

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 11th day of JANUARY, 1993 there was conducted a REGULAR 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 newly-elected Commissioner Matz, Precinct No. 3, to lead 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 January 7, 1993, at 3:22 P. M.

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Valencia moved that all the County Claims be approved as presented and on the recommendation by the County Auditor.

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

AYE: Commissioners Cascos, Matz and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claims of E. de la Garza, Inc., Warrant No. 70535 in the amount of \$4,894.86, Warrant No. 70628 in the amount of \$1,378.06, Warrant No. 70843 in the amount of \$2,217.62, Warrant No. 70844 in the amount of \$8,944.85, Warrant No. 70845 in the amount of \$7,450.44, Warrant No. 70846 in the amount of \$3,035.24, Warrant No. 70899 in the amount of \$23.75, Warrant No. 70900 in the amount of \$17.30 and Warrant No. 70901 in the amount of \$1,349.20.

The Affidavit is as follows:

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

1991/1992 BUDGET AMENDMENT NO. 47

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the 1991/1992 Budget Amendment No. 47 was approved as recommended by the County Auditor.

1993 BUDGET AMENDMENT NO. 10

Commissioner Valencia moved that the Fiscal Year 1993 Budget Amendment No. 10 and the Salary Schedules for the M and O Precinct No. 1 Department, Department No. 15-617, the M and O Precinct No. 3 Department, Department No. 15-619 and the Health Department, Department No. 27-628 be approved on the recommendation of the County Budget Officer.

The motion was seconded by Commissioner Matz and carried unanimously.

The Budget Amendments and Salary Schedules are as follows:

(3) **APPROVAL OF MINUTES OF DECEMBER 28, 1992 AND
JANUARY 1, 1993**

DECEMBER 28, 1992

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Minutes of the Regular Meeting held on December 28, 1993 at 1:30 P.M. were approved.

January 1, 1993

Commissioner Valencia moved that the Minutes of the Special Meeting held on January 1, 1993 at 12:00 P.M. be approved.

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

AYE: Commissioners Matz and Valencia

NAY: None

Commissioner Cascos.

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(4) **AUTHORIZATION TO DESIGNATE OFFICE LOCATED IN
THE MATZ BUILDING, 513 E. JACKSON STREET, AS THE
ALTER-NATE OFFICE FOR COMMISSIONER PRECINCT
NO. 3**

Commissioner Cascos moved that the Matz Building, located at 513 E. Jackson, Harlingen, Texas, be designated as an Alternate Office for Commissioner Precinct No. 3.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(5) **IN THE MATTER TO PURCHASE MOBILE PHONE FOR
COMMISSIONER PRECINCT NO. 3 (MONTHLY BILL TO
BE PAID FOR BY COMMISSIONER) (TABLED)**

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

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(6) **AUTHORIZATION TO APPROPRIATE \$930.00 TO THE
VEHICLE MAINTENANCE DEPARTMENT FOR THE
REPAIR OF ROOF AND RESTROOM IN THE VEHICLE
MAINTENANCE OFFICE AND \$1,600.00 TO CONSTABLE
PRECINCT NO. 8 FOR THE PURCHASE OF UNIFORMS
AND JACKETS FOR STAFF**

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, explained that the requests were the results of changes in Elected Official positions and added that the previous Commissioner from Precinct No. 3 and the Vehicle Maintenance Department had previously shared a secretary and now that person would be working full time at the Vehicle Maintenance Department. She added that the Vehicle Maintenance Office had been vacant for sometime and was in need of repair.

At this time, Mr. Juan Mendoza, Constable Precinct No. 8, presented the following quotations for uniforms for himself and two (2) paid Deputies:

Commissioner Cascos moved that the amount of \$930.00 be appropriated to the Vehicle Maintenance Department for the repair of the roof and the restroom and that the amount of \$1,600.00 be appropriated for the purchase of uniforms and jackets for Constable Precinct No. 8 and staff, said funding to be allocated from Lapsed Salaries, to the extent that funds are available, and the balance from the Surplus Fund.

The motion was seconded by Commissioner Matz and carried unanimously.

