

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 12th day of September, 1995, 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:

GILBERTO HINOJOSA
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

LUPITA RAMIREZ Deputy
COUNTY CLERK

ABSENT:



The meeting was called to order by Judge Gilberto Hinojosa. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Commissioner Cascos 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 September 8, 1995, at 1:33 P. M.:

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Rosenbaum moved that the County Claims be approved as presented by the County Auditor.

The motion was seconded by Commissioner Matz and carried unanimously.

**(2) IN THE MATTER OF THE BUDGET
AMENDMENTS AND/OR SALARY SCHEDULES
(NO ACTION TAKEN)**

The County Auditor reported that there were no Budget Amendments and/or Salary Schedules for approval at this time.

**(3) APPROVAL OF MINUTES OF AUGUST 14, 22, 29,
1995, AND SEPTEMBER 5, 1995**

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes for the following Meetings were approved, subject to one (1) correction noted by Commissioner Matz regarding the Meeting of August 29, 1995:

August 14, 1995, Special Meeting at 1:30 P. M.;

August 22, 1995, Regular Meeting at 1:30 P. M.;

August 29, 1995, Regular Meeting at 1:30 P. M.; and

September 5, 1995, Regular Meeting at 1:30 P. M.

**(4) AUTHORIZATION TO SET THE SALARIES OF
THE ELECTED OFFICIALS FOR FISCAL YEAR
1996, AS PUBLISHED**

Mr. Mark Yates, County Auditor, stated that the salaries for the Elected Officials had been published and that any changes should be taken through the Grievance Committee. He stated that an Elected Official had five (5) days after the Budget was adopted to file a grievance and added that the Grievance Hearing would be held within ten (10) days.

Commissioner Cascos moved that the Salaries of the Elected Officials for Fiscal Year 1996 be approved as published.

The motion was seconded by Commissioner Matz.

There was some discussion concerning a two percent (2%) increase on the Elected Officials' salaries, with the exception of the members of the Commissioners' Court.

Mr. Doug Wright, Cameron County Counsel, suggested that the County Judge, as the Chairman of the Grievance Committee, could recommend the two percent (2%) increase to the Grievance Committee. He added that nine (9) unanimous votes by the Salary Grievance Committee would increase the salaries and would not require approval by the Court.

Commissioner Matz questioned the source for the additional funding required for the increase, and it appeared that the majority of the members of the Court would support the two percent (2%) increase for the Elected Officials' salaries and the suggestion was made to have the Grievance Committee consider said matter.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Salaries of the Elected Officials for Fiscal Year 1996, were approved as published.

The Salaries published are as follow:

**(5) AUTHORIZATION TO ADOPT THE PROPOSED
FISCAL YEAR 1996 BUDGET FOR CAMERON
COUNTY**

Mr. Mark Yates, County Auditor, reported that during the morning Budget's Workshop concerning the Road and Bridge Budget, the County Judge suggested the re-allocation of funds as outlined in the following Proposal:

Mr. Yates explained that the Proposal would allocate funds for the 1) Engineering Department, 2) Bridge Improvements, 3) County's contracted obligation with Drainage District No. 5, and 4) Lease Payments for each Precinct, from the total Road and Bridge Revenues before the Precinct Road and Bridge allocations were made. He stated that the difference between the County Auditor's Proposal and the County Judge's Proposal was that the 1) obligation to Drainage District No. 5 be the responsibility of the four (4) Precincts, and that 2) the \$5.00 additional Road Fee would be allocated on a twenty five percent (25%) basis to each Commissioner's Precinct, resulting in the following Allocations:

	<u>County Judges Proposal</u>	<u>County Auditor's Proposal</u>
Precinct No. 1	\$ 708,284.00	\$691,424.00
Precinct No. 2	\$747,862.00	\$745,851.00
Precinct No. 3	\$1,000,833.00	\$1,161,630.00
Precinct No. 4	\$1,005,023.00	\$1,163,785.00

There was a lengthy discussion concerning the apparent loss in allocations to Precinct No. 4, and that the intent of the Proposal was to decrease the funding on Precincts No. 1 and No. 2 and increase the funding to Precincts No. 3 and No. 4, but that was not the net result.

