

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of NOVEMBER, 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:

10:00 A. M.

PRESENT:

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

PRISCILLA J. KEE 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 Mr. William A. Faulk, Jr., 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 November 10, 1994, at 1:16 P. M.:

(1) APPROVAL OF COUNTY CLAIMS

Upon motion by Commissioner Matz, seconded by commissioner Rosenbaum and carried unanimously, the County Claims were approved as recommended by the County Auditor.

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

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Fiscal Year 1994 Budget Amendment No. 95-04 and the following Salary Schedules were approved as recommended by the County Auditor:

Vehicle Maintenance Department, Fund No. 10-420;

Attorney General Child Support Department, Fund No. 58-560;

Sheriff's Department, Fund No. 10-560;

County Clerk's Records Management Department, Fund No. 10-404; and

Maternal & Child Health Program Department, Fund No. 27-643

The Budget Amendment and Salary Schedules are as follow:

(4) AUTHORIZATION TO CANVASS THE GENERAL ELECTION OF NOVEMBER 8, 1994

Commissioner Rosenbaum moved that the results of the November 8, 1994, General Election be canvassed and that the results be presented prior to the end of the Meeting.

The motion was seconded by Commissioner Matz and carried unanimously.

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(3) APPROVAL OF MINUTES OF OCTOBER 18, AND 25, 1994, AND NOVEMBER 1, 1994

Commissioner Matz moved that the Minutes of the Regular Meeting held October 18, 1994, at 1:30 P. M., the Regular Meeting held October 25, 1994, at 1:30 P.M., and the Regular Meeting held November 1, 1994, at 1:30 P. M., be approved, noting that Travel Item No. 17 of the November 1, 1994, Minutes was rescheduled from November 30, 1994, to January, 1995, and that Item No. 19"a" should be corrected to read: "the total amount of \$24,500.00 instead of \$25,000.00".

The motion was seconded by Commissioner Valencia and carried unanimously.

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(5) AUTHORIZATION FOR THE COUNTY HEALTH DEPARTMENT TO OBTAIN ONE CELLULAR PHONE FOR THE COUNTY HEALTH DIRECTOR

Mr. Rolando Martinez, Health Director, stated that he had been using his personal cellular phone for the past four (4) years and requested a budget change in order to obtain a cellular phone for County use.

Commissioner Matz moved that the County Health Director be authorized to obtain one (1) cellular phone for the County Health Director.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(6) AUTHORIZATION TO EXTEND THE CONTRACT OF THE "SHOPPER'S WORLD DEMOLITION AND CORNER IMPROVEMENTS ON 14TH STREET AND WASHINGTON STREET" PROJECT BY FIFTEEN (15) WORKING DAYS, WITHOUT PENALTY TO COMPENSATE FOR WEATHER DELAYS

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Contract for the "Shopper's World Demolition and Corner Improvements on 14th Street and Washington Street" Project was extended fifteen (15) working days, without penalty, in order to compensate for weather delays.

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(7) AUTHORIZATION TO PREPARE PLANS, SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR INTERSECTION IMPROVEMENTS ON OLD PORT ISABEL ROAD AND RANCHO VIEJO BOULEVARD

Judge Pro-tem Cascos moved that the plans, specifications and the advertisement for bids be prepared for the intersection improvements on Old Port Isabel Road and Rancho Viejo Boulevard.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(8) APPROVAL OF SIGNAGE FOR THE CAMERON COUNTY AIRPORT

Commissioner Matz explained that at a recent meeting with the Texas Department of Transportation and the Consultant concerning the Airport Action Plan, the need for signage was identified, in order to control the movement and to increase the safety at the Cameron County Airport. He stated that the signage would include the "No Hunting at the Cameron County Airport" sign.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the signage for the Cameron County Airport was approved.

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(9) IN THE MATTER OF THE COUNTY AUDITOR'S OFFICE WORKING WITH THE VEHICLE MAINTENANCE FOREMAN ON ALL UPCOMING VEHICLE PURCHASES AND DECISION MAKING ON SAID VEHICLES [TABLED]

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

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(10) IN THE MATTER OF ALL REPAIRS ON LIGHT VEHICLES GOING THROUGH THE VEHICLE MAINTENANCE DEPARTMENT AND ENFORCING THE COLOR CODE ON ALL NEW EQUIPMENT [TABLED]

Mr. Librado Lozano, Vehicle Maintenance Director, stated that many of the County vehicles were being repaired without the knowledge of the Vehicle Maintenance Department, and he requested that the Court authorize all work to be reported to the Vehicle Maintenance Department, in order to have better Vehicle Maintenance Records.

