

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 25th 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:

PRESENT:

1:30 P. M.

ANTONIO O. GARZA, JR.

COUNTY JUDGE

LUCINO ROSENBAUM

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:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked everyone present to join the Court 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 22, 1993, at 10:32 A. M:

**(1) APPROVAL OF COUNTY CLAIMS**

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

The motion was seconded by Commissioner Matz and carried unanimously.

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**(2) IN THE MATTER OF BUDGET AMENDMENTS  
AND/OR SALARY SCHEDULES (PASSED)**

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, reported that there were no Budget Amendments or Salary Schedules for approval at this time.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, this Item was passed.

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**(3) APPROVAL OF MINUTES' OF JANUARY 11 AND  
18, 1993**

Upon motion by Commissioner Cascos seconded by Commissioner Valencia and carried unanimously, the Minutes of the Regular Meeting held on January 11, 1993 at 1:30 P.M. and the Minutes of the Regular Meeting held on January 18, 1993 at 10:30 A.M. were approved.

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**(4) AUTHORIZATION TO APPROVE CONTRACT  
WITH UT-PAN AM FOR JOB CREATING STUDY  
IN CAMERON COUNTY**

Commissioner Cascos moved that the Contract with the University of Texas - Pan American (UT-Pan Am), Edinburg, Texas, for the Job Creating Study in Cameron County be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Service Contract is as follows:**

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

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

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**(6) APPROVAL TO REFUND TAXES TO NORTON COMPANY IN THE AMOUNT OF \$4,104.17**

Commissioner Cascos moved that the refund of taxes to Norton Company, Brownsville, Texas, in the amount of \$4,104.17, be approved as recommended by the County Auditor.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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**(7) AUTHORIZATION TO OPEN BIDS FOR ONE (1) PICKUP TRUCK FOR ENGINEERING DEPARTMENT**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, approval was given to open bids as received for one (1) pickup truck for the Engineering Department.

**The bids received and opened are as follows:**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the bids were referred to the Purchasing Agent and the County Engineer for tabulation and recommendation to the Court of the best bid in one (1) week.

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**(8) IN THE MATTER OF BIDS FOR QUEEN ISABELLA CAUSEWAY LIGHTING REPAIRS FOR PARKS DEPARTMENT**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, approval was given to open bids as received for the Queen Isabella Causeway lighting repairs for the Parks Department.

Mr. Michael Forbes, County Purchasing Agent, reported that he would need to discuss the matter with the Parks Director because seventy (70) bid packages were mailed out but no bids were received by the deadline.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, authorization was given to reject the bids and to authorize the re-advertisement for bids for the Queen Isabella Causeway lighting repairs for the Parks Department.

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**(9) APPROVAL OF REQUEST FOR PAYMENT OF ANNUAL DUES TO THE CONFERENCE OF URBAN COUNTIES IN THE AMOUNT OF \$1,125.00**

Commissioner Valencia moved that the payment of Annual Dues in the amount of \$1,125.00 to the Conference of Urban Counties be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

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**(10) APPROVAL OF RESOLUTION 93R-1 REGARDING  
THE ESTABLISHMENT OF A COMMERCIAL  
FREE TRADE ZONE BETWEEN THE CITY OF  
HARLINGEN AND THE LOS INDIOS BRIDGE**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, Resolution 93R-1 regarding the establishment of a Commercial Free Trade Zone between the City of Harlingen and the Los Indios Bridge was adopted.

**The Resolution is as follows:**

**(11) APPROVAL OF LETTER OF UNDER-STANDING  
BETWEEN MID-STATE PIPE FABRICATING, INC.  
AND CAMERON COUNTY, PURSUANT TO A  
CERTAIN TAX ABATEMENT AGREEMENT  
APPROVED BY THE COUNTY ON DECEMBER 21,  
1992**

Commissioner Cascos moved that a Letter of Understanding between Mid-State Pipe Fabricating, Inc. and Cameron County, pursuant to a certain Tax Abatement Agreement approved by the County on December 21, 1992, be acknowledged.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Letter of Understanding is as follows:**

(12) **IN THE MATTER OF ADOPTING THE COUNTY'S  
SELF-EVALUATION OF ITS PROGRAMS,  
SERVICES AND PRACTICES AS MANDATED BY  
THE AMERICANS WITH DISABILITIES ACT  
(TABLED)**

Judge Garza reported that the County had been conducting the American's with Disabilities Act (ADA) Self-Evaluation Compliance Checklist and one (1) of the requisites of the Statutes was to hold a Public Hearing. He stated that the Public Hearing would be conducted this evening at six (6:00) P.M. and the suggestion was made to place this Item on next week's Agenda in order to entertain more comments on the Proposal throughout the week.

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

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(13) **APPROVAL OF AMENDMENT TO THE PRESENT  
LEASE AT BOCA CHICA TOWER FOR AN  
ADDITIONAL 127 SQUARE FEET FOR AN  
ADDITIONAL \$107 PER MONTH**

Mr. Crispin Trevino, Drug Enforcement Task Force Director, explained that the Disruption Task Force had been expanded with the addition of five (5) staff members resulting in the need for additional office space.