At this time, Ms. Lynda Irwine, First Assistant County Auditor, explained that Precinct No. 4 had a higher Maintenance Allocation percentage and the greater maintenance allocation off the "top" decreased the net allocation of funds.

Commissioner Peña stated that "all I wanted was the \$300,000.00 off the top" with the "same distribution of formulas" with the idea of equitable distributions, and added that the figures were not equitable.

Commissioner Cascos recommended that the Original Road and Bridge Budget, as presented by the County Auditor be approved, adding that it appeared to be the more "equitable from the County Auditor's stand point," and not to make the allocations from the "top" as suggested.

Judge Hinojosa stated that his recommendation was based on dividing the Drainage District No. 5 obligation equally among the four (4) County Commissioners, as well as the \$5.00 additional Road and Bridge Fee, with the intent to increase the funding to Precinct No. 4. He indicated that he did not understand the results of the computation based on his recommendations. He explained that although "Precinct (No.) 4 had the largest Budget, in terms of percentages, that taking the \$300,000.00 off the top appeared to be the 'fairest way to go.'" He added that he "could not change his recommendation, at this point, because that would defeat the spirit of the \$5.00 increase (in the Road and Bridge Fee)."

Commissioner Cascos moved that the entire Budget, as recommended by the County Auditor, plus the additional recommendations by the Commissioners and County Judge be approved.

The motion was seconded by Commissioner Rosenbaum.

At this time, Commissioner Matz stated that he "wanted to comment on the Road and Bridge Funds and to make some comments on the over-all Budget," and presented the following Memorandum:

Commissioner Matz stated that “we do have a situation here in the County which we do need to address, Judge. I think this morning you were trying to move the Court in a particular direction, of course, it didn't turn out. The word ‘inequitable’ has been used and I agree. I look at the numbers, the geography of the County, distances from one side of the Precinct to the other, the amount of money that a Precinct contributes; in terms of tax revenue, and the percentage of the roads. Population concentration, yes, can be an important consideration. But I maintain, that the kid who lives at the end of that road, whether there are ten (10) houses or one (1), is as important as any others, and that the school bus has got to get back and forth. The way the road miles break out is spelled out (in the Memorandum.) The bottom line is that Precinct (No.) 3 has roughly 42% road miles, and, as it turns out, I guess it's going to be about 31% of the Budget again, I really don't think that's fair to the tax payers and rural residents of Precinct (No.) 3. We all know what it costs to do road improvements. As it stands now, based on a very arbitrary percentage mark from the previous Budget Officer, which I don't think should be used as a basis for any calculation in the future; and the arbitrary division of the \$5.00 Road Fee of 29(%), 21(%), 21(%), 29(%), the taxpayers, and not just the Northern part of the County; I'm talking about the East, I'm talking about North, and I'm talking about the West, because that's what Precincts (No.) 3 and (No.) 4 cover, are getting the ‘short end of the stick’, to put it very nicely. I really would hope, of course, I can't support it. And I would hope that the next year, that we do have another Workshop; that we do it, not on the day that we are considering for final approval, but before then, so we have a chance to look at numbers, a little bit before, rather than at the last minute, as we have today, and come up with something that is a little more equitable. Hector and I have big problems. We're dealing with very large Precincts, it takes a lot of time to move men and equipment from one side to the other. I have to do to what Hector does, and that is look at what we end up with for road materials, and when you put \$150,000.00 out for the Bridge work, and you look at the numbers that the Auditor included in this year's Budget, it makes absolutely no sense. What you're force to do is continue to put band-aides on roads where you should be making road improvements, but you can't because you can't afford it.”

Commissioner Rosenbaum stated “ that's what we have been doing here for ages, and now we are just getting them ready right now.”