Mr. Mark Yates, County Auditor, stated that not all repairs were being reported, and requested direction from the Court as to whether all the outside repairs and "in house" repairs should go through the Vehicle Maintenance Office, and suggested that the Policy be established.

There was some discussion concerning the loss of man hours in transporting the vehicles to San Benito, and the "in-house" repairs being done in other Precincts.

Commissioner Matz stated the Vehicle Department could not handle all the repairs but that the important matter was to have complete records on file.

Judge Pro-tem Cascos stated that the Policy should be that all repairs on any vehicle, when feasible, should be done by the Vehicle Maintenance Department, in order to keep an inventory of all types of repairs and costs.

Mr. Yates noted that the Auditors' Office could send a copy of the Purchase Order to the Vehicle Maintenance Department regarding the vehicle repaired, so that the down time of the vehicle and the man hours could be kept to a minimum, should the work be done locally.

At this time, Mr. Yates stated that County Court approved the color "blue" for County vehicles and that currently there were several colors being used, and he requested that the Court establish a "color" code.

Commissioner Matz stated that the major consideration was cost and when an emergency situation was encountered and the County had to buy off the lot, then the choice of the color was lost.

At this time, Mr. Yates suggested that the Vehicle Maintenance Director re-write the Policy concerning the repairs and the color of the County Vehicles and to submit it to the Court for approval.

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

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(11) **IN THE MATTER OF REQUEST FOR PROPOSAL
(RFP) NO. 931102 FOR BALLOT
COUNTING/ELECTION SYSTEM FOR THE
ELECTION DEPARTMENT [TABLED]**

Mr. Mark Yates, County Auditor, noted that the Election Committee Meeting was rescheduled for Monday, November 21, 1994, due to Judge Garza's absence, and requested that the Item be TABLED.

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

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(12) **AUTHORIZATION TO PURCHASE A BEEPER FOR
THE VETERAN SERVICE OFFICER**

Mr. Salvador Salinas, Veterans Service Officer, explained that home visits and Meetings are conducted on Wednesdays, and that a beeper would facilitate communications with his Office.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the purchase of a beeper for the Veteran Service Officer was approved.

At this time, Mr. Salinas stated that the Office of Veterans Affairs would be providing a van for transporting the Veterans, free of charge, effective January, 1995. He added that his Office would provide the support services to get the Veterans to their scheduled appointments, and that he would present the policy and procedures to the Court, at a later date.

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(13) **AUTHORIZATION FOR COUNTY JUDGE TO SIGN
LEASE AGREEMENT WITH FIRSTBANK-PORT
ISABEL FOR THE OFFICE SPACE OF THE TAX
ASSESSOR-COLLECTOR TO EXPIRE ON
NOVEMBER 30, 1995**

Commissioner Rosenbaum moved that the Lease Agreement with FirstBank-Port Isabel for the office space of the Tax Assessor-Collector be approved, in order to coincide with the Fiscal Year, said Lease to expire on November 30, 1995.

The motion was seconded by Commissioner Matz and carried unanimously.

The Lease Agreement is as follows:

(14) **AUTHORIZATION FOR THE COMPUTER CENTER DIRECTOR TO PREPARE REQUEST FOR PROPOSAL (RFP) TO IMPLEMENT THE JUDICIAL COURT SYSTEM AUTOMATION**

- 1) Jail Management System
- 2) Prosecutor Management System
- 3) Court Management System
(District and County Clerk, District Courts (5))
- 4) Public Defender System
- 5) Bail Bond
- 6) Justice of the Peace System

At this time, Judge Pro-tem Cascos requested that new Data Processing Projects not be started until the Court was reassured that all the current Projects were in place and operating smoothly.

Mr. Norio Nishiguchi, Computer Center Director, assured the Court that all the new Projects were in place, and that ongoing support was being provided to all Departments.

