

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 15th day of FEBRUARY, 1994, there was conducted a REGULAR PUBLIC Session of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:
1:30 P. M.

PRESENT:
JUDGE ANTONIO O. GARZA, JR.
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

KIM M. CHAMPION, DEPUTY
COUNTY CLERK

ABSENT:

CARLOS H. CASCOS

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Mayor Charles Weekly, San Benito, Texas, to lead the Court and 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 February 11, 1994, at 10:02 A. M.:

"CONSENT" AGENDA ITEMS

THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the

"Consent" Agenda Items were approved as follows, for the exception of Items No. 18 and No. 21:

(12) FINAL APPROVAL

a) Precinct No. 3 and Precinct No. 4:

Resaca Ridge Subdivision - being a subdivision of 58.648 acres in the West 72 acres of Block 59, as recorded in Cameron County Deed of Trust Records, and

b) Precinct No. 1:

Houston Estates - being a 22.57 acres being the West one half of Lot 2, Block 109, El Jardin Subdivision.

- (13) AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT FOR LANDSCAPING CONSULTANT SERVICES WITH DENNIS FORTASAIN

The Service Agreement follows:

- (14) APPROVAL OF CHANGE ORDERS NO. 8, NO. 9, AND NO. 10 FOR THE RENOVATION OF THE IOWA ROAD CLINIC

The Change Order follows:

- (15) APPROVAL OF THE TDH DOCUMENT NO. C4000019, CHANGE NO. 09: ATTACHMENT NO. 06B - AMENDMENT FOR COMMUNITY AND RURAL HEALTH TO PROVIDE PUBLIC HEALTH SERVICES INCLUDING PERSONAL AND ENVIRONMENTAL HEALTH SERVICES; AND ATTACHMENT NO. 09 - AMENDMENT TO ADD A NEW ATTACHMENT FOR INVESTIGATION, CONTROL MEASURES AND IMMUNIZATION SERVICES

The Document follows:

- (16) AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 940101 COURTHOUSE SECURITY SYSTEM

- (17) AUTHORIZATION TO OPEN BIDS FOR SALE OF LAW LIBRARY BOOKS

The bids received and opened follows:

- (18) IN THE MATTER OPEN BIDS FOR FOUR (4) PICK-UP TRUCKS AND ONE (1) SEDAN FOR PARKS DEPARTMENT (REJECTED)

- (19) AUTHORIZATION TO AWARD REQUEST FOR PROPOSAL NO. 931201 - ANNUAL PROPOSAL FOR PERSONAL COMPUTERS

MICROAGE COMPUTER CENTER,

Brownsville, Texas

- (20) AUTHORIZATION FOR PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO REQUEST BIDS FOR THE PURCHASE AND PLANTING OF TREES ON THE COURTHOUSE MAIN LAWN

- (21) IN THE MATTER FOR THE AUTHORIZE THE PROGRAM DEVELOPMENT AND MANAGEMENT DIRECTOR TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT WITH THE TEAM OF BENTON/BLUM/MARTIN AND BROWN/ HOUSING GROUP, PURSUANT TO THE IMPLEMENTATION OF THE CAMERON PARK COLONIA STUDY AND GENERAL PLAN (TABLED)

- (22) AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE REROOFING OF HANGER FOR THE CAMERON COUNTY AIRPORT
- (23) AUTHORIZATION TO ADVERTISE FOR BIDS FOR TWO-COURSE PAVING EQUIPMENT - PRECINCT NO. 1 AND PRECINCT NO. 2
- (24) APPROVAL OF ANNUAL DUES FOR THE CONFERENCE OF URBAN COUNTIES, IN THE AMOUNT OF \$1,125.00
- (25) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THE BUDGETS:
 - a) County Auditor and Purchasing Agent to attend "Government Technology Conference" on February 17, 1994, in Austin, Texas;
 - b) County Court-at-Law No. 2 Judge and Court Coordinator to attend the "Texas Judicial Conference on March 2 - 4, 1994, in Corpus Christi, Texas;
 - c) Two (2) Drug Enforcement Task Force Officers travel out of State on Special Undercover Assignment on February 4, 1994;
 - d) One (1) Health Department employee to attend "The Annual Public Health Nursing Conference" on February 25 - 26, 1994, in Corpus Christi, Texas;
 - e) Chief Juvenile Officer to attend "Texas Institute on Children and Youth Board Meetings" on February 18 - 19, 1994, in Austin, Texas;
 - f) Sheriff, Jail Administrator and two Jail Lieutenants to attend "The 1994 Bureau of Prisons Annual Contractors Conference" on March 1 - 4, 1994, in Dallas, Texas; and
 - g) Two (2) Engineer and Right-of-Way employees to attend "A City Planning in Texas Workshop" on February 18, 1994, in Edinburg, Texas.