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(7) **AUTHORIZATION TO ISSUE \$5,500,000.00 CERTIFICATES OF OBLIGATION, SERIES 1993 AND TO AUTHORIZE THE COUNTY AUDITOR AND BUDGET OFFICER TO ARRANGE SALE OF SAID BONDS**

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, reviewed the time tables for the "Issue and the Notice of Intent to Issue" as well "time lines" for the proposed Road Bond Election for the acquisition of Right-of-Ways and the election for the creation of Drainage District No. 5. She explained that of the \$5.5 million Certificates of Obligation, \$600,000.00 would be for the Health Clinic, \$3.1 million for the Juvenile Detention Facility and \$1.8 million for the Jail-Detention Center Facility.

There was some discussion regarding the "ratings" of the Bond Issues and the Multi-Year Capital Improvement Plans and Commissioner Cascos noted that the renovation of the Dancy Building had been moved up in the proposed Capital Improvement Plan.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the County Auditor and the Budget Officer were authorized to issue \$5,500,000.00 Certificates of Obligation, Series 1993, and to arrange the sale of said Bonds.

The Resolution is as follows:

(8) **AUTHORIZATION TO AWARD ANNUAL BIDS FISCAL YEAR 92/93 FOR SAFETY EQUIPMENT. FUNDING TO BE DETERMINED**

Commissioner Cascos moved that the Annual Bids for Fiscal Year 1992/1993 for Safety Equipment be awarded to the following bidders, said funding to be allocated from Surplus Fund, not to exceed the amount of \$2,500.00:

C & S SAFETY SUPPLY, MCALLEN, TEXAS

DESCRIPTION:	TOTAL COST/YR:
A) Hard Hats, Caps	\$ 476.35
B) Ear Plugs, Muffs	289.35
C) Face Shield, Glasses, Goggles	3,675.40
D) Welding Helmets	193.00
E) Spectacle Cords	270.00
F) Respirator, Cartridges, Filters	2,225.50
I) Traffic Safety Vest	2,230.00
K) Back Supports, Belts	7,487.50
L) Fire Extinguishers	1,227.70
M) First Aid Kits with Supplies	3,035.79
P) Rehydration Drink	430.00
Q) Emergency Shower	2,334.00

SAFETY SUPPLY INC., SAN ANTONIO, TEXAS

O) Pocket Masks	28.00
R) Triangle Kit, Safety Fence, Warning Flags, Light Sticks	1,942.50

CONTINENTAL SAFETY, MCALLEN, TEXAS

G) Aprons, Coveralls	1,015.05
H) Raincoats and Boots	1,284.00
J) Gloves	2,853.30
N) Emergency Eyewash Station	256.80.

The motion was seconded by Commissioner Matz.

At this time, Ms. Rosemary Martinez, Administrative Assistant to the County Judge, indicated that the total amount of the equipment to be purchased was \$31,150.00 and not \$2,500.00.

At this time, Commissioner Cascos withdrew his motion.

Commissioner Cascos moved that the Annual Bids for Fiscal Year 1992/1993 for Safety Equipment be awarded as outlined, said funding to be allocated from Surplus Fund not to exceed the amount of \$32,000.00.

The motion was seconded by Commissioner Matz and carried unanimously.

(9) APPROVAL OF CONTRACT FOR RESIDENTIAL SERVICES WITH TEXAS KEY LA ESPERANZA HOME FOR BOYS

Commissioner Valencia moved that the Contract for the Residential Services with Texas Key La Esperanza Home for Boys, Brownsville, Texas, be approved on the recommendation by County Counsel, said Contract being consistent with prior discussions by the Court during Executive Session and in Open Session.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Contract is as follows:

**(10) APPROVAL OF MEMORANDUM OF AGREEMENT
ACKNOWLEDGING AND ASSUMING \$45,059.00 DEBT
AND PROVIDING TERMS OF PAYMENT**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Memorandum of Agreement with Texas Key La Esperanza Home, Brownsville, Texas, was approved, said Contract providing the terms of payment of the \$45,059.00 debt from a previous over payment.