Commissioner Matz moved that the Computer Center Director prepare a "Request for Proposal" in order to implement the Judicial Court System Automation.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(15) **AUTHORIZATION TO RENEW HEWLETT PACKARD MAINTENANCE SUPPORT WITH THE FOLLOWING VENDORS FOR PERIOD RANGING FROM OCTOBER 1, 1994, THROUGH SEPTEMBER 30, 1995**

Commissioner Matz moved that the renewal of Hewlett Packard maintenance support with the following vendors be approved, for a period ranging from October 1, 1994, through September 30, 1994:

1)	Bradmark	-	\$1,908.00
2)	Vesoft	-	\$ 650.00
3)	DISC	-	\$2,750.00
4)	Vital Soft	-	\$2,700.00
	Budgeted Total	-	\$8,008.00

The motion was seconded by Commissioner Valencia and carried unanimously.

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(16) AUTHORIZATION TO ACCEPT A DONATION OF CALICHE FOR APPROXIMATELY THREE TENTHS (3/10) OF A MILE ON LA NIÑA ROAD

Commissioner Valencia explained that La Niña Road had been maintained for years through the County, and that there was no question that it was a County Road, and added that an individual was willing to donate the caliche for the improvement.

Mr. Doug Wright, County Counsel, stated that it was the Acting County Engineer's understanding that La Niña Road was not a County Road. He stated that Commissioner Valencia had indicated that work had been done in the past, and Mr. Wright recommended that the County should acquire the Road through the "Affidavit Process", before accepting the donation of caliche.

Judge Pro-tem Cascos recommended that the road be formally accepted by the County in order to avoid any questions of impropriety.

Commissioner Valencia moved that the donation of caliche for approximately three tenths (3/10) of a mile on La Niña Road be accepted, subject to the acceptance of the road by the "Legal Prescriptive Easement".

The motion was seconded by Commissioner Matz and carried unanimously.

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(17) PRESENTATION ON THE FOURTH QUARTER REPORT ON THE COUNTY INTERNATIONAL BRIDGE SYSTEM CROSSINGS AND REVENUES, GATEWAY INTERNATIONAL BRIDGE AND FREE TRADE BRIDGE LOS INDIOS

Mr. Joe Galvan, Bridge Systems Director, reviewed the Revenues and activity of the Gateway International Bridge and the Free Trade Bridge at Los Indios, as reflected in the Fourth Quarter Report, noting an increase in revenues and activity on both Bridges.

Commissioner Matz moved that the Fourth Quarter Report on the County International Bridge System Crossings and Revenues at the Gateway International Bridge and Free Trade Bridge at Los Indios be accepted.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Fourth Quarter Report is as follows:

(18) PRESENTATION ON THE FINDINGS REGARDING TRANSMIGRANT CARAVANS BLOCKING ACCESS TO SAN BENITO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT'S SCHOOL BUS ROUTES, OFF U.S. 281 IN LAS RUSIAS

Mr. Joe Galvan, Bridge Systems Director, stated that the Acting County Engineer, a Representative of the San Benito Consolidated Independent School District, and himself had personally inspected the School's concerns and reported that the "transmigrante" traffic was spilling from the "transmigrante" broker operation yard onto the road, and was blocking the access to the school buses.

At this time, Mr. Michael Martin, Acting County Engineer, demonstrated the layout of the congested roadway and recommended that the route be added to the list of Roadways that needed signage, and added that the Constable in the area could enforce the "No Parking" zones.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the findings regarding the Transmigrant caravans blocking the access to the San Benito Consolidated Independent School District's School Bus routes, off U.S. 281 in Las Rusias, was acknowledged.

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(19) AUTHORIZATION TO BEGIN THE PROCESS OF SELECTING A FULL 125 "CAFETERIA" PLAN ADMINISTRATOR AND TO EXAMINE VOLUNTARY INSURANCE PROGRAMS TO BEGIN WITH THE NEW INSURANCE PERIOD ON MAY 1, 1995

Mr. Mark Yates, County Auditor, stated that the process to select a full Cafeteria Plan Administrator needed to be started and requested permission from the Court to seek additional voluntary Dental and Vision Insurance that the County employee would pay on their own.

