

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 29th day of JUNE, 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

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:  
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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked the entire Court 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 June 25, 1993 at 2:07 P. M.

**NOT ON PUBLIC HEARING OF THE ENGINEERS  
AGENDA PRELIMINARY REPORT CONCERNING THE CREATION  
OF DRAINAGE DISTRICT NO. 5**

At this time, Judge Garza referred to the following "Order" and "Notice of the Hearing of the Engineers' Preliminary Report" which was duly posted on June 8, 1993, as directed by the Statutes, noting that a Public Hearing would be held on June 29, 1993:

At this time, Judge Garza solicited public comments and Mr. Jack Brown, Consulting Engineer, briefly outlined the Engineers' Preliminary Report concerning the creation of Drainage District No. 5.

Hearing and sensing no further comments, Judge Garza suggested that the Public Hearing be recessed and that it reconvene at 5:30 P. M. at the Harlingen Public Library, Harlingen, Texas, in order to provide the residents the opportunity for additional comments.

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**(1) APPROVAL OF COUNTY CLAIMS**

Commissioner Valencia moved that the County Claims be approved as presented.

The motion was seconded by Commissioner Matz.

At this time, Commissioner Cascos questioned several of the Claims and suggested that the Claim for a tax refund, that being Warrant No. 80318 in the amount of \$1,182.15, be included in Item No. 4.

Upon motion duly made and seconded, the motion carried the following vote:

**AYE:** Commissioners Rosenbaum, Matz and Valencia

**NAY:** None

**ABSTAIN:** Judge Garza as to the claims of Brownsville Community Health Clinic, Warrant No. 79819, in the amount of \$105.12 and E. de la Garza, Incorporated, Warrant No. 79802, in the amount of \$2,930.76, Warrant No. 79803, in the amount of \$2,269.72, Warrant No. 79994, in the amount of \$142.88, Warrant No. 79995, in the amount of \$75.64 and Warrant No. 79996, in the amount of \$952.20; and Commissioner Cascos as to the claims of Waters Implement Company Inc., Warrant No. 80591, in the amount of \$16.56, Warrant No. 80576, in the amount of \$77.85, Warrant No. 80577, in the amount of \$17.02, Warrant No. 80249, in the amount of \$14.30, and Warrant No. 80250 in the amount of \$1,192.82; and Landair Travel, Inc., Warrant No. 80078, in the amount of \$524.00 and Warrant No. 80079, in the amount of \$196.00.

**The Affidavits are as follows:**

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

Commissioner Cascos moved that the Fiscal Year 1993 Budget Amendment No. 28, and the Salary Schedules for the District Clerk's Office, Department No. 450, the Program Development and Management Department, Department No. 10-419, and the Toll Bridge System, Department No. 80-610 be approved.

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

**AYE:** Commissioners Cascos, Matz and Valencia

**NAY:** Commissioner Rosenbaum as to the Salary Schedule for the Toll Bridge System

**ABSTAIN:** None.

**The Budget Amendment and Salary Schedules are as follows:**

**(3) APPROVAL OF MINUTES**

Commissioner Cascos moved that the Minutes of the Regular Meeting held on June 15, 1993 at 1:30 P.M. be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

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**(4) AUTHORIZATION TO REFUND TAXES TO J.B. COULTER  
IN THE AMOUNT OF \$635.00 FOR ERRONEOUS  
PAYMENT OF TAXES**

Mr. Rayburn MacNelly, County Auditor, requested that the tax refund listed on the County Claims, that being Warrant No. 80318 in the amount of \$1,182.15 to Mr. Hector Muñoz, be included in this Item.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the overpayment of taxes in the amount of \$635.00 to Mr. J. B. Coulter and the amount of \$1,182.15 to Mr. Hector Muñoz were refunded, as recommended by the County Auditor.

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**(5) AUTHORIZATION TO AMEND AUDITOR'S BUDGET AS  
PER SALARY SCHEDULE AND BUDGET REQUEST**

Commissioner Cascos moved that the County Auditor's Budget be amended as per the Salary Schedule and Budget Request presented by the County Auditor.

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

**AYE:** Commissioners Cascos, Matz and Valencia

**NAY:** Commissioner Rosenbaum

**ABSTAIN:** None.

**The Salary Schedule is as follows:**

(6) **AUTHORIZATION TO EXECUTE ORDER CALLING A  
COUNTY ROAD BOND ELECTION ON AUGUST 14, 1993**

Ms. Rosemary Martinez, Budget Officer, stated the amount of the Bonds to be issued must be part of the "Order" and added that the Right-of-Way Study prepared by the County Engineer's Office proposed the amount of 9.4 million dollars.