The Memorandum of Agreement is as follows:

(11) **CONSIDERATION AND POSSIBLE APPROVAL OF
BRAZOS SANTIAGO PASS AND JETTIES LEASE WITH
U.S. ARMY CORPS OF ENGINEERS**

Mr. Kenneth Conway, Parks Director, explained that eighteen (18) months ago, the Court had authorized the Parks Department to negotiate said Lease renewal with the Corps of Engineers and that through negotiations, the County's annual rental payment of \$1,500.00 was eliminated. He reported that a ten (10) year Lease was obtained and that the Corps recognized the County's authority to charge a user fee to access the property. Mr. Conway stated that the Corp stipulated that the County should attempt to relocate the Jetties Restaurant at some future date in order for the Corps of Engineers to gain better access to the Jetties for maintenance and repair.

Commissioner Matz moved that the Brazos Santiago Pass and the Jetties Lease with the United States Army Corps of Engineers be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(12) **IN THE MATTER OF MEMORANDUM OF AGREEMENT
WITH TEXAS GENERAL LAND OFFICE CONCERNING
OIL SPILL PREVENTION AND RESPONSE (TABLED)**

Mr. Doug Wright, Cameron County Counsel, explained that there were some problems with the terms of the Agreement and after discussing the matter with the Parks Director and the General Land Office he was recommending that the matter be Tabled.

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

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ANNOUNCEMENT:

At this time, Mr. Kenneth Conway, Parks Director, announced that Dune's Day 1993 was scheduled for Saturday, January 16, 1993 and that two hundred (200) volunteers were needed for three (3) hours for the Dune Rehabilitation Project and added that contributions of Christmas trees had come from all over the Valley. He stated that the Dune Project from last year resulted in twenty-three (23) "new" dunes being created.

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(13) **AUTHORIZATION TO ADVERTISE FOR APPLICATIONS
FOR COUNTY DEPOSITORY FOR CAMERON COUNTY
PUBLIC FUNDS AND TRUST FUNDS 1993-1995**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the advertisement for the application for County Depository for the Cameron County Public Funds and Trust Funds for 1993-1995 was authorized.

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(14) APPROVAL OF REQUEST FOR PAYMENT OF ANNUAL DUES TO THE COUNTY JUDGES AND COMMISSIONERS ASSOCIATION OF TEXAS IN THE AMOUNT OF \$250.00

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the payment of annual dues in the amount of \$250.00 to the County Judges and Commissioners Association of Texas was approved.

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(15) RECOGNITION OF COMPLETION OF 32 HOURS OF ORGANIZED INSTRUCTION IN PROGRAMS SPONSORED BY THE TEXAS AGRICULTURAL EXTENSION SERVICE, V.G. YOUNG INSTITUTE OF COUNTY GOVERNMENT

Commissioner Cascos stated that the Item should read "sixteen (16) hours" instead of "thirty (32) hours".

Commissioner Cascos moved that the Certificate of Completion of sixteen (16) hours of organized instruction in programs sponsored by the Texas Agricultural Extension Services, V. G. Young Institute of County Government, for Commissioner Cascos be recognized.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Certificate is as follows:

(16) **APPROVAL OF CONSULTANT AGREEMENT BETWEEN CAMERON COUNTY ON BEHALF OF COUNTY CLERK AND RAFAEL MENDOZA FOR PROBATE COMPUTER SOFTWARE DESIGN, COMPUTER SOFTWARE DEVELOPMENT AND RELATED SERVICES**

Mr. Joe G. Rivera, County Clerk, explained that this Contract would complete the computerization of the Department, said funding to be provided by the Records Management Fees.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Consultant Agreement between Cameron County, on behalf of the County Clerk and Mr. Rafael Mendoza, Computer Programmer, for the Probate Computer Software Design, Computer Software Development and related Services was approved.

The Service Agreement is as follows:

(17) **APPROVAL OF SUPPLEMENTAL AGREEMENT NO. 4
FOR ENGINEERING SERVICES RELATING TO THE LOS
TOMATES ENVIRONMENTAL ASSESSMENT**

Judge Garza explained that the final Environmental Mitigation Plan prepared by Mr. John Hudson was submitted for comments and that all but one (1) of the Agencies had responded. He said that Mr. Hudson had met with the County Engineer and Budget Officer and had been coordinating the efforts regarding the Engineering Surveys and Appraisals and that the Plans appeared to be "on-line" for the issuance of the Presidential Permit.

