

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 2nd day of FEBRUARY, 1994, 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:
1:30 P. M.

PRESENT:
JUDGE 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

KIM M. CHAMPION, DEPUTY
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Mr. Joe G. Rivera, County Clerk, to lead the Court and 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 January 28, 1994, at 1:57 P. M.:

(10) PRESENTATION BY THE UNITED WAY OF SOUTHERN CAMERON COUNTY

At this time, Mr. Alfonso Gutierrez, Executive Director of the United Way of Southern Cameron County, introduced several United Way "Agencies" in attendance as well as several United Way Board Members. He presented a plaque to the Cameron County Employees for their outstanding contributions the past year and recognized the three (3) top Departments that had the highest "per capita" donations to the United Way, those being the County Clerk's Office, the District Attorney's Office and the County Jail.

Mr. Joe Rivera, County Clerk, was recognized for his outstanding support and participation to the United Way. Mr. Rivera noted that the success of the United Way Campaign was due to the efforts by the "volunteers" and he expressed his appreciation to the County employees for their donations.

(7) IN THE MATTER OF CRIME PREVENTION PROGRAM FOR THE COUNTY, SPECIFICALLY FOR COLONIA LAS PALMAS IN HARLINGEN, TEXAS

Ms. Edna Tamayo, representing the residents of Colonia Las Palmas, expressed the concerns of the Community regarding the increase in crimes in the Colonia and the desire of the residents to improve the situation.

At this time, the following residents expressed their concerns regarding the crimes committed in the area, the response time of the Law Enforcement Agencies and their desire to improve these conditions:

- Ms. Rosana Bessera, Resident;
- Ms. Amelia Quinajero, Resident; and
- Ms. Angelica Guerrero, Resident.

Judge Garza questioned whether the Criminal Justice Division Grant Application submitted for the Precinct No. 8 Crime Prevention Officer could be utilized for that Area.

Commissioner Cascos suggested that the Community might set up a "Neighborhood Crime Watch Program" to help themselves with Crime Prevention.

Mr. Frank Bejarano, Program Development and Management Director, stated that the Grant Application review process should be completed within thirty (30) days and the suggestion was made to consider this matter in thirty (30) days, at which time a Status Report could be provided.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the discussion concerning the Crime Prevention Program for County, specifically for Colonia Las Palmas in Harlingen, Texas, and the presentation by the United Way of Southern Cameron County, were acknowledged.

(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 Rosenbuam and carried the following vote:

AYE: Commissioners Rosenbaum, Matz, and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claim of:
BROWNSVILLE COMMUNITY HEALTH CENTER
Warrant No. 91796 - \$ 121.46, and

Commissioner Cascos as to the claim of:

WATERS IMPLEMENT:
Warrant No. 91792 - \$ 51.75.

The Affidavits are as follows:

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

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Fiscal Year 1994 Budget Amendment No. 94-12 and the Salary Schedules for the Tax Assessor Collector's Office, Fund No. 10-499 and the District Attorney's Office, Fund No. 21-474 and Fund No. 21-475, were approved.

The Budget Amendment and Salary Schedules are as follows:

(3) **APPROVAL OF MINUTES' OF JANUARY 18 AND 25, 1994**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes of the Regular Meeting held on January 18, 1994, at 1:30 P.M. and the Regular Meeting held on January 25, 1994, at 1:30 P.M. were approved, subject to the corrections as noted on the Minutes of January 18, 1994.

(4) **AUTHORIZATION TO APPOINT MR. JUAN MONTOYA TO THE PARKS BOARD**

Commissioner Rosembaum moved that Mr. Juan Montoya, Precinct No. 1 Supervisor, be appointed to the Parks Advisory Board.

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

AYE: Commissioners Rosembaum, Cascos and Valencia

NAY: None

ABSTAIN: Judge Garza and Commissioner Matz.

(5) **REPORT BY PARKS SYSTEM DIRECTOR, COUNTY ENGINEER AND COMMISSIONER PRECINCT NO. 3 ON NEGOTIATIONS WITH CENTRAL POWER AND LIGHT COMPANY, PERTAINING TO UNDERGROUND UTILITY ORDINANCES AND POLICIES FOR UNINCORPORATED SOUTH PADRE ISLAND AREAS**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Report by the Parks System Director, the County Engineer and the Commissioner Precinct No. 3, regarding the negotiations with Central Power and Light Company, was acknowledged.

The Report is as follows:

(6) **ACKNOWLEDGEMENT OF MONTHLY SUMMARIES OF RANGERS ACTIVITIES FOR CAMERON COUNTY PARKS SYSTEM PARK RANGER DIVISION, FOR JULY THROUGH DECEMBER, 1993**

Commissioner Matz moved that the Monthly Summaries of the Rangers Activities for the Cameron County Parks System Park Ranger Division, for the months of July through December, 1993 were acknowledged.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Report is as follows:

(8) **CONSIDERATION AND POSSIBLE CANCELLATION OF LICENSE AGREEMENT BETWEEN SHANE'S COURT APPROVAL TO ENTER INTO CUSTOM BROKERS AND FREIGHT FORWARDERS AT LOS INDIOS IRRIGATED LAND COMPANY SUBDIVISION**

Commissioner Cascos moved that the License Agreement between Cameron County and Shane's, previously approved by the Court for Custom Brokers and Freight Forwarders at Los Indios Irrigated Land Company Subdivision, be canceled.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(9) **IN THE MATTER TO ADOPT AN ASSESSMENT RESOLUTION FOR ANAQUITOS ESTATES (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, this Item was TABLED for two (2) weeks.

