

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 29TH day of MARCH, 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:
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 Mr. David Honeyman, visitor from Arkansas, 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 25, 1994, at 9:46 A. M.:

(1) APPROVAL OF COUNTY CLAIMS

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the County Claims were approved as presented and as recommended by the County Auditor.

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

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Fiscal Year 1994 Budget Amendment No. 94-18, and the Salary Schedules for the Elections Department, Fund No. 10-491, the Tax Assessor-Collector' Office, Fund No. 10-499, and the Health Department, Funds No. 24-634, No. 26-646, and No. 32-631, were approved.

The Budget Amendment and Salary Schedules are as follow:

(3) **APPROVAL OF MINUTES OF MARCH 15, 1994**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes of the Regular Meeting held March 15, 1994, at 1:30 P.M. were approved, subject to the correction noted on Page No. 15.

(4) **AUTHORIZATION TO CHANGE VENDORS
FOR THE TAX DEPARTMENT 1994-MAY
MAIL NOTICE STATEMENTS, FROM LASER
PRINTERS OF SAN ANTONIO, TEXAS, WHICH
WAS APPROVED BY
COMMISSIONERS' COURT ON AUGUST 16,
1993, TO HAMER ENTERPRISES**

Commissioner Valencia moved that the vendor for the Tax Department 1994-May Mail Notice Statements be changed from Laser Printers of San Antonio, Texas, to Hamer Enterprises, McAllen, Texas.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(5) **AUTHORIZATION TO AWARD BIDS FOR
COUNTY AIRPORT HANGER RE-ROOFING AND
DESIGNATE FUNDING SOURCE, \$48,698.00
AVAILABLE IN THE 1988 C. O. FUND**

At this time, Mr. Andy Cueto, County Engineer, recommended that the low bid by American Roofing, in the amount of \$68,854.00, be accepted for the re-roofing of the County Airport Hanger. He suggested that the amount of \$21,000.00 be allocated from the General Fund for the difference between the bid cost and the money available in the Certificates of Obligation.

Commissioner Valencia moved that the low bid by American Roofing, in the amount of \$68,854.00, be accepted for the County Airport Hanger re-roofing, and that the amount of \$21,000.00 be allocated from the Fund Balance of the General Fund, and the amount of \$48,698.00 from the 1988 Certificates of Obligation Fund.

The motion was seconded by Commissioner Matz and carried unanimously.

"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 Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the "Consent" Agenda Items, including the Supplemental Agenda were approved as follows, excluding Item No. 7:

- (6) ACKNOWLEDGEMENT OF CONTINUING EDUCATION BY COMMISSIONER JAMES MATZ, IN ACCORDANCE WITH ARTICLE 81.0025 OF THE TEXAS LOCAL GOVERNMENT CODE

The Certificate follows:

- (8) APPROVAL OF THE USE OF TWO VOTING MACHINES FOR THE UNIVERSITY OF TEXAS AT BROWNSVILLE, TO BE USED ON APRIL 2, 1994
- (9) AUTHORIZATION TO ACCEPT PROPOSAL FROM ALLEN, WILLSFORD AND SEALE, INC., FOR TURN KEY RIGHT-OF-WAY ACQUISITION FOR FM/509 TO US 281
- (10) PRELIMINARY AND FINAL APPROVAL
- a) **Precinct No. 3:**
Schlosser Estates Subdivision - being a 5.29 acres out of Block 215, San Benito Land and Water Company Subdivision.
- (11) FINAL APPROVAL
- a) **Precinct No. 3:**
Palm Valley South Subdivision - being the North 19.858 acres of Block 10, Stuart Place Subdivision; and
- b) **Precinct No. 4:**
J.D.Z. La Carreta Subdivision, Unit No. 3 - being a subdivision of a 25.491 acre tract of out of tract "0" out of the Lower 1/3 of the Middle League of the San Pedro de Carricitos Grant.
- (12) APPROVAL OF MOBILE VENDOR PERMIT APPLICATION FOR CARLOS TORRES, DBA: LA REINA DEL ELOTE NO. 1, TO OPERATE ON BOCA CHICA BEACH
- The Application follows:**
- (13) APPROVAL OF APPLICATION TO OPERATE A MOBILE BUSINESS ESTABLISHMENT ON PUBLIC BEACHES OF SOUTH PADRE ISLAND BY MR. JUAN TORRES, JR., DBA: SUPER CORN II
- The Application follows:**
- (14) APPROVAL OF APPLICATION FOR CHANGE FOR MOBILE VENDOR'S PERMIT NO. 2468 ISSUED TO MR. FRANCISCO TORRES HERNANDEZ AND MS. FRANCISCA TORRES DBA: EL REY DEL ELOTE, OPERATING ON PUBLIC BEACHES OF SOUTH PADRE ISLAND
- The Application follows:**
- (15) APPROVAL OF APPLICATION FOR CHANGE FOR MOBILE VENDOR'S PERMIT NO. 2566 ISSUED TO MR. FRANCISCO TORRES HERNANDEZ AND MS. FRANCISCA TORRES DBA: EL REY DEL ELOTE
- The Application follows:**
- (16) APPROVAL OF APPLICATION FOR MOBILE VENDOR'S PERMIT TO MR. FRANCISCO TORRES HERNANDEZ DBA: EL REY DEL ELOTE, OPERATING ON PUBLIC BEACHES ON SOUTH PADRE ISLAND
- The Application follows:**
- (17) AUTHORIZATION TO AWARD BIDS FOR SALE OF LAW LIBRARY BOOKS
- LAW LIBRARY INC., SEGUIN, TEXAS - \$800.00**
- (18) APPROVAL OF CHANGE ORDER NO. 11 TO THE CONTRACT WITH WILHITE ASSOCIATES, INC.
- The Change Order follows:**