Commissioner Cascos moved the Supplemental Agreement No. 4 for Engineering Services relating to the Los Tomates Environmental Assessment be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Supplemental Agreement is as follows:

(18) AUTHORIZATION FOR LOSS PREVENTION COMMITTEE TO PLACE SAFETY SUGGESTION BOXES IN COUNTY BUILDINGS

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Loss Prevention Committee was authorized to place "Safety Suggestion Boxes" in the County Buildings.

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(19) AUTHORIZATION TO ALLOW BFI WASTE SYSTEMS TO PERFORM RECYCLING FEASIBILITY STUDY ON COUNTY OFFICES

Commissioner Cascos moved that BFI Waste Systems be authorized to perform a Recycling Feasibility Study on County Offices at no cost to the County.

The motion was seconded by Commissioner Matz and carried unanimously.

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(20) AUTHORIZATION TO OPEN AND AWARD PROPOSALS FOR THE PURCHASE OF JUVENILE SERVICES

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, approval was given to open Proposals as received for the purchase of Juvenile Services.

The Proposal received and opened is as follows:

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Contract for the purchase of Juvenile Services was awarded to Texas Key La Esperanza Home for Boys, Brownsville, Texas, that being the "sole" proposal, said funds to be appropriated by the CJD Grant.

The Contract is as follows:

(21) **CONSIDERATION AND ACTION ESTABLISHING THE DUTIES AND SALARY RANGE FOR THE POSITION OF VETERAN SERVICES OFFICER AND AUTHORIZING ADVERTISEMENT AND RECRUITMENT TO FILL THE POSITION VACANCY**

Judge Garza clarified that the advertisement had previously been authorized.

Mr. Frank Bejarano, Program Development and Management Director, explained that the job description for the Veteran Services Officer had been modified and highlighted the changes.

Commissioner Cascos moved that the duties for the position of the Veteran Services Officer be established as recommended, and that the advertisement and recruitment to fill the position vacancy be authorized.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Job Description is as follows:

(22) PRESENTATION BY PROJECT ENGINEER AND PROJECT ARCHITECT OF ANDY BOWIE PARK DEVELOPMENT PLANS

Mr. Kenneth Conway, Parks Director, explained that the Project Engineer and Project Architect had previously presented the Site Plans for the development of Andy Bowie Park and that the Court requested that those Plans be presented to the Parks Advisory Board for approval. He reported that the Plans were reviewed by the Parks Advisory Board last week and that some suggestions were offered.

At this time, Mr. Jim Rose, Project Engineer, and Mr. Marvin Boland, Project Architect, presented the Final Design Site Plans, highlighting some minor modifications to keep the Project within the Budget.

Commissioner Valencia questioned the proposed apartment for the Park Rangers and expressed his concerns regarding the exposure of liability to the County and whether residing at the Park would be a condition of employment.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Presentation by the Project Engineer and Project Architect of the Andy Bowie Park Development Plans was acknowledged.

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(23) AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF ANDY BOWIE PARK DEVELOPMENT COMPONENTS

Commissioner Matz moved that the advertisement for bids for the construction of Andy Bowie Park Development be authorized.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(24) AUTHORIZATION TO ADVERTISE FOR BIDS FOR REPLACEMENT OF SEA RANCH ROOF (IN ISLA BLANCA CAPITAL IMPROVEMENT PROJECT)

At this time, Mr. Jack Brown, Project Engineer, and Mr. Robert Ruiz, Project Architect, presented a brief overview of the intended replacement to the roof at the Sea Ranch Restaurant.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the advertisement for bids for the replacement of the roof for the Sea Ranch Restaurant, relating to the Isla Blanca Capital Improvement Project was authorized.

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(25) AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 2 TO T.R.M.I. FOR TOLL EQUIPMENT INSTALLATIONS AT LOS INDIOS AND GATEWAY BRIDGES

Mr. Jack Brown, Project Manager, explained that the Change Order No. 2 to the T.R.M.I Contract would add the height detectors to the Los Indios International Bridge at a cost of \$3,150.00 and included a one (1) year Maintenance Agreement for the Los Indios and Gateway International Bridges at a cost of \$49,920.00. Mr. Brown indicated that T.R.M.I. would retain a local

individual to be "on-call" to handle problems with the equipment or programming as they occurred and to provide preventive maintenance each week.