Commissioner Valencia moved that the "Order" calling for a County Road Bond Election on August 14, 1993 be executed, said Bond Issue to be in the amount of 9.4 million dollars.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Order is as follows:**

(7) **IN THE MATTER OF PAYMENT FOR FINANCIAL ADVISORY FEES INCURRED IN CONNECTION WITH THE 1993 C.O.'S ISSUE AND THE 1993 TAX REFUNDING BONDS (TABLED)**

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

(13) **AUTHORIZATION FOR ESTABLISHMENT OF EARLY VOTING LOCATIONS FOR CAMERON COUNTY BOND ELECTION OF AUGUST 14, 1993**

Ms. Tencha de la Peña, Elections Administrator, recommended that the Early Voting sites be the Brownsville Main Office, the Harlingen County Building, the San Benito Goolsby Building, and the Port Isabel City Hall. She noted that 112 votes were cast at the Church sites at a cost of \$8.42 per vote, and added that the Precincts could not be consolidated as in the Special Election.

Commissioner Valencia moved that the Early Voting locations for the Cameron County Bond Election of August 14, 1993 be established as follows: Brownsville Main Office, the Harlingen County Building, the San Benito Goolsby Building and the Port Isabel City Hall.

The motion was seconded by Commissioner Matz and carried unanimously.

(19) **ACTION RELATIVE TO PUBLIC CONTEST, AND PARKS BOARD RECOMMENDATION, FOR NAMING OF THE NEW BEACHFRONT PAVILION IN ISLA BLANCA PARK**

Mr. Kenneth Conway, Parks Director, explained that the Parks Board reviewed the entries submitted and were presenting the top selections for consideration: 1) Sandpiper, 2) Surfside and/or 3) Gulfbreeze.

Commissioner Matz moved that the "New Beachfront Pavilion" be named "Sandpiper", that being the name submitted during the Public Contest by Ms. Estela Thompson, Kansas City, and as recommended by the Parks Board.

The motion was seconded by Commissioner Valencia and carried unanimously.

(29) **REQUEST FOR FINAL APPROVAL**

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

- a) **Precinct No. 3** - River Road Subdivision II - being a 28.65 acre tract all of Lot 11, reserve area, River Road Subdivision Section One, San Pedro de Carricitos Grant.

(37) **EXECUTIVE SESSION**

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

- a) Discuss Altas Palmas Road Parcel 18, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Discuss property located at 102 Kilgore Drive, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- c) Discuss Railroad Relocation Project, Parcel No. 102 and No. 103, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- d) Discuss Old Alice Road, Parcel 14, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- e) Discuss deposition of County Owned Tract G, Los Indios Bridge Site, being 7.910 Acres of land out of Block No. 58 and No. 71, of the Los Indios Irrigated Land Company Subdivision, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- f) Discuss granting of a temporary access easement across County owned property in Block No. 61, Los Indios Irrigated Land Subdivision, at the Los Indios International Bridge, to allow for transloading of shipments to Mexico, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- g) Discuss Lease of real property in Isla Blanca Park, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- h) Discuss settlement of Case No. 92-08-3589-E, Carmen Garcia v. Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes);
- i) Discuss litigation in Case No. 92-06-02450-A, Hokanson, et al. vs. Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- j) Engineering and Right-of-Way personnel matters, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes). **(NOT DISCUSSED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 3:10 P. M.

**NOTE: COMMISSIONERS MATZ AND VALENCIA DID NOT RETURN TO THE COURTROOM.**

(8) **APPROVAL OF SUMMER YOUTH EMPLOYMENT PROGRAM WORKSITE AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY PRIVATE INDUSTRY COUNCIL AND OF DESIGNATION OF MR. FRANK BEJARANO AS THE AUTHORIZED CONTRACTING OFFICIAL**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Summer Youth Employment Program Worksite Agreement between Cameron County and the Cameron County Private Industry Council was approved and Mr. Frank Bejarano, Program Development and Management Director, was designated as the authorized Contracting Official.

**The Agreement is as follows:**



(9) **AUTHORIZATION TO RENEW CONTRACT FOR  
EXTERMINATION OF BEES IN RURAL CAMERON  
COUNTY.**

Commissioner Cascos moved that the Contract for extermination of bees in Rural Cameron County be renewed.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Service Contract is as follows:**

**(10) APPROVAL OF EXTENSION OF CONTRACT FOR SERVICES BETWEEN CAMERON COUNTY AND THE TEXAS EMPLOYMENT COMMISSION THROUGH AUGUST 31, 1993.**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Extension of the Contract for Services between Cameron County and the Texas Employment Commission was approved through August 31, 1993.