Commissioner Matz moved that the process of selecting a full 125 "Cafeteria" Plan Administrator be authorized, and that the Voluntary Insurance Programs be examined, said Insurance Plans to begin with the new Insurance Period beginning on May 1, 1995.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(20) AUTHORIZATION OF MAINTENANCE EXPENDITURES OF THE CHARLIE BUILDING ON ELIZABETH STREET

Mr. Pete Blanco, Maintenance Superintendent, noted that the cost for maintenance on the Charlie Building would be approximately \$470.00, and requested the Courts guidance regarding the expenditures on the lighting fixtures, since it was his understanding the Building was to be closed down soon.

Commissioner Matz remarked that if the Building was being leased, then the lighting would have to be fixed.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the maintenance expenditures of the Charlie Building on Elizabeth Street was approved, in the amount not to exceed \$500.00.

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(22)

**APPROVAL OF A RESOLUTION ADOPTING
GUIDELINES AND CRITERIA GOVERNING TAX
ABATEMENT AGREEMENTS IN THE CITY OF
BROWNSVILLE REINVESTMENT ZONE**

Mr. Frank Bejarano, Program Development and Management Director, explained that the intent of the Resolution was to establish the guidelines and criteria for the consideration of Tax Abatement Agreements in the City of Brownsville Reinvestment Zone.

He explained the Resolution established the number of jobs being created, defined the boundaries of the Reinvestment Zone, and the period and the terms of the Abatement Agreement and recommended said adoption.

At this time, Mr. Larry Brown, Brownsville Planning Director, explained the accountability process utilized by the City of Brownsville, in order to monitor the terms of the Agreement.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution establishing the Guidelines and Criteria Governing Tax Abatement Agreements in the City of Brownsville Reinvestment Zone was adopted, subject to the changes to be outlined by Commissioner Matz to the Program Development and Management Director.

The Resolution is as follows:

(21)

**ACTION APPROVING A TAX ABATEMENT
AGREEMENT IN THE BROWNSVILLE
REINVESTMENT ZONE FOR THE RICH-SEA PAK
CORPORATION**

Mr. Frank Bejarano, Program Development and Management Director, noted that the Tax Abatement Agreement was based on the Resolution adopted by the Court. He stated that the Agreement needed to be retroactive to 1992, in order to establish the base year, and with the understanding that the taxes would not be abated until January 1, 1995; that being that no tax abatement would be given for the previous years and no taxes refunded for those years.

Commissioner Rosenbaum moved that the Tax Abatement Agreement in the Brownsville Reinvestment Zone for the Rich-Sea Pak Corporation be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

The Tax Abatement Agreement is as follows:

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

"Consent" Agenda Items were approved as follow, excluding Item No. 26:

- (23) AUTHORIZATION TO ACCEPT SETTLEMENT FOR DAMAGES TO THE COUNTY VEHICLE DRIVEN BY MR. FRANK DE LEON, COUNTY HEALTH DEPARTMENT
- (24) AUTHORIZATION TO LEND ONE (1) VOTING MACHINE TO SOUTHMOST ELEMENTARY SCHOOL FOR THE STUDENT COUNCIL ELECTION ON NOVEMBER 18, 1994
- (25) APPROVAL TO LEASE STORAGE WAREHOUSE FOR THE FINANCIAL DISRUPTION TASK FORCE

The Lease Agreement follows:

- (27) ADOPTION OF RESOLUTION SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION AND TEXAS PARKS AND WILDLIFE, IN ESTABLISHING THE GREAT TEXAS COASTAL BIRDING TRAIL AS AN ISTE A PROJECT, FOR THE PURPOSE OF PROMOTING ECOTOURISM IN CAMERON COUNTY

The Resolution follows:

- (28) ADOPTION OF RESOLUTION IN SUPPORT OF THE SOUTHWEST BORDER INFRASTRUCTURE INITIATIVE AND APPROPRIATIONS FOR FISCAL YEAR 1996 FOR DISTRIBUTION TO STATE AND FEDERAL OFFICIALS

The Resolution follows:

- (29) AUTHORIZATION OF THE CONFERENCE OF URBAN COUNTIES ANNUAL DUES, IN THE AMOUNT OF \$2,961.00
- (30) ADOPTION OF RESOLUTION SUPPORTING THE EXPANDED HEALTH CARE EDUCATION (MEDICAL SCHOOL FACILITIES) IN THE RIO GRANDE VALLEY

The Resolution follows:

- (31) AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE THE COLONIA DEMONSTRATION FUND GRANT AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS AND THE COUNTY OF CAMERON

The Agreement follows:

- (32) APPROVAL OF CONTRACT FOR USED-OILED FILTER RECYCLING GRANT PROGRAM FROM THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

The Contract follows:

- (33) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4:

1577 Subdivision No. 3, being a subdivision of 19.260 acres, same being a 5.806 acres out of Block 79R, and 13.454 acres out of Block 79A, all of the Rice Tract Subdivision.