There was some discussion concerning the terms of the Contract, the cost, the number of hours of the preventive maintenance and other particulars and the suggestion was made to exclude that portion of the Change Order No. 2 in order to negotiate the cost of the Agreement.

Commissioner Matz moved that the County Judge be authorized to execute "Item No. 1" of Change Order No. 2, that being the height detectors, and to exclude those portions relating to the Maintenance Agreement to The Revenue Markets Inc., (T.R.M.I.) Contract.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Change Order is as follows:

(26) **APPROVAL OF ISSUANCE OF A CERTIFICATE OF SUBSTANTIAL COMPLETION TO T.R.M.I. FOR THE INSTALLATION OF TOLL EQUIPMENT AT THE LOS INDIOS AND GATEWAY BRIDGES**

Mr. Jack Brown, Project Manager, explained that the County would assume the responsibility of Insurance and Liability once the Certificate was issued.

Commissioner Valencia moved that the Certificate of Substantial Completion to The Revenue Markets, Inc., (T.R.M.I.) be approved for the installation of the Toll Equipment at the Los Indios and Gateway Bridges on the recommendation of Mr. Jack Brown, Project Manager-Engineer.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Certificate of Completion is as follows:

(27) **APPROVAL FOR COUNTY JUDGE TO EXECUTE A PETITION FOR EXCLUSION FROM CAMERON COUNTY IRRIGATION DISTRICT NO. 2 ALL LAND ACQUIRED IN CONNECTION WITH THE LOS INDIOS BRIDGE PROJECT**

Mr. Jack Brown, Project Manager, explained that Drainage District No. 2 recommended that the County Petition for exclusion of the land acquired in connection with the Los Indios Bridge Project in order to remove it from the tax rolls as irrigation land. He stated that the County does not farm any of the land and that there was no need to have irrigation rights or to pay the flat tax rates. He said that should irrigation water be needed for landscaping, it would be available at "municipal" rates.

Commissioner Matz moved that the County Judge be authorized to execute a Petition for exclusion of all the land acquired in connection with the Los Indios Bridge Project from the Cameron County Drainage District No. 1.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(28) **APPROVAL OF CONTRACT AMENDMENT BETWEEN CAMERON COUNTY AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 PROPOSING TO MOVE THE GAUGING STATION FROM FM 2556 UPSTREAM TO THE EL FUESTE SIPHON**

Mr. Andy Cueto, County Engineer, explained that the Amendment to the Contract with Drainage District No. 1 involved the transfer of the Gauging Station which would enhance the Engineer's ability to predict the amount of water coming into the Arroyo.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Contract Amendment between Cameron County and Hidalgo County Drainage District No. 1 was approved, whereby the Gauging Station would be moved from FM 2556 upstream to the El Fueste Siphon, subject to the correction of the names on the Original Contract.

The Contract Amendment is as follows:

(29) AUTHORIZATION TO ACKNOWLEDGE RECEIPT OF REIMBURSEMENT FROM THE CITY OF HARLINGEN FOR PARCELS NO. 3 AND NO. 7 OF THE FM 801 PROJECT

Mr. Andy Cueto, County Engineer, reported that the total amount of \$4,200.00 was received from the City of Harlingen for the Parcels of the FM 801 Project and he recommended that the funds be returned to the same Fund Account, that being Fund No. 70-773-114.

Commissioner Valencia moved that the receipt of reimbursement from the City of Harlingen for Parcels 3 and 7 of the FM 801 Project be acknowledged and that the funds be designated to the Right-of-Way Fund Account.

The motion was seconded by Commissioner Matz and carried unanimously.

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(30) AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE CAMERON COUNTY COMMUNITY RESOURCE CENTER

Mr. Andy Cueto, County Engineer, explained that Texas A & M University had requested the advertisement for bids for the construction of the Cameron Park Community Center.

At this time, Mr. Kermit Black, representing Texas A & M University, explained that an Architect had been retained to assist with the selection of a General Contractor and to oversee the Project.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the advertisement for bids for construction of the Cameron County Community Resource Center was authorized.