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ITEM NO. 13

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT FOR
LANDSCAPING CONSULTANT SERVICES WITH DENNIS FORTASAIN

The Service Agreement follows:

ITEM NO. 14

APPROVAL OF CHANGE ORDERS NO. 8, NO. 9, AND NO. 10 FOR THE
RENOVATION OF THE IOWA ROAD CLINIC

The Change Order follows:

ITEM NO. 15

APPROVAL OF THE TDH DOCUMENT NO. C4000019, CHANGE NO. 09: ATTACHMENT NO. 06B - AMENDMENT FOR COMMUNITY AND RURAL HEALTH TO PROVIDE PUBLIC HEALTH SERVICES INCLUDING PERSONAL AND ENVIRONMENTAL HEALTH SERVICES; AND ATTACHMENT NO. 09 - AMENDMENT TO ADD A NEW ATTACHMENT FOR INVESTIGATION, CONTROL MEASURES AND IMMUNIZATION SERVICES

The Document follows:

ITEM NO. 17 AUTHORIZATION TO OPEN BIDS FOR SALE OF LAW LIBRARY BOOKS

The bids received and opened follows:

(9) **PRESENTATION OF SUMMONS BY THE
SUNRISE ROTARY CLUB REGARDING
SOMBRERO FESTIVAL**

At this time, the presentations of the annual "summons" by Mr. Rusty Faulk, Sunrise Rotary Club, regarding the Sombrero Festival and Charro Days, were acknowledged.

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(26) **EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 1:50 P. M. to discuss the following matter:

- a) To discuss negotiations and new Interlocal Agreement between Cameron County and Cities of Harlingen and San Benito regarding the Free Trade Bridge at Los Indios, pursuant to Government Code Section 551.071 (1)(A) and (B).

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 2:00 P.M., and noted that the Court reserved the right to re-enter into Executive Session should it be necessary and appropriate.

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(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. 93-40 was approved.

The Budget Amendment is as follows:

(3) **IN THE MATTER OF MINUTES OF
FEBRUARY 2 AND 8, 1994 (TABLED)**

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

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(4) **AUTHORIZATION TO RATIFY THE OPENING
OF BIDS ON FEBRUARY 2, 1994, RECEIVED
FOR THE DAKOTA AVENUE STREET AND
DRAINAGE IMPROVEMENT PROJECT**

Commissioner Rosenbaum moved that the bids received and opened on February 2, 1994, for the Dakota Avenue Street and Drainage Improvement Project, be rejected and re-advertised.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(5) **PUBLIC HEARING ON PROPOSAL ORDINANCE
REGULATING TRAFFIC AND LITTER ON PUBLIC
BEACHES IN THE UNINCORPORATED AREAS OF
SOUTH PADRE ISLAND AND PROHIBITING
SWIMMING IN THE BRAZOS-SANTIAGO PASS AND
PROHIBITING GLASS BOTTLES ON PUBLIC
BEACHES IN THE UNINCORPORATED AREAS OF
SOUTH PADRE ISLAND**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Hearing was opened for public comment.

Mr. Kenneth Conway, Parks Director, presented the Order which basically consolidated the existing Ordinances that have been in existence for about ten (10) years. He stated that the Ordinances related to Litter and Traffic Regulations on Public Beaches North of Andy Bowie Park, swimming in the Brazos-Santiago Ship Channel, and the prohibition of glass bottles on Public Beaches. He added that the major change would apply to the two (2) Park Sites, donated to the County, which would be designated "Pedestrian Only".

Hearing and sensing no further comments, upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Public Hearing was closed.

