District Court, Southern District, Brownsville Division.

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**(1) APPROVAL OF COUNTY CLAIMS**

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

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

**AYE:** Commissioners Matz and Valencia

**NAY:** None

**ABSTAIN:** Judge Garza as to the claim of:

**E. DE LA GARZA, INC.:**  
Warrant No. 90027 - \$ 108.94, and

Commissioner Cascos as to the claims of:

**WATERS IMPLEMENT:**  
Warrant No. 90199 - \$ 19.30, and

**LANDAIR TRAVEL:**  
Warrant No. 90073 - \$1,179.00.

**The Affidavits are as follows:**

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

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Fiscal Year 1993 Budget Amendment No. 38 and Salary Schedule for the M and O Precinct No. 3 Department, Fund No. 15-619, were approved.

**The Budget Amendments and Salary Schedule are as follows:**



(3) **IN THE MATTER OF MINUTES OF NOVEMBER 19, 1993, AND DECEMBER 7, 1993 (TABLED)**

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

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(4) **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 (DENIED)**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, this item was DENIED.

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(5) **IN THE MATTER OF CONSIDERATION AND ACTION TO FUND THE RESURFACING OF THE MAIN COURTHOUSE PARKING LOT AND TO DESIGNATE A FUNDING SOURCE (DENIED)**

Mr. Andy Cueto, County Engineer, reviewed the following breakdown concerning the resurfacing of the main Courthouse:

There was a lengthy discussion concerning the options available, the cost and the budget limitations and the security of the parking lot and the suggestion was made to have the County Engineer and the Budget Officer study the matter and incorporate it, either through Certificates of Obligation or in the Budget cycle, and present their recommendations at a later date.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the funding for the resurfacing of the main Courthouse parking lot and designation of a funding source were DENIED.

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(6) **CONSIDERATION AND ACTION ADOPTING A RESOLUTION OF THE CAMERON COUNTY COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS SUPPORTING THE ESTABLISHMENT OF A BILATERAL UNDERSTANDING REGARDING VEHICLE REGISTRATION RECIPROCITY FOR ALL EXISTING AND PROPOSED INTERNATIONAL BRIDGES IN CAMERON COUNTY**

Commissioner Valencia moved that the Resolution of the Cameron County Commissioners' Court of Cameron County, Texas, supporting the establishment of a "Bilateral Understanding" regarding Vehicle Registration Reciprocity for all existing and proposed International Bridges in Cameron County be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Resolution is as follows:**

(7) **AUTHORIZATION TO ACKNOWLEDGE A  
RESOLUTION ACCEPTING THE ROADS WITHIN  
ANAQUITOS ESTATES UNITS I AND II, INTO THE  
COUNTY ROAD SYSTEM**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Resolution accepting the Roads within Anaquitos Estates Units I and II, into the County Road System was adopted.

**The Resolution is as follows:**

**(8) CONSIDERATION AND POSSIBLE CANCELLATION OF LICENSE AGREEMENT BETWEEN SHANE CUSTOM BROKERS AND FREIGHT FORWARDERS AT LOS INDIOS IRRIGATED LAND COMPANY SUBDIVISION**

Commissioner Cascos moved that Ms. Dylbia Jefferies, District Attorney's Office, be authorized to mail a "last chance - certified" effort to Shane Custom Brokers and Freight Forwarders at Los Indios Irrigated Land Company Subdivision, and that the County Judge be authorized to contact them regarding the possible cancellation of the License Agreement.

The motion was seconded by Commissioner Valencia and carried unanimously.

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**(9) AUTHORIZATION TO ALLOW PEOPLE AGAINST VIOLENT CRIME TO CHANGE THEIR NAME AND WITHDRAW FROM THE STATEWIDE CHAPTER OF PEOPLE AGAINST VIOLENT CRIMES**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, People Against Violent Crime were authorized to change their name and withdraw from the Statewide Chapter of People Against Violent Crimes.

At this time, Judge Garza clarified that this action was "in no way, shape, or form to suggest that they now have a) become a Department of the County, b) changed the Standards of continuing to report to the County and c) that the County has agreed to 'continuation' of funding."

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**(28) EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 3:30 P. M. to discuss the following matter:

- d) Evaluate the International Bridge Systems Director, pursuant Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(1).

**NOTE: Commissioner Valencia left the meeting.**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 4:05 P.M.

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

- d) Action regarding the evaluation of the International Bridge Systems Director.

Judge Garza reported that the Commissioners' Court had the opportunity to discuss Mr. Joe Galvan's performance and reviewed, not only the goals and objectives presented six (6) months ago, but how each Standard was met. He added that the Court was "favorably impressed and quite happy with the professional job done", adding that Mr. Galvan had done all that was expected for a Bridge Systems Director on such a short time.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the favorable evaluation of the International - Bridge Systems Director was acknowledged, and the recommendation to increase Mr. Galvan's present salary by an additional three percent (3%) was approved.

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

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**APPROVED 18TH** this 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**