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(31) **IN THE MATTER OF PROPOSAL FOR CLEARING OF GRASS ADJACENT TO RUNWAYS AT COUNTY AIRPORT (REJECTED)**

Mr. Andy Cueto, County Engineer, reported that he received one (1) response to the bid solicitation in the amount of \$87,993.00.

Commissioner Valencia moved that the Proposal for the clearing of the grass adjacent to the County Airport runways be rejected and re-bid.

The motion was seconded by Commissioner Matz and carried unanimously.

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(32) **REQUEST FOR PRELIMINARY APPROVAL**

At this time, Commissioner Matz requested that the County Engineer provide the Commissioners the Request for Approval at the time they are made, prior to placing the Item on the Agenda. He said that in some cases he may want to personally inspect the subdivisions.

Commissioner Matz remarked whether it would be of interest to the Court to inquire as to what legislation the Texas Association of Counties was proposing concerning the control for Subdivision Development.

Judge Garza remarked that the-then Representative Eddie Lucio had proposed Legislation to give zoning-ordinance making power to Counties, but that it was routinely rejected by developers and realtors. He suggested that if it was proposed as "Border Legislation" or related to EDA, that it would be more receptive for support.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:

- a) River Road Subdivision Section No. 2 - being 28.65 acres of Lot 11, Reserve Area River Road Subdivision Section No. 1.

Location:

The proposed subdivision, within Precinct No. 3, is located on the west side of FM 732 (Sherer Road). It is approximately one and a half (1 1/2) mile south of FM 1577 (Pennsylvania Avenue). It is a 28.65 acre reserve area in River Road Subdivision Section One (1) being re-subdivided into thirty-two (32) residential lots. Two (2) new roads will be constructed to County Standards to serve the new lots. Potable water will be provided by Military Highway Water Supply Corporation and sanitary water sewer will be by individual septic system. Drainage will be by an existing drain ditch adjacent to the subdivision on the North and West.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:

- b) Stuart Place Resort Section III - being a 7.316 acres of tract out of Stuart Place Resort Section I.

Location:

The proposed subdivision, within Precinct No. 3, is located on the west side of Stuart Place Road. It is approximately half (1/2) a mile north of Expressway 83. It is a 7.3 acre tract of land being subdivided into sixty-three (63) patio home and residential lots. This type of development is consistent with the existing neighborhood, basically this proposed subdivision is an addition to the existing subdivisions of Stuart Place Resort Sections One (1) and Two (2). Potable water and sanitary sewer will be furnished by the City of Harlingen. Drainage has been addressed and properly engineered. An existing paved road will be extended to serve the proposed lots.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:

c)Del Valle No. 3 Subdivision - being a subdivision of a 10.64 acre tract of land out of Block 66, San Benito Land and Water Company Subdivision.

Location:

The proposed subdivision, within Precinct No. 4, is located on the east side of FM 2520 (Sam Houston Boulevard). It is approximately three hundred (300) feet north of the intersection with FM 800 (Jim Bowie Road). It is a 10.6 acre tract of land being subdivided into seventeen (17) residential lots. Potable water will be furnished by Military Highway Water Supply Corporation and sanitary sewer will be by individual septic system. A new road will be constructed to County Standards to serve this subdivision. Drainage has been addressed and properly engineered.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:

d)Hondo Acres Subdivision - being the East Twenty Acres of Block 413, San Benito Land and Irrigation Company Subdivision.

Location:

The proposed subdivision, within Precinct No. 3, is located on the southwest corner at the intersection of FM 2925 (East Browne Tract Road) and Fernando East Road. It is a twenty (20) acre tract of land being subdivided into twelve (12) residential lots. Potable water will be furnished by East Rio Hondo Water Supply Corporation and sanitary sewer will be by individual septic system. FM 2925 and Fernando East Road have asphalt pavement and all proposed lots front the roads.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:

e)Buena Vida Park Subdivision - being a resubdivision of Lot Nos. 1 and 2, 5-11, 14-19, 22-26, 28-30, 39-41 and 70-73, Buena Vida Mobile Home Park.