- (34) AUTHORIZATION TO OPEN BIDS FOR COMMERCIAL KITCHEN - FOOD SERVICE EQUIPMENT

The Bids received and opened follow:

- (35) AUTHORIZATION TO AWARD ANNUAL ROAD MATERIALS

ITEM A - Emulsion Oils:

TEXAS FUEL & ASPHALT, CORPUS CHRISTI, TEXAS

Type RS-2	0.6547
Type MS-2	0.6547
Type MS-1	0.6547
Type SS-1	0.6547
Type AES-300	0.5547

ITEM B - Drainage Materials:

ADVANCED DRAINAGE, DALLAS, TEXAS

Corrugated Plastic Pipe:	
Type C 18"	\$179.40
Type C 24"	\$226.20
Type S 18"	\$182.00
Type S 24"	\$234.00

CONTECH CONSTRUCTION, CORPUS CHRISTI, TEXAS

Corrugated Metal Pipe:	
Type 18"	\$ 8.01
Type 24"	\$ 10.62
Type 30"	\$ 13.23
Type 36"	\$ 18.81
Type 48"	\$ 25.47
Type 60"	\$ 42.57
Type 72"	\$ 60.21
Type 84"	\$ 68.67
Type 96"	\$ 95.13

Band Coupler complete w/bolts:

Type 18"	\$ 14.22
Type 24"	\$ 18.36
Type 30"	\$ 22.59
Type 35"	\$ 32.94
Type 48"	\$ 43.92
Type 60"	\$ 73.35
Type 72"	\$110.52
Type 84"	\$122.58
Type 96"	\$166.59

VARMICON, HARLINGEN, TEXAS

Concrete pipe w/jointing:

Type 18"	\$ 7.40
Type 24"	\$ 11.15

Type 30"	\$ 15.20
Concrete pipe w/jointing:	
Type 18"	\$ 9.10
Type 24"	\$ 14.35
Type 30"	\$ 19.60
Type 36"	\$ 27.30
Type 48"	\$ 44.00
Type 54"	\$ 55.00
Type 60"	\$ 66.00
Type 72"	\$ 91.00

W.T. LISTON, HARLINGEN, TEXAS

Concrete pipe w/jointing:	
Type 60"	\$ 69.40
Type 72"	\$ 94.50

ITEM C - Surfacing Materials

VULCAN MATERIALS, SAN ANTONIO, TEXAS

Cold Mix Limestone Asphalt:

Type "CC"	\$ 13.75
Type "D"	\$ 13.75

Type "CC"

Pct 1 & 2	\$ 44.80
Pct 3	\$ 43.13
Pct 4	\$ 41.87
Zone 1	\$ 41.87
Zone 2	\$ 43.13
Zone 3	\$ 43.13
Zone 4	\$ 44.80
Zone 5	\$ 46.89

Type "D"

Pct 1 & 2	\$ 44.80
Pct 3	\$ 43.13
Pct 4	\$ 41.87
Zone 1	\$ 41.87
Zone 2	\$ 43.13
Zone 3	\$ 43.13
Zone 4	\$ 44.80
Zone 5	\$ 46.89

Type P.E. Grade 3

Zone 1	\$ 39.12
Zone 2	\$ 40.38
Zone 3	\$ 40.38
Zone 4	\$ 42.05
Zone 5	\$ 44.14

Type P.E. Grade 4

Zone 1	\$ 39.12
Zone 2	\$ 40.38
Zone 3	\$ 40.38
Zone 4	\$ 42.05
Zone 5	\$ 44.14

Type P.E. Grade 5

Zone 1	\$ 39.12
Zone 2	\$ 40.38
Zone 3	\$ 40.38
Zone 4	\$ 42.05
Zone 5	\$ 44.14

ITEM D Flexible Base Materials

REDLAND STONE, CORPUS CHRISTI, TEXAS

Flex Base Type "D" Caliche Grade 2:

Zone 1	\$ 6.29
Zone 2	\$ 6.40
Zone 3	\$ 7.70
Zone 4	\$ 7.90
Zone 5	\$ 9.31

- (36) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THEIR BUDGETS:
- a) Parks Director to attend the "Texas Regional Association Parks System (TRAPS) Legislative Committee Member Meeting" and to meet with the Attorney General regarding Open Beach issues in Austin, Texas, on November 16, 1994;
 - b) Major for the Sheriff's Department to attend a mandatory "Texas Commission on Jail Standards Conference" in Austin, Texas, on November 17-18, 1994;
 - c) Health Administrator and one (1) employee to attend the "Shared Risks/Shared Responsibilities on Developing State and Local Partnerships for the Public Health" in Austin, Texas, on December 12-13, 1994;
 - d) Planning Development and Management Administrative Assistant to attend "Criminal Justice Division Seminar" in McAllen, Texas, on November 15, 1994;
 - e) Tax Assessor Collector and two (2) Deputies to attend the "36th Institute on Property Taxation", at the University of Texas in Austin, Texas, on December 12-14, 1994;
 - f) Tax Assessor Collector and two (2) Deputies to attend the "12th Annual Texas Association of Counties(TAC) Seminar" at Texas A & M University, in College Station, Texas, on December 3-6, 1994;
 - g) District Clerk and Chief Deputy to attend the "Investment Officer Training Seminar" in Austin, Texas, on November 15, 1994; and
 - h) County Court-at-Law No. 1 Judge Everardo Garcia to attend the "Advance Evidence Seminar" in Houston, Texas, on November 10-11, 1994.

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ITEM NO. 25

**APPROVAL TO LEASE STORAGE WAREHOUSE FOR THE FINANCIAL
DISRUPTION TASK FORCE**

The Lease Agreement follows:

ITEM NO. 27

ADOPTION OF RESOLUTION SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION AND TEXAS PARKS AND WILDLIFE, IN ESTABLISHING THE GREAT TEXAS COASTAL BIRDING TRAIL AS AN ISTEIA PROJECT, FOR THE PURPOSE OF PROMOTING ECOTOURISM IN CAMERON COUNTY

The Resolution follows:

ITEM NO. 28

**ADOPTION OF RESOLUTION IN SUPPORT OF THE SOUTHWEST BORDER
INFRASTRUCTURE INITIATIVE AND APPROPRIATIONS FOR FISCAL YEAR
1996 FOR DISTRIBUTION TO STATE AND FEDERAL OFFICIALS**

The Resolution follows:

ITEM NO. 30

**ADOPTION OF RESOLUTION SUPPORTING THE EXPANDED HEALTH CARE
EDUCATION (MEDICAL SCHOOL FACILITIES) IN THE RIO GRANDE VALLEY**

The Resolution follows:

ITEM NO. 31

**AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE THE COLONIA
DEMONSTRATION FUND GRANT AGREEMENT BETWEEN THE TEXAS
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS AND THE COUNTY
OF CAMERON**

The Agreement follows:

ITEM NO. 32

APPROVAL OF CONTRACT FOR USED-OILED FILTER RECYCLING GRANT PROGRAM FROM THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

The Contract follows:

ITEM NO. 34

AUTHORIZATION TO OPEN BIDS FOR COMMERCIAL KITCHEN - FOOD SERVICE EQUIPMENT

The Bids received and opened follow:

**(26) AUTHORIZATION TO ADOPT RESOLUTION TO
ACQUIRE ADDITIONAL RIGHT- OF-WAY FOR
THE CAMERON COUNTY DRAINAGE DISTRICT
NO. 3**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Resolution to acquire additional Right-of-Way for the Cameron County Drainage District No. 3 was adopted.

The Resolution is as follows:

(37) EXECUTIVE SESSION

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the following Item was **TABLED**, until all members of the Court could be present.