**The Service Contract is as follows:**

(11) **ACKNOWLEDGEMENT AND RECEIPT OF REPORT ON  
COLONIAS IN PRECINCT NO. 1**

At this time, Mr. Juan Montoya, Consultant, presented the following Report and the suggestion was made for the Court to review and discuss at a later date.

Commissioner Cascos moved that the Report on the Colonias in Precinct No. 1 be acknowledged.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Report is as follows:**

(12) **AUTHORIZATION TO LEASE THREE (3) COMPUTERS,  
TWO (2) OKIDATA PRINTERS AND ONE (1) HP  
LASERJET IIP FOR THE JUVENILE PROBATION  
DEPARTMENT**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Juvenile Probation Department was authorized to lease three (3) computers, two (2) Okidata Printers and one (1) HP Laserjet IIP for the Juvenile Probation Department.

(14) **AUTHORIZATION FOR TAX ASSESSOR-COLLECTOR TO  
SOLICIT PROPOSALS FOR LASER PRINTING OF 1993  
TAX STATEMENTS AND ENVELOPES**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, approval was given for the Tax Assessor-Collector to solicit proposals for Laser Printing of the 1993 Tax Statements and Envelopes.

**NOTE: COMMISSIONER VALENCIA RETURNED TO THE COURTROOM.**

(15) **APPROVAL OF TDH DOCUMENT NO. C4000019, CHANGE  
NO. 2, ATTACHMENT NO. 3 - AMENDMENT TO ADD  
NEW ATTACHMENT FOR TUBERCULOSIS OUTREACH  
SERVICES FOR HIGH RISK INDIVIDUALS**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Texas Department of Health (TDH) Document No. C4000019, Change No. 2, Attachment No. 3, that being an Amendment to add a new attachment for Tuberculosis Outreach Services for High Risk individuals, was approved.

**The Amendment is as follows:**

**(16) CONSIDERATION AND ACTION ON CONTRACT WITH  
THE CITY OF HARLINGEN PUBLIC LIBRARY TO  
PROVIDE A MEETING ROOM FOR THE WIC PROGRAM  
IMMUNIZATION TRAINING SESSION**

Commissioner Rosenbaum moved that the Contract with the City of Harlingen Public Library be approved, in order to provide a Meeting Room for the Women Infant and Children's (WIC) Program Immunization Training Session.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Contract is as follows:**

**(17) CONSIDERATION AND ACTION TO INCREASE THE HEALTH DEPARTMENT BUDGET BY \$3,500.00 FOR MALATHION SPRAY**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Health Department Budget was increased in the amount of \$3,500.00 for the purchase of Malathion Spray, said funds to be allocated from the Surplus Fund.

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**(18) APPROVAL TO FORM A TECHNOLOGY COMMITTEE COMPOSED WITH SOME COUNTY DEPARTMENT**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the formation of the Technology Committee, composed of several County Departments, as outlined was approved.

**The Technology Committee is as follows:**

**(20) AUTHORIZATION TO DEVELOP CONCESSION LEASE AGREEMENT IN RESPONSE TO PROPOSALS SUBMITTED FOR CONVENIENCE STORE RENTAL CONCESSION AT VETERAN'S PAVILION, ANDY BOWIE PARK**

Mr. Kenneth Conway, Parks Director, explained that the Parks System had solicited Proposals and that the Parks Board was recommending that the Lease be awarded to Mr. Brennan Wells, subject to review by County Counsel.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Lease Agreement by and between Mr. Brennan Well, South Padre Island, Texas, for the Convenience Store Rental Concession at the Veteran's Pavilion, Andy Bowie Park, was approved, as developed in response to the Proposals submitted, subject to legal review.

**The Lease Agreement is as follows:**

(21) **AUTHORIZATION TO RATIFY BEACH CLEANING SERVICE CONTRACT BETWEEN CAMERON COUNTY AND JAIME GONZALEZ FOR LITTER COLLECTION IN ANDY BOWIE PARK AND ON PUBLIC BEACHES NORTH OF ANDY BOWIE PARK**

Commissioner Cascos moved that the Beach Cleaning Service Contract between Cameron County and Jaime Gonzalez for the litter collection in Andy Bowie Park and on the Public Beaches North of Andy Bowie Park be ratified.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Service Contract is as follows:**



(22) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND DR. JAMES A. FREEBERG**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Contract between Cameron County and Dr. James A. Freeberg was approved.