Commissioner Valencia moved that the Amendment to the present Lease at Boca Chica Tower for an additional one hundred twenty-seven (127) square feet for an additional cost in the amount of \$107.00 per month be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

**The Lease is as follows:**

**(14) APPROVAL OF APPLICATION FOR  
STATIONARY MOBILE VENDOR'S PERMIT TO  
OPERATE FAMILY OWNED T-SHIRT SALES**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Application for the Stationary Mobile Vendor's Permit to operate a family owned T-Shirt Sales Concession was approved.

**The Application is as follows:**



**(15) APPROVAL OF APPOINTMENT OF  
COMMISSIONER CARLOS CASCOS AS  
CAMERON COUNTY JUDGE PRO-TEM**

Commissioner Valencia moved that the appointment of Commissioner Carlos H. Cascos, Precinct No. 2, as Cameron County Judge Pro-Tem be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

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**(16) REQUEST FOR PRELIMINARY AND FINAL  
APPROVAL**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:  
a) Arriaga Subdivision - Precinct No. 1 - being a 1.0 acre out of a certain 8.69 acre tract out of Lot No. 4, Block 406, El Jardin Re-subdivision.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer:  
b) Delfino Subdivision - Precinct No. 3 - being a subdivision of 0.892 acre of land of Block 60, of Briggs and Coleman Subdivision of Survey Number 271 and the north 400 acres of Survey Number 272.

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**(17) REQUEST FOR PRELIMINARY APPROVAL**

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer:  
a) Pederson Brothers No. 2 Subdivision - Precinct No. 3 - being a resubdivision of 47.82 acres of land consisting of all of Block 91 and 7.82 acres out of Block 90, Fresno Land and Irrigation Company Subdivision.

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**(18) AUTHORIZATION TO TRAVEL AND/OR  
APPROVAL OF TRAVEL EXPENSES**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the following travel and/or travel expenses were approved, subject to availability of funds in their budget:  
a) Mr. Rolando Martinez, Health Department Administrator, to Austin, Texas, on January 27, 1993, to attend Legislative Tracking System Workshop;  
b) County Auditor to Austin, Texas, on January 21-22, 1993, for Legislative Matters; and  
c) Assistant County Auditor and one (1) Justice of the Peace and staff to Austin, Texas, for training Seminar with Texas Court Administrators' Office.

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At this time, Commissioner Matz presented a brief biographical background of his experiences and reviewed some of the voter feedback that he received during the Election Campaign, that being to run the County as a business, to cut waste and duplications and to be accountable for every dollar spent.

Commissioner Matz also reviewed the following goals and concerns as Commissioner for Precinct No. 3, for the next four (4) years: a) teamwork, b) infrastructure - Roads and a Consolidated Unit Road System, c) subdivisions, d) Economic Development and job creation, e) law enforcement, f) Public Health and Environment, and g) Natural Resources and Tourism, and added that he would form Citizens Advisory Groups to maximize tax payer participation in policy formulation.

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**(19) EXECUTIVE SESSION**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 2:00 P. M. to discuss the following matters:

- b) Confer with Counsel regarding case styled The State of Texas vs. Gary D. Smith and wife, Vesta Henderson Smith, and Herman J. Keillor and wife, Judith Ann Keillor, Cause No. CL-B-31, 579; County Court-at-Law No. 2, Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- a) 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).

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 2:45 P.M.

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

- b) Confer with Counsel regarding case styled The State of Texas vs. Gary D. Smith and wife, Vesta Henderson Smith, and Herman J. Keillor and wife, Judith Ann Keillor, Cause No. CL-B-31, 579; County Court-at-Law No. 2, Cameron County.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the Court would entertain the settlement of this Item, along the terms and conditions as outlined in Executive Session, and that Ms. Elizabeth Nelley, Attorney-at-Law, in conjunction with Mr. Doug Wright, Cameron County Counsel, would request that the Engineering Department join in the settlement negotiations by obtaining estimates on certain aspects of the settlement with the Plaintiff's on this Matter.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Court entertained the settlement along the terms and conditions as outlined in Executive Session, and Ms. Elizabeth Nelley, Attorney-at-Law, in conjunction with Mr. Doug Wright, Cameron County Counsel, would request that the Engineering Department join in the settlement negotiations regarding the case styled The State of Texas vs. Gary D. Smith and wife, Vesta Henderson Smith, and Herman J. Keillor and wife, Judith Ann Keillor, Cause No. CL-B-31, 579; County Court-at-Law No. 2, Cameron County.

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

Judge Garza reported that members of the Court received a proposed list of Finalists and Alternates and the respective Resumes for review, in order to cull the list to about ten (10) applicants during Executive Session the following week, at which point those finalists would be notified and interviews scheduled.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court was authorized to have a week to review the proposed list of Finalists and Alternates in order to cull the list to about ten (10) applicants during Executive Session, at which point those finalists would be notified and interviews scheduled.

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

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**APPROVED** this **1st** day of **February**, 1993.

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**ANTONIO O. GARZA, JR.**  
**COUNTY JUDGE**

**ATTEST:**

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