Judge Hinojosa stated that Commissioner Matz's comments “are well taken” and added that “the problem with respect to the disparity, ‘the alleged disparity’, in the Road and Bridge Program was not brought to my attention, formally in terms of the information or the break down until last week. People have been commenting on it in a long time and my position has always been, 'let's take a look at it'. There are other factors that need to be factored in this whole approach. This County Commissioners' Court, at least the majority of this Commissioners' Court, that are here today, several years got the voters to pass the Project Road Map Bond Issue, which allocated millions of dollar to

purchasing of Right-Of-Way for the construction and upgrading of County Roads and Highways here in Cameron County. Based on the information that I have and the allocation of the money, at the very least during the time that I've been the County Judge, and probably in the last couple of years, given the upgrade of Highway 100 and Highway 509, the large bulk, the large bulk, of the Project Road Map Right -Of-Way purchases have gone to Precincts (No.) 3 and (No.) 4. So, I think that it is very unfair for anyone on this County Commissioners' Court to say that Precincts (No.) 3 and (No.) 4 are neglected by this County, with respect to expenditures for its Roads. We've spent millions of dollars in the purchasing of Right-Of-Way for Highway 509, which I think were well spent, very much needed, and will provide a direct link between the Los Indios Bridge and Highway 77/83. We've spent millions of dollars in the purchase of Right-Of-Way for the expansions of Highway 100, through our Project Road Map, and there are other purchases that are going on (Highway) 511, and so forth."

Commissioner Matz stated that Highway 100 did not have any purchases of Right-Of-Way, and the County Auditor added that the County was involved in the mitigation for the State.

Judge Hinojosa added that " the 509 re-location, which was several miles and millions of dollar, came out of the Project Road Map. A large bulk of our bridge money is going to be spent in the Northern part of the County, that is money that was traditionally allocated to the County Commissioners, and I think that based upon the priorities that have been listed by the County Engineer, that I've seen, in the future, a large part of the bulk of the Bridge money is going to be spent in Precincts (No.) 3 and (No.) 4. If you look at the expenditures in the last ten (10) years in the different Precincts, the amount of money that has gone to Precinct (No.) 1 has been minimal. Even today, 60% of the Budget in the Road and Bridge Budget goes to Precincts (No.) 3 and (No.) 4. That is not the way the taxes are collected, that is not the way the populations are located, that is not necessarily even the way where the money comes from. The large bulk of our Budget comes from the money obtained from the Gateway Bridge which is in Precinct (No.) 2. I don't think that anyone is complaining about that, but I don't think that anybody can say that Precincts (No.) 3 and (No.) 4 are unfairly treated by this Commissioners' Court, I think the Budget is fair. I think we need to examine it in the next year, to see if we can make it fair. I tried to do that today, and it turned out hurting Precinct (No.) 4 in a way worse than they were before. If we really want to make it fair, that's the way to make it fair; but it ends up having Commissioner Peña losing \$29,000.00. Commissioner Cascos and Commissioner Rosenbaum have roads that for many years were neglected and need to be upgraded. We've taken the Bridges out of the picture, we're concentrating on fixing up the Northern part County Bridges in a big way; and I think that we'll continue to work towards an equitable Budget."

Commissioner Peña stated that he would like for the Court to be candid and be honest in developing objective criteria that would be equitable for the whole County. He added that “whether it be looking at the number of hours the trucks work, the number of activities that we do, the specific things that we do and the roads that we really work on that need to be worked on and the utilization of roads, all those types of criteria need to be looked at very very carefully. I think we can come up with a real picture of what goes on with the County and it may very well be that your real picture and my real picture may be the same, but I don't think we know.” He stated that by evaluating the different factors the Court could develop objective criteria for a fair and equitable formula for the distribution of funds.