"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 Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the

"Consent" Agenda Items were approved as follows, with the exception of Item No. 16 and Item No. 17:

- (11) ACTION TO APPROVE A CELLULAR PHONE FOR THE TUBERCULOSIS OUTREACH SECTION
- (12) APPROVAL TO OPEN GROUP HEALTH INSURANCE REQUEST FOR PROPOSAL AND REFER TO INSURANCE COMMITTEE FOR REVIEW

The Proposals received and opened follow:

- (13) AUTHORIZATION TO EXECUTE TEXAS LOCAL PARKS RECREATION AND OPEN SPACE FUND AGREEMENT FOR PROJECT NO. 20-00468, E.K. ATWOOD PARK AND POCKET PARK

The Agreement follows:

- (14) APPROVAL OF CHANGE ORDER NO. 5 FOR PEACOCK CONSTRUCTION - ANDY BOWIE PARK DEVELOPMENT

The Change Order follows:

- (15) AUTHORIZATION TO ADVERTISE FOR ANNUAL BIDS FOR THE FOLLOWING ROAD MATERIALS:

- 1) Crushed Limestone
- 2) Select Caliche Base

- (18) AUTHORIZATION TO AWARD BIDS FOR PATROL CARS FOR THE SHERIFF'S DEPARTMENT

KELLOGG CHEVROLET, San Benito, Texas

24 Patrol Cars, with trade, \$153,336.00

- (19) APPROVAL OF MEMBERSHIP DUES FOR FISCAL YEAR 1993 AND 1994, IN THE AMOUNT OF \$300.00, TO THE MEXICO-TEXAS BRIDGE OWNERS' ASSOCIATION

- (20) AUTHORIZATION TO APPOINT DR. RUBEN GALLEGOS, BROWNSVILLE, TEXAS, TO THE CAMERON COUNTY HOUSING FINANCE CORPORATION
- (21) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THE BUDGET:
- a) **Park System Director and Commissioners to attend "National Hurricane Conference" on March 8 - 11, 1994, in New Orleans, Louisiana;**
 - b) **Commissioner Precinct No. 1 Secretary to attend the "Texas Notary Public Association" on February 10, 1994, in Harlingen, Texas;**
 - c) **Commissioner Precinct No. 1, Administrative Assistant, Mr. Mike Forbes, and Mr. Frank Burnias to travel to San Antonio, Texas, February 2 - 3, 1994, for possible purchase of equipment for Precinct No. 1;**
 - d) **Assistant Auditor to attend "Immigration Workshop On Current Immigration Laws, Regulations, and Procedures" on February 2, 1994, in Weslaco, Texas;**
 - e) **WIC Director to attend "The Texas WIC Strategy Formation Session" on February 10, 1994, in Austin, Texas;**
 - f) **One employee with the Health Department to attend "The Bi-National T. B. Symposium" on January 27 - 28, 1994, in Laredo, Texas;**
 - g) **One employee with the Health Department to attend "The Supervision Workshop" on January 26 - 27, 1994, in Corpus Christi, Texas; and**
 - h) **Constable Precinct No. 1 to attend "The Civil Process School No. 2" on February 21 - 26, 1994, in Tyler, Texas.**

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ITEM NO. 12

APPROVAL TO OPEN GROUP HEALTH INSURANCE
REQUEST FOR PROPOSAL AND REFER TO INSURANCE
COMMITTEE FOR REVIEW

The Proposals received and opened follow:

ITEM NO. 13

AUTHORIZATION TO EXECUTE TEXAS
LOCAL PARKS RECREATION AND
OPEN SPACE FUND AGREEMENT FOR
PROJECT NO. 20-00468, E.K. ATWOOD
PARK AND POCKET PARK

The Agreement follows:

ITEM NO. 14 APPROVAL OF CHANGE ORDER NO. 5
FOR PEACOCK CONSTRUCTION -
ANDY BOWIE PARK DEVELOPMENT

The Change Order follows:

**(16) IN THE MATTER FOR COUNTY ENGINEER
TO PREPARE DRAINAGE STUDY AND ROAD
IMPROVEMENT PLAN FOR DEL MAR
HEIGHTS SUBDIVISION (TABLED)**

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

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**(17) AUTHORIZATION FOR COUNTY ENGINEER
TO PREPARE PLANS AND SPECIFICATIONS
FOR BUILDING DEMOLITION AND TRUCK
TURN LANE AT 13TH AND WASHINGTON
STREET IN BROWNSVILLE**

Judge Garza clarified that the expenditure of County Funds was for the Right-Of-Way Project approved by the Court several years ago, and that the monies were allocated and would be available had the monies not been used for the Los Indios Bridge Project.

Commissioner Cascos moved that the preparation of Plans and Specifications for the Building Demolition and Truck Turning Lane at 13th and Washington Street in Brownsville, Texas, be approved.

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

AYE: Commissioners Rosenbaum, Cascos and Matz

NAY: Commissioner Valencia.

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(22) EXECUTIVE SESSION

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

- a) Discuss Status Report and advise from Attorney in Case No. B-88-145, Flores vs. County, United States District Court, Southern District, Brownsville Division, pursuant to the Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A); and
- b) Discuss consultation with Counsel concerning litigation associated with the Pasol Building, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072 (1) and (2).

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

(23) ACTION RELATIVE TO EXECUTIVE SESSION

- a) In the matter regarding consultation with Counsel concerning litigation associated with the Pasol Building.

Judge Garza reported that the Court received a Status Report from Counsel and after some discussion, it was the consensus of Court as determined by polling, that said Report be acknowledged, and that Counsel be directed to proceed with the negotiations on said matters, along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Status Report from the Counsel concerning the litigation associated with the Pasol Building was acknowledged, and

Counsel was directed to proceed with the negotiations regarding said matters, along the terms and conditions as outlined in Executive Session.

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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 **15TH** day of **March**, 1994.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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