(23) **APPROVAL OF INVOICE NO.'S 9DL8611 AND 9CA9407 THAT ARE CURRENTLY PAST DUE ON LEASE AGREEMENT WITH HEWLETT PACKARD COMPANY**

Mr. Norio Nishiguchi, Computer Center Director stated that Invoice No. 9DL8611 had been paid and that Invoice No. 9CA9407 had not been billed by Hewlett Packard for two (2) years.

Commissioner Valencia moved that the past due payment for Invoice No. 9CA9407, concerning the Lease Agreement with Hewlett Packard Company, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(24) **AUTHORIZATION FOR THE BROWNSVILLE POLICE OFFICER'S ASSOCIATION TO HOLD IT'S EIGHTH ANNUAL RED FISH TOURNAMENT ON JULY 31, 1993, AT THE BOCA CHICA BEACH**

At this time, Judge Garza explained that the Court could not authorize the use of Boca Chica Beach, take a sponsorship role or assume any liability, other than to encourage and support their efforts of the Brownsville Police Officer's Association.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the use of Boca Chica Beach for the Brownsville Police Officers' Associations Eighth Annual Red Fish Tournament on July 31, 1993, was acknowledged.

(25) **AUTHORIZATION TO EXECUTE CONTRACT WITH HOLDAR ENGINEERING FOR SERVICES RENDERED IN THE CREATION OF DRAINAGE DISTRICT NO. 6**

Mr. Andy Cueto, County Engineer, stated that the Contract with Holdar Engineering, consisting of the Maps, Plans and Budget Cost for the Improvements of Drainage District No. 6, was in the amount of \$45,000.00.

Commissioner Rosenbaum moved that the County Judge be authorize to execute the Contract with Holdar Engineering, Brownsville, Texas, for services rendered in the creation of Drainage District No. 6, said funds to be allocated from Surplus Fund.

The motion was seconded by Commissioner Cascos and carried unanimously.

**The Service Contract is as follows:**

**(26) AUTHORIZATION TO OPEN BIDS FOR THE FM 511  
DAKOTA ROAD SANITARY SEWER PROJECT**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, approval was given to open bids as received for the FM 511 Dakota Road Sanitary Sewer Project.

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

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the bids were referred to the County Engineer and Commissioner Precinct No. 1 for tabulation and recommendation to the Court of the best bid in one (1) week.

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**(27) AUTHORIZATION FOR COUNTY ENGINEER TO  
PREPARE PLANS AND SPECIFICATIONS FOR PAVING  
OF DAKOTA ROAD FROM FM 511 TO MAVERICK ROAD**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the County Engineer was directed to prepare Plans and Specifications for the paving of Dakota Road from FM 511 to Maverick Road.

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

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

- a) **Precinct No. 4** - Country Boy Heaven Subdivision - being 39.87 acres all of Block 14, of the Hicks Reserve Subdivision No. 1, Concepcion de Carricitos Grant.

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

- b) **Precinct No. 4** - Mattei Subdivision - being 5.634 acre tract of land out of Block 37, Stuart Place Subdivision of Survey 298.

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**(30) AUTHORIZATION TO ACCEPT SANTOS GOMEZ DRIVE  
IN LUZ DEL CIELO SUBDIVISION AS A COUNTY ROAD**

Commissioner Cascos moved that the Santos Gomez Drive in Luz del Cielo Subdivision be accepted as a County Dedicated Road, as recommend by the County Engineer.

The motion was seconded by Commissioner Valencia and carried unanimously.

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**(31) AUTHORIZATION TO OPEN BIDS FOR FURNITURE FOR  
VARIOUS DEPARTMENTS**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, approval was given to open bids as received for furniture for various Departments.

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

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

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**(32) AUTHORIZATION TO AWARD BIDS FOR TYPEWRITERS  
FOR VARIOUS DEPARTMENTS**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the low bid of Davis Office Systems, Harlingen, Texas, in the amount of \$8,138.00, with trade, was accepted for typewriters for various Departments, on the recommendation of the Purchasing Agent.

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**(33) AUTHORIZATION TO AWARD BIDS FOR COMPUTER  
PRINTERS FOR DATA PROCESSING DEPARTMENT**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the low bid of Micro Age Computer, Brownsville, Texas, was accepted for the Computer Printers for Data Processing Department, as recommended by the Purchasing Agent.

