

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 5th day of APRIL, 1994, there was conducted a SPECIAL 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:  
10:30 A.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 Ms. Elizabeth Allen, Brownsville Herald Reporter, to lead the audience and 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 March 31, 1994, at 11:15 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 follow:

(8)ADOPTION OF PROCLAMATION RECOGNIZING NATIONAL CHILD ABUSE AND NEGLECT PREVENTION MONTH OF "APRIL 1994"

The Proclamation follows:

(9)AUTHORIZATION TO OPEN BIDS FOR MOTORGRADER AND DUMP TRUCKS - PRECINCTS NO. 2 AND NO. 4

The bids received and opened follow:

(10)APPROVAL OF APPOINTMENT OF MR. JAIME D. WHITTEMORE TO THE CAMERON COUNTY CHILD WELFARE BOARD

(11)RATIFICATION OF BID OPENING FOR SOUTH DAKOTA STREET AND DRAINAGE IMPROVEMENTS

(12)AUTHORIZATION TO AWARD BIDS ON THE SOUTH DAKOTA AVENUE STREET AND DRAINAGE IMPROVEMENTS PROJECT

**FITZGERALD CONTRACTING, INC., DONNA, TEXAS**

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

a)County Clerk and one (1) Deputy to attend "Records Management Officer's Conference for Local Government", on April 27 - 29, 1994, in Austin, Texas;

b)Tax Assessor-Collector and Chief Deputy to attend "Tax Assessor-Collector Association Conference" in Amarillo, Texas, on June 18 - 22, 1994;

c)Five (5) Computer employees to attend "AS/400 Conference" in Dallas/Ft. Worth, Texas, on April 17 - 19, 1994;

d)Four (4) Health Department employees to attend "Intensive Course in Breastfeeding Basics" Workshop in Corpus Christi, Texas, on May 24 - 26, 1994;

e)Three (3) County Engineering and Right-Of-Way employees to attend the "ASCE Texas Section Meeting" in Corpus Christi, Texas, on April 21 - 23, 1994; and

f)One (1) Sheriff's Department employee to attend "HTE Users Group Conference" in Waco, Texas, on April 13-15, 1994.

**ITEM NO. 8ADOPTION OF PROCLAMATION RECOGNIZING NATIONAL CHILD ABUSE AND NEGLECT PREVENTION MONTH OF "APRIL 1994"**

The Proclamation follows:

**ITEM NO. 9      AUTHORIZATION TO OPEN BIDS FOR MOTORGRADER AND DUMP  
TRUCKS - PRECINCTS NO. 2 AND NO. 4**

**The bids received and opened follow:**

**(4) APPROVAL OF THE \$40,000.00 ALLOCATION FOR THE PREPARATION OF THE VALLEY EMPOWERMENT ZONE APPLICATION. (ATTACH CONDITIONS AND DESIGNATE FUNDING SOURCE)**

Commissioner Valencia moved that the amount of \$40,000.00 be allocated from the Fund Balance for the preparation of the Valley Empowerment Zone Application, subject to the acceptable participation in the Empowerment Zone Application by Cameron County.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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**(1) APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Mark Yates, County Auditor, presented the late claim as to L. J. MacFarland, Port Isabel, Texas, Warrant No. 95659, in the amount of \$1,500.00, for approval.

Commissioner Rosenbaum moved that the County Claims be approved as presented, inclusive of the late claim as to L. J. MacFarland, Port Isabel, Texas, Warrant No. 95659, in the amount of \$1,500.00, and as recommended by the County Auditor.

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

AYE: Commissioners

Rosenbaum, Cascos, Matz and Valencia

NAY: None

ABSTAIN: Judge Garza as to the following claim:

BROWNSVILLE COMMUNITY HEALTH CLINIC

Warrant No. 95307 - \$248.98.

At this time, Judge Garza noted that he had resigned from the Brownsville Community Health Clinic Board over six (6) months ago, and no longer had any conflict of interest with said Agency.

The Affidavit is as follows:

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

Ms. Rosemary Martinez, Budget Officer, indicated that there were no Budget Amendments for approval at this time.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz, and carried unanimously, the Salary Schedule for the Engineering and Right-of-Way Department, Fund No. 15-622, was approved.