Commissioner Cascos stated that “I don't think there is enough money to make everybody happy. Some of the factors that Judge Hinojosa brought up, as far as the amount of money that has been spent over the last decade, again Precincts (No.) 1 and (No.) 2 have gotten the ‘short end of the stick’ for the longest time. Only in the last four (4) or five (5) years have we started to make some ‘head-way’ into getting what we consider ‘our fair share’.” He added that some of the proposals presented by Commissioner Peña, “are great, and they will work in an Utopian society, and they will work. But to go and try to define, or come up with a recipe that is exactly fair; what’s fair and real are normally not the same, and unfortunately it is time for this side of the isle to catch-up.” He stated that it was not anyone’s fault, “but I don't know a better way to do it. What we have talked about some years back was that it costs me the same amount of money to pave the road as it does you guys, and it might be more expensive for me, because we are a little bit further South. But taking an average of \$50,000.00 per mile, there was no ‘rhyme or reason’ that Precincts (No.) 3 and (No.) 4 would have the ability to pave six (6) miles and Precincts (No.) 1 and (No.) 2 to have the ability to pave 2 ½ (miles.) There is no equity in that, there is just no equity in that. I stand ready to work on something that is equitable, as long as we define what the criteria is going to be. I think we need to look at personnel cost, my personnel cost is 32%, you all are in an excess of 40(%). We're still getting 38% combined, yet we generate as much money when you factor in the Gateway Bridge situation, which I know is a County Bridge, but if it weren't for the tolls out of that Bridge our property taxes would not be at 33 cents per hundred. They would be at a closer to 52 (cents) to 55 (cents) per hundred. Everybody is benefiting by that, everyone, including Los Indios Bridge. I'll work with you next year and try to come up with something and if it's fair, I will support it and if it is not, we won't.” He questioned whether it could be determined where the \$5.00 Road Fee was coming from, in relation to each Precinct, and the Tax Assessor Collector responded that there was no way to know where the \$5.00 Road Fee, in relations to each Precinct, was coming from because mailing addresses and residence were not the same.

At this time, Judge Hinojosa solicited public comments regarding the Budget and there were none.

Commissioner Matz stated that, as discussed during the Workshop, "I reluctantly agreed to go with the basic overall Budget, minus the Road and Bridge, when we met before; but I do have serious reservations about tapping the Gateway Bridge Fund, or the International Bridge System Fund, to the extent we are this year. What we do is digging into our Reverses, as the Budget Officer points out, to cover operating cost, and to avoid the necessities of other adjustments, but I don't think it's a good Policy. I know we had a short fall on the jail side, and as I understood it, when we finished our Workshop, the basic Agreement was that we were going to avoid Budget Amendments, and we were going to be putting any future Revenues, back into that Bridge Fund to start building it back up again. We do have some contingent liabilities out there that we need to be concerned about, and be prepared to meet, and the Bridge Fund is all we've got left at this point"

Commissioner Cascos stated that there was money in the Parks System Fund and that according to the Budget \$240,000.00 were restricted.

Upon motion duly made by Commissioner Cascos, and seconded by Commissioner Rosenbaum, that the proposed Fiscal Year 1996 Budget for Cameron County be adopted, the motion carried as follows:

AYE: Commissioners Rosenbaum, Cascos, and Judge Hinojosa

NAY: Commissioner Matz and Peña, as to the Road and Bridge Budget.

Commissioner Matz stated that he was against the Road and Bridge Budget, as written, and that was accepting the General Fund Budget with the "reservations noted, and provided that they follow through of putting the future Revenues into the Bridge Fund."

The Budget is as follows:

**(6) AUTHORIZATION TO ADOPT AN ORDER
SETTING THE 1995 TAX RATE**

Judge Hinojosa stated that the three percent (3%) Tax Rate over the Effective Tax Rate included the voter approved "Project Road Map" and outlined the following 1995 Tax Rates:

Total Maintenance and Operation Tax Rate	\$.262930
Total Interest and Sinking Funds Tax Rate	\$.059768
Total County Levy	\$.322698

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Order setting the 1995 Tax Rate was adopted as outlined.

