

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 15TH day of MARCH, 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:

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

INELDA T. GARCIA, 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. Allen Essex, Reporter from the Valley Morning Newspaper, 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 March 12, 1993 at 1:15 P. M.

At this time, Judge Pro-tem Cascos requested that a moment of silence be observed in honor of Mrs. Irene Cueto, the County Engineer's mother, who passed away during the weekend.

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(3) APPROVAL OF MINUTES' OF MARCH 5 AND 8, 1993

At this time, Commissioner Matz noted corrections to the Minutes of March 8, 1993 on Item No. 2 and requested that his comments regarding "the very fine job that Ms. Tammy Atkinson was doing as Director of the Boys and Girls Club of Port Isabel-South Padre Island" be included on Item No. 14.

Commissioner Cascos stated that Commissioner Rosenbaum's and his vote should be corrected to reflect their vote as "Abstain" instead of "Nay" on Item No. 29 "f".

Commissioner Valencia moved that the Minutes of the Special Meeting held on March 5, 1993 at 8:45 A.M. and the Minutes of the Regular Meeting held on March 8, 1993 at 1:30 P. M. be approved, subject to the corrections as noted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(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 the following vote:

AYE: Commissioners Rosenbaum, Matz and Valencia

NAY: None

ABSTAIN: Judge Pro-tem Cascos as to the claim of Waters Implement Company, Inc., Warrant No. 74292 in the amount of \$548.80.

The Affidavit is as follows:

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

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Fiscal Year 1993 Budget Amendment No. 17 and the Salary Schedules for the Health (TBC) Department, Department No. 27-626, and the Sheriff's Department, Department No. 90-560, were approved.

The Budget Amendment and Salary Schedules are as follows:

**(4) AUTHORIZATION TO SET TUESDAY AS REGULAR
SESSION OF COMMISSIONERS COURT**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Regular Sessions of the Commissioners' Court Meetings were set for Tuesdays.

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**(5) AUTHORIZATION TO ADVERTISE FOR TWO (2) PICKUP
TRUCKS AND ONE (1) WATER TRUCK FOR PRECINCT
NO. 3**

Commissioner Valencia moved that the advertisement for two (2) pickup trucks and one (1) water truck for Precinct No. 3 be authorized.

The motion was seconded by Commissioner Matz and carried unanimously.

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**(6) AUTHORIZATION TO OPEN BIDS FOR ONE (1) PICKUP
TRUCK FOR FARM AND HOME DEPARTMENT**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, approval was given to open bids as received for one (1) pickup truck for the Farm and Home Department.

The bids received and opened are as follows:

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the bids were referred to the Purchasing Agent for tabulation and recommendation to the Court of the best bid.

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(7) **AUTHORIZATION TO OPEN BIDS FOR CONSTRUCTION OF
ANDY BOWIE PARK, CONTRACTS NO. 1 AND NO. 2**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, approval was given to open bids as received for Contracts No. 1 and No. 2 regarding the construction of Andy Bowie Park.

The bids received and opened are as follows:

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the bids were referred to the Purchasing Agent and the Parks Director for tabulation and recommendation to the Court of the best bid.

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(9) APPROVAL OF REQUEST BY SAN BENITO I.S.D. FOR THE USE OF FOUR (4) VOTING MACHINES FOR STUDENT COUNCIL CLASS OFFICERS ELECTION ON APRIL 6TH, 7TH, AND POSSIBLY THE 8TH, IF THERE IS A RUN-OFF

Commissioner Rosenbaum moved that the San Benito Independent School District's request for the use of four (4) voting machines for the Student Council Class Officers Election on April 6, and 7, 1993, and on April 8, 1993, should there be a run-off, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(8) AUTHORIZATION TO OPEN BIDS FOR MAVERICK ROAD PAVING IMPROVEMENTS

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, approval was given to open bids as received for the Maverick Road Paving improvements.

The bids received and opened are as follows:

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the bids were referred to Commissioner Rosenbaum and the County Engineer's Office for tabulation and recommendation to the Court of the best bid.

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(10) APPROVAL FOR ONE PAID DEPUTY AND CAR ALLOWANCE FOR PRECINCT 5 CONSTABLE, APPROXIMATELY \$14,000 SALARY, PLUS FRINGE AND APPROXIMATELY \$4,500 NEW EQUIPMENT. FUNDING TO BE DETERMINED

At this time, Mr. Javier Loreda, Constable Precinct No. 5, described the increased work being performed by his Precinct and the need for one (1) paid Deputy.

Judge Pro-tem Cascos asked if Constable Loreda was recommending the \$14,000.00 salary and questioned the amount of car allowance, and Constable Loreda responded that he was making the salary recommendation and that the car allowance would be \$500.00 a month.

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, explained that the annual base salary of \$13,500.00, in line with the size of that particular Precinct, would include an additional \$6000.00 for the car allowance and added that the \$14,000.00 was the amount needed for the balance of the Fiscal Year. She stated that the amount of \$4,500.00 for the "New Equipment" was composed of the Items previously approved by the Court.