**The Salary Schedule is as follows:**

**(3) IN THE MATTER OF MINUTES' OF MARCH 22, 1994 AND  
MARCH 29, 1994 (TABLED)**

The Deputy County Clerk indicated that there were no Minutes for approval at this time.

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**(5) APPROVAL OF LICENSE  
AGREEMENT BETWEEN U. S. ARMY  
AND CAMERON COUNTY TO USE  
AIRPORT FOR TRAINING PURPOSES**

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum, and carried unanimously, the License Agreement between the U. S. Army and Cameron County to use the County Airport for training was approved, subject to legal review.

**The Agreement is as follows:**

(6) **APPROVAL OF ABANDONMENT OF DIPPING  
VAT EASEMENT**

Judge Garza explained that the County received the "dipping vat" easement in 1944 but had not utilized that easement in over twenty (20) years and the owners had requested clearance of title for their property.

Mr. Doug Wright, County Counsel, explained that a "Quick Claim" Deed had been prepared for the County Judge's signature, and added that the owners needed to present an "Evidence of Title" for the clearance.

Commissioner Rosenbaum moved that the abandonment of the "dipping vat" easement be approved, subject to the "Evidence of Title" by the owner.

The motion was seconded by Commissioner Matz and carried unanimously.

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(7) **CONSIDERATION AND ACTION EXTENDING  
ARMORED CAR SERVICE CONTRACT WITH  
ROCHESTER ARMORED CAR CO., INC., DBA  
MAGIC VALLEY ARMORED CAR COMPANY,  
FOR GATEWAY INTERNATIONAL BRIDGE**

At this time, Mr. Joe Galvan, Bridge Systems Director, recommended that the Contract with Rochester Armored Company be extended for three (3) years, at an increase rate of four percent (4%), or a monthly rate of \$155.50 per month, and that the limits of liability insurance be increased from the current \$50,000.00 to \$75,000.00 on Mondays and any day following a Holiday and from \$15,000.00 to \$25,000.00 on Tuesdays through Fridays.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum, and carried unanimously, the Armored Car Service Contract was extended with Rochester Armored Car Co., Inc., d/b/a Magic Valley Armored Car Company, for the Gateway International Bridge.

**The Contract is as follows:**

**(4) APPROVAL OF THE \$40,000.00 ALLOCATION FOR THE PREPARATION OF THE VALLEY EMPOWERMENT ZONE APPLICATION. (ATTACH CONDITIONS AND DESIGNATE FUNDING SOURCE)**

At this time, Commissioner Matz remarked that the \$40,000.00 allocation would be used for the preparation of the Project Application.

Judge Garza clarified that the \$40,000.00 was toward the \$150,000.00 that would be collected from the four (4) County area, that being 1/3 from the private sector, 1/3 from Counties, and 1/3 from Cities, and would be strictly for the preparation of the Application and not for any advocacy efforts discussed.

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**(NOT ON CONSIDERATION AND ACTION CONCERNING AGENDA) THE HEALTH INSURANCE WORKSHOP**

Judge Garza commented that the Health Insurance Committee had done a "good job" and noted that the suggestion made at the Workshop, to retain a "consultant" as staff to the Committee, should be considered.

At this time, it appeared to be the consensus of the Court, as determined by polling, that the Court would support the Insurance Committee's previous recommendation regarding the Health Insurance for the employees.

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**(14) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 10:55 A. M. to discuss the following matter:

a) Discuss appeal and/or settlement of Natalia Flores vs. Cameron County, v.s. District Souther District of Texas; Civil Action No. B-88-145, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A) and (B).

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 12:00 P. M.

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

a) Action regarding authorization to appeal and/or settlement.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should be directed to discuss the appeal and/or settlement with Plaintiff, along the terms and conditions as agreed to in Executive Session.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, County Counsel was directed to discuss the appeal and/or settlement with Plaintiff regarding the case styled Natalia Flores vs. Cameron County, Civil Action No. B-88-145, along the terms and conditions as agreed to in Executive Session.

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



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

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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**