The Order is as follows:

(7) **PRESENTATION OF THE SECOND QUARTER REPORT BY THE FIRM OF HEARD, GOGGAN, BLAIR AND WILLIAMS ON DELINQUENT TAX COLLECTIONS**

Mr. Christopher Phillipe, Attorney At Law, reported that 868 lawsuits were filed, 12,000 Delinquent Notices were mailed to the taxpayers, and that collections in the past six (6) months totaled approximately \$1.5 million, an increase of \$67,000.00 from the previous year.

Mr. Roger Ortiz, Office Manager, highlighted the Collection Activities Report.

At this time, Commissioner Matz questioned the tax rate for the collection of delinquent Taxes for 1995, and the County Auditor responded that the rate would be twenty-eight percent (28%).

Commissioner Matz moved that the presentation of the Second Quarter Report by the Firm of Heard, Goggan, Blair and Williams, Attorneys At Law, on Delinquent Tax Collections be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

The Report is as follows:

(8) AUTHORIZATION TO LOAN THE LAW LIBRARY FUND MONIES FROM THE GENERAL FUND TO CONTINUE OPERATION THROUGH SEPTEMBER 30, 1995, AND OPERATING FUNDS FOR THE FIRST QUARTER OF THE FISCAL YEAR 1996 UNTIL FUND BALANCE IS REPLENISHED

Mr. Mark Yates, County Auditor, explained that the Law Library had been utilizing the Fund Balance and would be "running short" for the next three (3) months and recommended that monies be transferred to the Library, with an interest rate of five percent (5%).

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, monies from the General Fund were loaned to the Law Library Fund, in order to continue operations through September 30, 1995, with an interest rate of five percent (5%).



(9) PRESENTATION BY MR. WILLIAM P.C. HUDSON, ON PASEO DE LA RESACA AND HUDSON FARM DEVELOPMENT

At this time, Mr. William P.C. Hudson, Hudson Farm Development, presented the diagrams and schematics of the Paseo De La Resaca and the Hudson Farm Development Project being undertaken on the Hudson Estate. Mr. Hudson explained that the development would include a 106 acre park, that being the "Paseo de la Resaca," 3,700 housing units and retail and office spaces.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the presentation by Mr. William P.C. Hudson, Hudson Farm Development, on the Paseo De La Resaca and Hudson Farm Development Project, was acknowledged.

The Documents are as follow:

(10) RATIFICATION OF A RESOLUTION REQUESTING ADDITIONAL FUNDS FROM THE TEXAS WATER DEVELOPMENT BOARD FOR ADDITIONAL ENGINEERING SERVICES ON THE VALLE ESCONDIDO/VALLE HERMOSO WASTEWATER I/A GRANT

Commissioner Rosenbaum moved that the Resolution requesting additional funds from the Texas Water Development Board, for additional Engineering Services on the Valle Escondido/Valle Hermoso Waste Water I/A Grant, be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Resolution is as follows:

(11) APPROVAL TO CLOSE THE BRANCH TAX OFFICES ON MONDAY, SEPTEMBER 18, 1995, FOR IMPLEMENTING AND TRAINING CONCERNING THE REGISTRATION AND TITLE SYSTEM WITH THE TEXAS DEPARTMENT OF TRANSPORTATION

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Branch Tax Offices were permitted to close the Offices on September 18, 1995, for implementing and training concerning the Registration and Title System with the Texas Department of Transportation.



(12) AUTHORIZATION TO PURCHASE CHEMICALS FOR THE PREVENTION OF THE DENGUE FEVER

Commissioner Matz moved that the Chemicals for the prevention of the Dengue Fever be purchased, said funds to be allocated from Lapsed Salaries.

The motion was seconded by Commissioner Peña and carried unanimously.



(13) ADOPTION OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LEVI STRAUSS FOUNDATION, FOR A COMMUNITY PARTNERSHIP GRANT APPLICATION ON TUBERCULOSIS (T.B.) AWARENESS

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Resolution, authorizing Cameron County to apply to the Levi Strauss Foundation for a Community Partnership Grant Application on Tuberculosis (TB) Awareness, was adopted.