Location:

The proposed subdivision, within Precinct No. 3, is located on the east side of FM 3069 (Share 27 Road). It is approximately one (1) mile south of FM 510 (San Jose Ranch Road). It is a resubdivision of several lots of Buena Vida Mobile Home Park, the purpose of the resubdivision is to create twenty-nine (29) larger lots than those created by the original subdivision. This will enhance the suitability of the lots for use as single family residential. Potable water will be furnished by East Rio Hondo Water Supply Corporation and sanitary sewer will be by individual septic system.

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(33) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:

a)Agustin Celaya Subdivision - being 1.323 acre tract of land, more or less, out of Lot 15, Block 18, Map Number Five of Barrera Gardens Subdivision.

Location:

The proposed subdivision, within Precinct No. 2, is located on the east side of Old Military Highway in San Pedro. It is a 1.32 acre tract of land being subdivided into one (1) residential lot. Potable water will be furnished by Military Highway Water Supply Corporation and sanitary sewer will be by individual septic system. There is an existing house in this property that will be renovated and will be the residence of the Catholic Bishop.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the following subdivision was TABLED:

- b) Arriaga Subdivision - being a 1.0 acre out of a certain 8.69 acre tract out of Lot 4, Block 406, El Jardin Resubdivision. (TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the following subdivision was TABLED:

- c) Ramiro Gonzalez Subdivision - being a 10.0 acre tract of land out of Block 4, El Jardin Subdivision, Share 32, Espiritu Santo Grant. (TABLED)

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(34) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the following travel and/or travel expenses were approved, subject to availability of funds in their budget:

- a) Ms. Sonia Villarreal, Juvenile Probation Officer, to Austin, Texas, to attend Conference on January 6-8, 1993;
- b) Mr. Amador Rodriguez, Juvenile Detention Director, to El Paso, Texas, on January 20-23, 1993, to attend Meetings of Arrangement and Planning Committees for TCA Annual Conference and the Border Children Justice Project Conference;
- c) Emergency Management Coordinator to attend Seminar in Austin, Texas, on January 25-29, 1993;
- d) Ms. Yvette Salinas, WIC Director, and Ms. Guadalupe Rangel to Corpus Christi, Texas, on January 5-6, 1993, to attend Texas Association of Local WIC Directors;
- e) Ms. Maria Santos San Pedro, RNC, Director of Nursing Services, Health Department, to attend Meeting in Austin, Texas, on February 3-5, 1993;
- f) Tax Assessor-Collector to attend Annual Texas Association of Appraisal Districts Conference in San Antonio, Texas, on January 7-10, 1993;
- g) Drug Task Force Director to attend Management Seminar in Austin, Texas, on January 12, 1993;
- h) Building Official to attend Management Seminar in McAllen, Texas, on January 18, 1993;
- i) Constable Mike Barberena to attend Civil Process School in Tyler, Texas, on February 16-19, 1993;
- j) Commissioner Matz to attend Seminar for newly Elected Officials on January 27-29, 1993;
- k) Commissioner Valencia and Mr. Mike Forbes, Purchasing Agent, to San Antonio, Texas, to attend Texas Surplus Property Agency on January 20-21, 1993; and
- l) County Judge to attend Texas Parks and Wildlife Meeting in Austin, Texas, on January 8, 1993 (DELETED).

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NOT ON AGENDA FIRE INSPECTION REPORT CONCERNING HEALTH WIC DEPARTMENT

At this time, Mr. Rolando Martinez, Health Administrator, reported that the City of Brownsville Fire Inspectors made a review of the facility at the Dancy Building on December 28 and 29, 1992 and that they noted that the Women, Infant and Children (WIC) area was not in compliance.

Mr. Martinez reported that the Health Department was informed that no more than fifty (50) persons would be allowed in that portion of the building where the WIC Program was located and added that the limitation would decrease the number of participation in the Brownsville Clinic from 10,000 to 5,000. He stated that efforts had been made to increase the evening Clinics

and that they were considering Saturday Clinic in order to provide the needed services but that not all the participants would be served.

He proposed that a Building near the Dancy Building be Leased on a "short-term" basis until the new Health Facility was completed, in order to continue full participation.

Judge Garza stated that no member of the Court wanted to see a reduction of WIC services and added that the costs for Leasing would be funded through the WIC Grant Budget.