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**(34) AUTHORIZATION TO AWARD BIDS FOR THE SALE OF  
OBSOLETE SCRAP ROAD MACHINERY FOR VARIOUS  
PRECINCTS**

Commissioner Rosenbaum moved that the low bid of Jesus Dominguez Infante, Brownsville, Texas, in the amount of \$1,925.00, be accepted for the sale of Obsolete Scrap Road Machinery for various Precincts, as recommended by the Purchasing Agent.

The motion was seconded by Commissioner Cascos and carried unanimously.

**(35) AUTHORIZATION TO LEASE AND OR PURCHASE ONE  
(1) TRACTOR FOR PRECINCT NO. 4**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the lease and or purchase of one (1) tractor for Precinct No. 4 was authorized.

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**(6) AUTHORIZATION TO EXECUTE ORDER CALLING A COUNTY  
ROAD BOND ELECTION ON AUGUST 14, 1993**

At this time, Judge Garza read the "Order" calling for a County Road Bond Election on August 14, 1993, approved earlier in the Meeting.

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**(36) 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) Two (2) Health Department employees to travel to Austin, Texas, on August 11-13, 1993, to attend the "1993 Conference on Indigent Health Care and Integrated Eligibility";
- b) Constables to travel to Justice of the Peace & Constables Annual Conference in Waco, Texas on July 7-11, 1993;
- c) Assistant Auditor/Purchasing to travel to Austin, Texas, on July 6-7, 1993 to attend the "Texas Water Commission -Buying Recycled Seminar and Trade Show";
- d) Community Development Coordinator to travel to Laredo, Texas, on June 30 - July 1, 1993, for Texas Department of Housing and Community Affairs Application Workshop;
- e) Assistant to the County Engineer to attend TBPLS Professional and Technical Standards Seminar on July 31, 1993, in Weslaco, Texas;
- f) Building Inspector to attend Municipal Inspectors Training School at College Station, Texas, on August 8-13, 1993;
- g) Cameron County Drug Enforcement Personnel to attend four (4) hour of TCIC/NCIC training for inquiries on the TNIS equipment as required by TNCP on July 6-8, 1993, DPS Academy in Austin, Texas;
- h) Ms. Mary Ann Flores, to attend a training school on Forensic Hypnosis seminar to be held in Tyler, Texas on June 25-28, 1993;
- i) Mr. Kenneth Conway, Parks Director, to travel to Amarillo, Texas, to attend TPWD Parks Advisory Board Meeting on June 17-19, 1993;
- j) Mr. Kenneth Conway, Parks Director, and Commissioners to travel to Corpus Christi, Texas, area to view beach cleaning techniques and equipment on July 1, 1993;
- k) Judge Tony Torres' Secretary to attend one (1) day seminar on Commercial Driver's License Law Review on June 25, 1993;
- l) Mr. Lee Thompson, Safety and Risk Coordinator, to travel to Laredo, Texas, to attend Operation Exodus with the Texas Water Commission on June 27-29, 1993;
- m) Judge Sally Gonzalez, Justice of the Peace, Precinct No. 6-1, to attend the Justice of the Peace and Constables Annual Conference on July 7-11, 1993 in Waco, Texas; and

- n) Ms. Tencha de la Peña, Elections Administrator, to travel to Houston, Texas, on July 10-14, 1993, to attend IACREOT's Annual Conference.

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

- a) Action on Altas Palmas Road Parcel 18.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that said property be acquired along the terms and conditions as outlined in Executive Session, subject to final review by the Budget Officer.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the acquisition of Altas Palmas Road Parcel 18 was authorized, along the terms and conditions as outlined in Executive Session.

- b) Action on property located at 102 Kilgore Drive.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the Right-of-Way Agent proceed along the terms and conditions as agreed to in Executive Session concerning said matter.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously the Right-of-Way Agent was directed to proceed, along the terms and conditions as agreed to in Executive Session, concerning the property located at 102 Kilgore Drive.