The Resolution and the Statement of Approval are as follows:

(14) IN THE MATTER OF THE BEACH VENDOR PERMIT NO. THREE (3) TO HECTOR GARCIA, DOING BUSINESS AS (DBA) HECTOR'S ROLLING SNACKS, FOR MOBILE VENDING ON PUBLIC BEACHES OF SOUTH PADRE ISLAND AND BOCA CHICA, VEHICLE LICENSE NO. 904-5UN (TABLED)

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, this Item was **TABLED**.



(15) APPROVAL OF THE PROPOSED PARKS SYSTEM FEE STRUCTURE FOR FISCAL YEAR 1995-1996

(16) APPROVAL OF THE REVISED POLICIES FOR THE CAMERON COUNTY RECREATIONAL VEHICLE (R.V.) PARKS SYSTEM

Mr. Kenneth Conway, Parks System Director, noted that the major issue concerning the Policy for Recreational Vehicles was that the guests stayed in the Park year round and were considering the Park as their permanent residence locations, instead of as a temporary site.

Commissioner Peña expressed his concern regarding the proper notification of the changes in the Policy, and the Parks Director stated that the current guests would be notified by mail of the changes.

Judge Hinojosa questioned whether the Fees were approved by private industry, and the Parks Director responded that one (1) member of the Board represented private industry and that the Committee considered three (3) factors in the changes.

Commissioner Matz moved that the proposed Parks System Fee Structure for Fiscal Year 1995-1996 and the revised Policies for the Cameron County Recreational Vehicle (R.V.) Parks System be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Fee Structure and Policies are as follow:

(17) AUTHORIZATION TO SUBMIT AN ANNUAL WORK PLAN FOR RECEIPT OF FEDERAL FUND ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR FISCAL YEAR 1996

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Annual Work Plan for Receipt of Federal Funds Assistance from the Federal Emergency Management Agency (FEMA) for Fiscal Year 1996, was approved.

(18) IN THE MATTER OF THE ADMINISTRATIVE POLICIES AND PROCEDURES FOR THE CAMERON COUNTY COMMISSIONERS' COURT AGENDA PROCESS (TABLED)

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

“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 Matz, seconded by Commissioner Rosenbaum and carried unanimously, the “Consent” Agenda Items were approved as follow:

(19) AUTHORIZATION TO OPEN BIDS FOR THE CONSTRUCTION OF THE VILLA PANCHO SUBDIVISION WASTEWATER PROJECT

The Bids received and opened follow:

(20) FINAL APPROVAL:

- a) Precinct No. 2 -** Kenwood R. V. Plaza No. Two (2) Subdivision - being a resubdivision of 4.38 acres of land out of Block No. 51, Minnesota Texas Land and Irrigation Company Subdivision; and
- b) Precinct No. 3 -** Weathersby Estates Subdivision - being a 4.35 acre resubdivision of Lot No. 12, Block No. Two (2), of the Amended Plat of Arroyo Bend No. II.

- (21) **FINAL APPROVAL:**
- a) **Precinct No. 3** - Trinidad and Jorge Subdivision - being 4.94 acre tract all out of Lot No. Four (4), Block No. One (1), Pomelo Subdivision No. IV.
- (22) **AUTHORIZATION TO AWARD BIDS FOR ONE (1) COMPACT PICK-UP TRUCK FOR THE ENGINEERING DEPARTMENT**
- TIP-O-TEX CHEVROLET - Brownsville, Texas**
Compact Pick-up Truck with Trade - \$11,881.00
- (23) **AUTHORIZATION TO AWARD BIDS FOR ONE (1) WOOD CHIPPER FOR PRECINCT NO. 4**
- POSTON EQUIPMENT - Pearland, Texas**
\$15,746.00
- (24) **AUTHORIZATION TO OPEN BIDS FOR: 1) ANNUAL BID SAFETY SHOES AND 2) ANNUAL BIDS FOR RADIO TOWER SPACE RENTAL**
- The Bids received and opened follow:**
- (25) **AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:**
- a) Cameron County District Clerk and two (2) Deputies to attend the "Area Eight (8) Meeting" in Victoria, Texas, on September 14-15, 1995; and
- b) County Judge's Assistant Administrator to attend the "Interstate 69 Meeting" in Memphis, Tennessee, on September 25, 1995.