- a) In the matter to discuss evaluation of the Election Administrator, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code; Section 551.074 (A)(1). **[TABLED]**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 10:50 A. M. to discuss the following matters:

- b) Discuss Right-of-Way acquisition for FM/509 for Parcels 7-009, 7-027, 7-026, 6-019, and 7-028, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with County Counsel the moratorium on all new development on Cameron Park Colonia, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 and 551.072;
- d) Discuss consideration and possible authorization to proceed with condemnation on FM/509, from U.S. 77/83 to U.S. 281 Parcels 6-016, 6-025, 6-026, 6-028, 6-029, 6-030, 6-031, 7-019, and 7-023, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Discuss the case styled Alvarado vs Cameron County, et al, 197th Judicial District Court, Cause No. 91-2-449-C, status of case and authorize interlocutory appeal, Pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) (A); and
- f) Action regarding discussion with County Counsel concerning possible litigation involving a tract of land in Block 112, San Benito Land and Water Company Subdivision, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1) (A) and (B).

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Special Session at 12:00 P. M.

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(38) ACTION RELATIVE TO EXECUTIVE SESSION

- b) Discuss Right-of-Way acquisition for FM/509 for Parcels 7-009, 7-027, 7-026, 6-019, and 7-028.

Judge Pro-tem Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel and the County Engineer should proceed with said acquisition, along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, County Counsel and the Acting County Engineer were directed to proceed with the acquisition of FM/509, Parcels 7-009, 7-027, 7-026, 6-019, and 7-028, along the terms and conditions as outlined in Executive Session.

- c) Confer with County Counsel on the moratorium on all new development on Cameron Park Colonia.

Judge Pro-tem Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that there would be no moratorium on new construction in Cameron Park that met the Code and Federal Emergency Management Act (FEMA) Requirements.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, no moratorium would be imposed on new construction in Cameron Park that met the Code and FEMA requirements.

- d) Discuss consideration and possible authorization to proceed with condemnation on FM/509; from U.S. 77/83 to U.S. 281 Parcels 6-016, 6-025, 6-026, 6-028, 6-029, 6-030, 6-031, 7-019, and 7-023.

Judge Pro-tem Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that condemnation should proceed on Parcels 6-025, 6-026, 6-027, 6-028, 6-029, 6-030, 6-031, 7-019, and 7-023 with the exception of Parcel 6-016, along the terms and conditions as outlined in Executive Session

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the condemnation on the following parcels was authorized: Parcels 6-025, 6-026, 6-027, 6-028, 6-029, 6-030, 6-031, 7-019, and 7-023 along the terms and conditions as outlined in Executive Session, excluding Parcel No. 6-016, said Orders as follow:

e) Discuss the case styled Alvarado vs Cameron County, et al, 197th Judicial District Court, Cause No. 91-2-449-C, status of case and interlocutory appeal. authorize

Judge Pro-tem Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed along the terms and conditions as outlined in Executive Session regarding said matter.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session regarding the case styled Alvarado vs Cameron County, et al.

f) Action regarding discussion with County Counsel concerning litigation involving a tract of land in Block 112, San Benito Subdivision. possible Land and Water Company

Judge Pro-tem Cascos reported that after some discussion it was the consensus of the Court as determined by polling, that County Counsel should be directed to discuss the matter with the property owner, along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to discuss the matter with the property owner, concerning the tract of land in Block 112, San Benito Land and Water Company Subdivision, along the terms and conditions as outlined in Executive Session.

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NOT ON AGENDA APPROVAL OF GRANT APPLICATION BY THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

At this time, Mr. Lee Thompson, Risk Coordinator, explained that the Local Emergency Planning Commission (LEPC) was planning to apply for a continuance of a Grant, in the amount of \$30,000.00, and requested Court approval because the deadline was November 18, 1994.

Mr. Thompson reported that he had attended the International Spill and Hazard Controls Transportation Conference and that a team would be visiting to gather information at the County level to take back to Washington regarding the problems and the solutions, in order to be in compliance.

Commissioner Matz moved that the Resolution for the Grant Application for the Local Emergency Planning Commission be adopted, to be ratified at the next meeting..

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Court recessed until 2:45 P.M., in order to receive the results of the canvassing.

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

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NOTE: COMMISSIONER VALENCIA WAS NOT IN ATTENDANCE.

(4) AUTHORIZATION TO CANVASS THE GENERAL ELECTION OF NOVEMBER 8, 1994

At this time, Ms. Tencha de la Peña, Elections Administrator, reported that no significant changes were found regarding the canvassing of the General Election of November 8, 1994.

Commissioner Matz moved that the canvassed results of the November 8, 1994, General Election, be acknowledged.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Canvass Report is as follows:

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 **13th** day of **DECEMBER, 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