(19) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES, FOR THE FOLLOWING SUBJECT TO AVAILABLE FUNDS IN THE BUDGET:

- a) Task Force Director to attend "Commanders Meeting for **HIDTA**" on April 5, 1994, in San Antonio, Texas;
- b) County Judge and Commissioners to attend "72nd Annual County Judges and Commissioners Conference" on October 11-13, 1994, in Corpus Christi, Texas;
- c) Purchasing Agent and Maintenance Director to attend the "Texas General Services Commission - Recycling Conference/Trade Show" on March 30, 1994, in Austin, Texas; and
- d) Program Development and Management Director to attend "**AICP** Workshop" on April 5, 1994, in Weslaco, Texas.

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ITEM NO. 6

**ACKNOWLEDGEMENT OF CONTINUING EDUCATION
BY COMMISSIONER JAMES MATZ, IN ACCORDANCE
WITH ARTICLE 81.0025 OF THE TEXAS LOCAL
GOVERNMENT CODE**

The Certificate follows:

- ITEM NO. 12** **APPROVAL OF MOBILE VENDOR PERMIT APPLICATION FOR CARLOS TORRES, DBA: LA REINA DEL ELOTE NO. 1, TO OPERATE ON BOCA CHICA BEACH**
- ITEM NO. 13** **APPROVAL OF APPLICATION TO OPERATE A MOBILE BUSINESS ESTABLISHMENT ON PUBLIC BEACHES OF SOUTH PADRE ISLAND BY MR. JUAN TORRES, JR., DBA: SUPER CORN II**
- ITEM NO. 14** **APPROVAL OF APPLICATION FOR CHANGE FOR MOBILE VENDOR'S PERMIT NO. 2468 ISSUED TO MR. FRANCISCO TORRES HERNANDEZ AND MS. FRANCISCA TORRES DBA: EL REY DEL ELOTE, OPERATING ON PUBLIC BEACHES OF SOUTH PADRE ISLAND**
- ITEM NO. 15** **APPROVAL OF APPLICATION FOR CHANGE FOR MOBILE VENDOR'S PERMIT NO. 2566 ISSUED TO MR. FRANCISCO TORRES HERNANDEZ AND MS. FRANCISCA TORRES DBA: EL REY DEL ELOTE**
- ITEM NO. 16** **APPROVAL OF APPLICATION FOR MOBILE VENDOR'S PERMIT TO MR. FRANCISCO TORRES HERNANDEZ DBA: EL REY DEL ELOTE, OPERATING ON PUBLIC BEACHES ON SOUTH PADRE ISLAND**

The Applications follow:

ITEM NO. 18

**APPROVAL OF CHANGE ORDER NO. 11 TO THE
CONTRACT WITH WILHITE ASSOCIATES, INC.**

The Change Order follows:

(7) **AUTHORIZATION TO ESTABLISH BRANCH OFFICES FOR THE DEMOCRATIC AND REPUBLICAN RUN-OFF (PRIMARIES) - ELECTIONS OF APRIL 12, 1994, FOR EARLY VOTING**

Ms. Tencha de la Peña, Elections Administrator, reported that the cost in the Port Isabel Branch Office for the March Primary was \$5.48 per vote and \$5.00 per vote in the Los Fresnos Branch Office. She asked the Court whether to have said Branch Offices for the Run-Off Elections and added that Early Voting was scheduled for April 4-8, 1994.

Judge Garza indicated that there had been a debate in the past regarding the cost per vote and the availability and accessibility to the polls, and since the Court kept the Los Fresnos and Port Isabel Branch Offices for the Primary and the General Elections, he suggested that it not be changed for the Run-off Elections.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Branch Office locations for the Democratic and Republican Run-off (Primaries) - Elections of April 12, 1994, were established the same as in the March Primaries.

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NOT ON AGENDA APPROVAL TO OPEN BIDS FOR SOUTH DAKOTA STREET AND DRAINAGE IMPROVEMENTS

At this time, Mr. Andy Cueto, County Engineer, opened the bids received for the South Dakota Street and Drainage Improvements, said matter to be ratified at the next Meeting.

The bids received and opened are as follow:

(20) EXECUTIVE SESSION

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

Court met in Executive Session at 1:37 P. M. to discuss the following matter:

- a) Discuss lease approximately 3.3 acres of land at the Free Trade Bridge at Los Indios, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A).

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

Court reconvened in Regular Session at 2:05 P. M.

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(22) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Action regarding lease approximately 3.3 acres of land at the Free Trade Bridge at Los Indios.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that said matter would be discussed further, after having additional Meetings with the Bridge Systems Director and the Economic Development Branch of the Harlingen Chamber of Commerce, said Item to be placed on the Agenda in two (2) weeks.

Upon motion by Commissioner Matz , seconded by Commissioner Rosenbaum and carried unanimously, additional Meetings were approved with the Bridge Systems Director and the Harlingen Chamber of Commerce's Economic Development Branch, regarding the lease of 3.3 acres of land at the Free Trade Bridge at Los Indios, said matter to be placed on the Agenda in two (2) weeks.

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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.

APPROVED this **12th** day of **April**, 1994. ----- 0 -----

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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