At this time, Commissioner Matz questioned whether Items No. 20 and No. 21 were consistent with House Bill 1001, concerning the Solid Waste Collection, and the County Engineer responded that a Solid Waste Ordinance needed to be adopted by the Commissioners' Court, before implementation.

Commissioner Matz added that the County Engineer needed to develop and present the Plan, in order for the Commissioners' Court to adopt the Ordinance.

At this time, the County Engineer introduced Mr. Carlos Sanchez, Engineer-in-Training.

**(19) AUTHORIZATION TO OPEN BIDS FOR THE CONSTRUCTION OF THE VILLA PANCHO
SUBDIVISION WASTEWATER PROJECT**

The Bids received and opened are as follow:

**NOT ON ADOPTION OF A RESOLUTION
AGENDA PROCLAIMING THE WEEK OF
SEPTEMBER 17, 1995, AS
CONSTITUTION WEEK**

Commissioner Matz moved that a Resolution proclaiming the Week of September 17, 1995, as Constitution Week be adopted, subject to ratification.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Resolution is as follows:

**NOT ON ADOPTION OF A RESOLUTION
AGENDA HONORING MR. STEVE GIBSON,
STATE DEPARTMENT
COORDINATOR**

At this time, Judge Hinojosa stated that the Bi-national Conference would be held the following week at South Padre Island and that Mr. Steven Gibson, State Department Coordinator, was retiring. He explained that Mr. Gibson had provided a great deal of assistance with the Los Indios Bridge and the Los Tomates Bridge Projects, and recommended that a Resolution honoring Mr. Gibson be presented for the services provided to South Texas and Cameron County.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Resolution honoring Mr. Steven Gibson, State Department Coordinator, was adopted, subject to ratification.



At this time, Judge Hinojosa announced that the State Department had decided not to close the Matamoros Consulate, due to the efforts of the Commissioners' Court and Texas Federal Representatives. He noted that the decision was "temporary" until the Final Budget was approved, but that it was the first step in preventing the closure. He stated that Mr. Jose Villarreal, Bond Counsel, was very instrumental in "opening doors" at the White House, and extended the Court's gratitude to Mr. Villarreal.



(21) EXECUTIVE SESSION:

- c) In the matter to confer with County Counsel on the Contract with Bill Scoggins Construction Company regarding the status of the Juvenile Probation Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071.
(TABLED)

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

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 3:00 P. M. to discuss the following matters:

- a) To discuss additional expenses for FM 509 Project, location of a water line to Parcel No. 17, Section No. Six (6); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and

- b) To discuss Right-Of-Way Acquisitions on FM 1419 for Parcel Nos. 17, 45-47, 60, 63, 64, 67, 69, 71, and 72; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 3:15 P. M.



(22) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) To discuss additional expenses for FM 509 Project, location of a water line to Parcel No. 17, Section No. Six (6); and
- b) To discuss Right-Of-Way Acquisitions on FM 1419 for Parcel Nos. 17, 45-47, 60, 63, 64, 67, 69, 71, and 72.

Mr. Doug Wright, Cameron County Counsel, reported that after some discussion, it was the consensus of the Court, as determined by polling, that the County Engineer should be authorized to pay the additional amount of \$1,265.00 and to proceed along the terms and conditions as outlined in Executive Session regarding said matters.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the County Engineer was directed to proceed along the terms and conditions as outlined in Executive Session regarding the a) additional expenses in the amount of \$1,265.00, for FM 509 Project, location of a water line to Parcel No. 17, Section No. Six (6) and b) the Right-Of-Way Acquisitions on FM 1419 for Parcel Nos. 17, 45-47, 60, 63, 64, 67, 69, 71, and 72.

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**.

APPROVED this 17th day of **OCTOBER**, 1995.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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