Judge Pro-tem Cascos asked for the current amount in Lapsed Salaries and Ms. Martinez responded that the amount was \$27,494.00, after considering Budget Amendment No. 17.

Commissioner Valencia moved that one (1) paid Deputy, with car allowance, for the Precinct No. 5 Constable be approved, with an annual salary of approximately \$14,000.00 plus fringe benefits, and approximately \$4,500.00 for new equipment, said funding to be allocated from Lapsed Salaries.

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

AYE: Commissioners Rosenbaum, Valencia and Judge Pro-tem Cascos

NAY: None

ABSTAIN: Commissioner Matz.

At this time, Commissioner Matz remarked that he was well aware of the fine job that the Constable was doing and of the need for a Deputy Constable, especially after the opening of the Los Indios Bridge; however, he was concerned by the number of decisions the Court had made involving money which, in effect, represented significant changes in the Budget. He stated that the Court discussed a mid-year Budget Review to study the significant changes in the Budget and a number of budgetary concerns which would be better for the Court to review as a whole rather than on a piecemeal basis, and added that that was the reason he "abstained". He stated that he supported a new position, but would prefer that it be done within the context of an overall Budget Review.

Commissioner Valencia expressed favorable comments concerning Constable Loredo's performance, and added that he had received many calls from the community expressing their satisfaction and support for him.

Judge Pro-tem Cascos remarked, as a point of clarification, that although Commissioner Matz indicated that the Budget was being affected, that the Budget was not being affected by the use of Lapsed Salaries because those salaried Items had been budgeted but not utilized.

Ms. Martinez stated that the use of Lapsed Salaries would not affect the current Budget but it would affect next year's Budget, because those positions were not in the current year's Budget.

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**(11) AUTHORIZATION FOR STAFF TO BEGIN PREPARATION
OF T.D.O.C. INFRA-STRUCTURE GRANT APPLICATION
FOR IMPROVEMENTS TO THE HARLINGEN WASTE
WATER TREATMENT PLANT NO. 2**

Mr. Ed Theriot, City of Harlingen's Planning Director, explained that the City of Harlingen was in the process of a \$4.5 million expansion to the Wastewater Treatment Plant No. 2, in order to deliver the required amount of processed water to the adjacent Fruit of the Loom facility. He stated that the City of Harlingen received the following Commitment Letter from Fruit of the Loom for the creation of new jobs and added that the City was proposing to fund the improvements as explained in the following:

Commissioner Valencia moved that staff be directed to begin the preparation of the Texas Department of Commerce (TDOC) Infrastructure Grant Application for improvements to the Harlingen Waste Water Treatment Plant No. 2.

At this time, Commissioner Matz remarked that Commissioner Valencia and he met with Mr. Theriot and other City of Harlingen representatives and discussed the matter in some detail, and he commended Mr. Theriot for "the very fine briefing packet" provided to the Court. He added that "Fruit of the Loom had done a fine job of increasing the jobs and lowering the unemployment rate of this County."

The motion was seconded by Commissioner Matz and carried unanimously.

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(12) **ACTION RELATIVE TO A RESOLUTION IN SUPPORT OF
LEGISLATIVE BILL RELATING TO THE
CONSOLIDATION OF AD-VALOREM TAXES**

Mr. Felix Muñoz, Tax Office First Assistant and Chief Deputy, explained that House Representative Jim Solis filed House Bill 2746 on Friday, March 12, 1993, concerning the consolidation of ad-valorem taxes and that the County Tax-Assessor was requesting the Court's support for said House Bill.

Commissioner Matz moved that the Resolution in support of the Legislative Bill relating to the Consolidation of Ad-valorem Taxes
be adopted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Resolution is as follows:

(13) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation by the County Engineer's Office:

Precinct No. 4 -B.M.B. Subdivision - being a subdivision of 2.937 acres of land out of Block No. 25, Daugherty-Paillet Subdivision of Survey 293.

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(14) AUTHORIZATION TO TRAVEL OR APPROVAL OF TRAVEL EXPENSES

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

- a) County Treasurer to attend 21st County Treasurer's Seminar on April 12-15, 1993, in College Station, Texas;
- b) Commissioner Valencia and any other Members of the Court to Austin, Texas, for the Sixth Annual Local Government Seminar on April 1-2, 1993;
- c) Tax Assessor-Collector and four (4) Deputies to attend 39th Annual Tax Assessor Collectors' Conference in Galveston, Texas, on June 6-10, 1993, and to Austin, Texas, on March 14-15, 1993, to attend Jurisprudence Committee Meeting dealing with Legislative Issues;
- d) County Engineer to Austin, Texas, to deliver Plans and Specifications to the Texas Water Commission for the South Dakota Road Collection Systems on March 17, 1993; (DELETED)
- e) Two (2) Deputy Constables from Precinct No. 8 to attend five (5) day Intoxilyzer School in San Antonio, Texas, beginning on April 12, 1993; and
- f) Veteran Services Officer to attend Training Conference in San Antonio, Texas, on April 5-8, 1993.

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

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APPROVED this **23rd** day of **MARCH**, 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