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(6) **ACTION ADOPTING AN ORDINANCE
REGULATING TRAFFIC AND LITTER ON
PUBLIC BEACHES IN THE
UNINCORPORATED AREAS OF SOUTH
PADRE ISLAND AND PROHIBITING
SWIMMING IN THE BRAZOS-SANTIAGO
PASS AND PROHIBITING GLASS BOTTLES
ON PUBLIC BEACHES IN THE
UNINCORPORATED AREAS OF SOUTH
PADRE ISLAND**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, Order No. 94.001, regulating Traffic and Litter on Public Beaches in the unincorporated areas of South Padre Island, prohibiting swimming in the Brazos-Santiago Pass, and prohibiting glass bottles on Public Beaches in the unincorporated areas of South Padre Island was adopted.

The Order is as follows:

(7) **IN THE MATTER OF DISCUSSION THE ROAD
CONDITIONS OF THE ROAD OFF PALMETTO
HILL ROAD (TABLED)**

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

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(8) **IN THE MATTER FOR COUNTY ENGINEER
TO PREPARE DRAINAGE STUDY AND ROAD
IMPROVEMENT PLAN FOR DEL MAR
HEIGHTS SUBDIVISION (NO ACTION TAKEN)**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, no action wa
Drainage Study and Road Improvement Plan for Del Mar Heights Subdivision.

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(1) **APPROVAL OF COUNTY CLAIMS**

Commissioner Rosenbaum moved that the County Claims be approved as presented and as recommended by the County Audit

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

AYE: Commissioners Rosenbaum, Matz and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claims of:

E. DE LA GARZA, INC.:

Warrant No. 92607 - \$ 9,783.43,

Warrant No. 92608 - \$ 5,995.34,

Warrant No. 92609 - \$ 7,942.75,

Warrant No. 92610 - \$ 7,706.47,

Warrant No. 92611 - \$ 2,287.53, and

BROWNSVILLE COMMUNITY HEALTH CENTER:

Warrant No. 92626 - \$ 26.87.

The Affidavit is as follows:

- (10) **AUTHORIZATION TO ADOPT A RESOLUTION HONORING MS. LUCHA VILLA, MR. AMIGO 1993, FOR HER MANY ACCOMPLISHMENTS AND TRIUMPHS IN THE WORLD OF ENTERTAINMENT AND PRESENT MS. LUCHA VILLA WITH THE STATUS OF HONORARY CITIZEN OF CAMERON COUNTY AND PROCLAIM THE WEEK OF FEBRUARY 21 -27, 1994, AS "LUCHA VILLA WEEK"**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the Resolution honoring Ms. Lucha Villa for her accomplishments and triumphs in the world of entertainment and to present Ms. Lucha Villa with the status of Honorary Citizen of Cameron County for February 21-27, 1994, as "LUCHA VILLA WEEK" was adopted.

The Resolution is as follows:

(11) **AUTHORIZATION TO ADOPT A RESOLUTION
JOINING THE "COALITION OF COUNTIES
WITH OVERCROWDED JAILS"**

Commissioner Valencia moved that the Resolution joining the "Coalition of Counties with overcrowded Jails".

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Resolution is as follows:

At this time, the Court recessed pending the conclusion of the discussion relating to the negotiations by the County Attorney and the Representatives of the Cities of Harlingen and San Benito and new Interlocal Agreement between Cameron County and the Cities of Harlingen and San Benito, regarding the Free Trade Bridge at Los Indios.

The Court reconvened in Regular Session at 3:10 p.m.

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(27) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Action regarding discussion on negotiations and new Interlocal Agreement between Cameron County and Cities of Harlingen and San Benito regarding the Free Trade Bridge at Los Indios.

Mr. Brian Janis, Attorney-at-Law, summarized several points regarding the discussion and negotiations on the "addendum" to the Interlocal Agreement between Cameron County and Cities of Harlingen and San Benito, regarding the Free Trade Bridge at Los Indios.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the County Attorney's recommendation regarding the negotiations on the addendum to the Interlocal Agreement between Cameron County and Cities of Harlingen and San Benito regarding the Free Trade Bridge at Los Indios were adopted as outlined.

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

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APPROVED this **22nd** day of **February**, 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