- c) Action on Railroad Relocation Project, Parcel No. 102 and No. 103. **(NO ACTION TAKEN)**
- d) Action on Old Alice Road, Parcel 14. **(NO ACTION TAKEN)**
- e) Action on deposition of County Owned Tract G, Los Indios Bridge Site being 7.910 Acres of land out of Blocks No. 58 and No. 71 of the Los Indios Irrigated Land Company Subdivision. **(NO ACTION TAKEN)**
- f) Action on granting of a temporary access easement across County owned property in Block 61, Los Indios Irrigated Land Subdivision, at the Los Indios International Bridge to allow for transloading of shipments to Mexico. **(NO ACTION TAKEN)**
- g) Action to lease of Real Property in Isla Blanca Park. **(NO ACTION TAKEN)**

Judge Garza reported that Items "c", "d", "e", "f" and "g" were not discussed and no action would be taken.

- h) Approval and or Disapproval of Settlement Offer, Case No. 92-08-3589-E.

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

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to proceed with the Case No. 92-08-3589-E, along the terms and conditions as outlined in Executive Session.

- i) Action on County Attorney's Office "entering appearance" in Case No. 92-06-02450-A.

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

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to pursue the Case No. 92-06-02450-A, along the terms and conditions as outlined in Executive Session.  
j) In the matter of Engineering and Right-Of-Way personnel matters. **(NOT DISCUSSED)**

Judge Garza reported that on the recommendation of Mr. Allen Assex, Valley Morning Newspaper Reporter, this Item was not discussed.

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There being no further business to come before the Court, upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the meeting was recessed until 5:30 P. M.

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## **RECONVENED**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 5:30 P. M.

**NOT ON PUBLIC HEARING OF THE ENGINEERS  
AGENDA PRELIMINARY REPORT CONCERNING THE  
CREATION OF DRAINAGE DISTRICT NO. 5**

**NOTE: COMMISSIONERS ROSENBAUM AND MATZ WERE NOT IN ATTENDANCE.**

At this time, Mr. Jack Brown, Consulting Engineer with the Firm of Martin & Brown, explained that after the 1984 Flood, Congress provided funds for a Drainage Feasibility Study to determine if there was a potential Federal Project in the area, but after four (4) years of study by the Corp of Engineers, the project was rejected. He stated that the Comprehensive Study of the Drainage needs of Cameron County was adopted by the Court as a Master Plan and the Engineers Preliminary Report was based on the Master Plan, with some modifications.

Mr. Brown summarized the flooding events from 1967 to 1991 and the efforts that led to the Feasibility Study for the creation of Drainage District No. 5.

He explained that the Court would adopt the Engineer's Preliminary Report and call for an Election for August 14, 1993, and added that the ballot would contain two (2) items: 1) creation of the Drainage District and the establishment of the tax for the Operation and Maintenance of the District and 2) authorization for Bond Issue in the amount to be determined by the Court.

At this time, Mr. Jack Brown reviewed the Engineer's Preliminary Report which had been presented to the Court at a previous Meeting. He explained that the Report established the Drainage District Boundaries, and outlined the Operation and Maintenance and the Implementation Plan for the Drainage District. Mr. Brown stated that the total cost of the Project was estimated at 14.5 million dollars and that the Engineers were recommending a Bond Issuance of ten (10) million dollars and the assessments of a three (3) cents per one \$100.00 tax valuation, which would generate the amount of \$270,000.00 needed for the Operation and Maintenance of the District.

At this time, there was some discussion concerning the improvement and the construction of the Drainage District and Mr. Brown answered questions from the following individuals:

- a) Ms. Garrison Card, Harlingen, Texas
- b) Mr. Bob O'Boyle, Harlingen, Texas
- c) Mr. Jack Brown, Palm Valley, Texas, and
- d) Mr. L.P. Simmons, Harlingen, Texas.

At this time, Mayor William Card, Harlingen, Texas, explained the cooperative efforts of the entities involved in the plan for the Drainage District and added that the major concern would be to inform the voting community within the Boundaries, in order for the election to be successful.

The following individuals spoke in favor of the Drainage District:

- a) Mr. Don Johnson, Primera, Texas,

- b) Mr. Wayne Holbert, Harlingen Irrigation District, and
- c) Mr. Ray Brown, Harlingen Irrigation District.

At this time, Judge Garza stated that apparently there was a misunderstanding as to the time of the Public Hearing. He explained that the Notices were posted indicating that the Public Hearing would be held at 1:30 P. M. at the Commissioners' Courtroom and would recess and reconvene at the Harlingen Public Library at 5:30 P. M. Judge Garza explained that Commissioner Cascos would have to leave, due to a prior commitment, but that Mr. Brown would repeat the presentation of the Engineers Preliminary Report for the benefit of those individuals that arrived with the understanding that the meeting was at 6:30 P. M.

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

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APPROVED this **20th** day of **JULY**, 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**