There was some discussion regarding the need to remodel the building being considered in order for it to be in compliance with ADA standards and other requirements, and the suggestion was made to proceed to negotiate a Lease Agreement and to place the Item on the Agenda for the next Regular Meeting.

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(35) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 3:15 P. M. to discuss the following matters:

- a) Confer with Counsel regarding case styled Celia Mutrix vs. Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Discuss acquisition of and transfer of real property already acquired for the Los Indios International Bridge Project to the United States Government for use by U.S. Fish and Wildlife and IBWC, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- c) Screen applicants for Computer Center Director and to select prospective candidates for interviews, pursuant to Section 2(g) of Article 6252-17 (of the Texas Revised Civil Statutes);
- d) Discuss the acquisition of Right-of-Way for Parcel Nos. 11, 31, 32, 33 and 34, FM 801, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- e) Discuss acquisition of Right-of-Way for Parcel No. 9 and No. 11, Dakota Avenue South, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 4:25 P. M.

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(36) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with Counsel regarding case styled Celia Mutrix vs. Cameron County.

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

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, County Counsel was directed to proceed with the defense of the case styled Celia Matrix vs. Cameron County and to make a settlement offer along the terms and conditions as outlined in Executive Session.

- b) Discuss acquisition of and transfer of real property already acquired for the Los Indios International Bridge Project to the United States Government for use by U.S. Fish and Wildlife and IBWC.

Judge Garza reported that after some discussion with Mr. Jack Brown, Project Manager, it was the consensus of the Court as determined by polling, that the Project Manager be directed to pursue the matter along the terms and conditions as outlined in Executive Session and to discuss the easements with the Fish and Wildlife and the International Boundary and Water Commission (IBWC).

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Project Manager was directed to pursue the matter regarding the acquisition of and transfer of real property already acquired for the Los Indios International Bridge Project along the terms and conditions as outlined in Executive Session, and to discuss said easements with the Fish and Wildlife and the International Boundary and Water Commission (IBWC).

- c) Screen applicants for Computer Center Director and to select prospective candidates for interviews.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that Mr. Frank Bejarano, Program Development and Management Director, Ms. Rosemary Martinez, Administrative Assistant to the County Judge, and Mr. Rolando Martinez, Health Administrator, be directed to cull the applications and to arrive at a number, not to exceed twenty-five (25), in order for the Court to consider and decide the number of applicants to interview.

Commissioner Cascos moved that Mr. Frank Bejarano, Program Development and Management Director, Ms. Rosemary Martinez, Administrative Assistant to the County Judge, and Mr. Rolando Martinez, Health Administrator, be directed to cull the applicants for Computer Center Director and to select prospective candidates, not to exceed twenty-five (25), in order for the Court to consider and to decide the number of applicants for interviews.

The motion was seconded by Commissioner Valencia and carried unanimously.

- d) Discuss the acquisition of Right-of-Way for Parcel Nos. 11, 31, 32, 33 and 34, FM 801.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer be directed to extend said offer along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the County Engineer was directed to extend an offer regarding the acquisition of Right-of-Way for Parcel Nos. 11, 31, 32, 33 and 34, FM 801, along the terms and conditions as outlined in Executive Session.

- e) Discuss acquisition of Right-of-Way for Parcel No. 9 and No. 11, Dakota Avenue South.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer be directed to finalize the acquisition of Parcel No. 9, said offer having been accepted; and that a final Agreement be executed with the owner of Parcel No. 11 in exchange for the moving services for his home on said parcel.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the County Engineer was directed to finalize the acquisition of Right-of-Way for Parcel No. 9, said offer having been accepted; and that a final Agreement be executed with the owner of Parcel No. 11, Dakota Avenue South, in exchange for the moving services for the home on said parcel.

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ANNOUNCEMENT:

At this time, Judge Garza announced that Commissioners Court and the Elections Commission would hold a Joint Workshop on Friday, January 15, 1993 at 10:00 A. M. and that a Joint Meeting with the Cities of Harlingen and San Benito would be held Wednesday, January 22, 1993 at noon, to discuss Right-of-Way acquisitions.

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

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APPROVED this **25th** day of **January**, 1993.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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