

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 7th day of JUNE, 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:

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. Santos Molina Jr., World War II Veteran, 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 June 3, 1994, at 9:12 A. M.:

(6) **PRESENTATION OF RESOLUTION HONORING
SANTOS MOLINA, JR. FOR HIS PARTICIPATION
IN THE ALLIED LANDING ON NORMANDY,
FRANCE**

Commissioner Rosenbaum moved that the Resolution honoring Mr. Santos Molina, Jr., for his participation in the Allied landing on Normandy, France, be acknowledged as presented by Judge Pro-tem Cascos.

The motion was seconded by Commissioner Matz and carried unanimously.

The Resolution is as follows:

(1) **APPROVAL OF COUNTY CLAIMS**

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

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

Commissioner Valencia moved that the Fiscal Year 1994 Budget Amendments No. 94-25 and No. 94-25A and the Salary Schedules for the M & O Precinct No. 1, Fund No. 15-617 and the Juvenile Department, Fund No. 31-571, be approved as recommended by the Budget Officer.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

(3) **APPROVAL OF MINUTES OF MAY 24, 1994, AND
JUNE 1, 1994**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Minutes of the Regular Meeting held May 24, 1994, at 1:30 P.M., and the Minutes of the Special Meeting held June 1, 1994, at 1:30 P.M., were approved.

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(4) **ACTION REGARDING VOLUNTEER PHYSICIAN
SERVICES AS PROPOSED BY DAGOBERTO
MARTINEZ, M.D.**

Mr. Rolando Martinez, Health Director, explained that the malpractice coverage and other legal aspects of the existing Contract were reviewed and that the County Health Authority and Staff were recommending to accept the volunteer services as proposed by Dr. Dagoberto Martinez, M.D.

Commissioner Valencia moved that the Volunteer Physician Services as proposed by Dr. Dagoberto Martinez, M.D., be accepted on the recommendation of Dr. Gustavo Stern, County Health Authority, and Staff.

The motion was seconded by Commissioner Matz and carried unanimously.

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"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 Matz and carried unanimously, the "Consent" Agenda Items were approved as follow:

- (7) AUTHORIZATION FOR APPROVAL OF SUMMER YOUTH EMPLOYMENT PROGRAM WORK SITE AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY PRIVATE INDUSTRY COUNCIL AND AUTHORIZATION FOR FRANK BEJARANO, PROGRAM DEVELOPMENT AND MANAGEMENT DIRECTOR, TO SIGN SAID CONTRACT

The Agreement follows:

- (8) AUTHORIZATION FOR APPROVAL OF CONTRACT BETWEEN TEXAS DEPARTMENT OF HEALTH (TDH) AND THE CAMERON COUNTY HEALTH DEPARTMENT; TDH DOCUMENT NO. C5000223, CHANGE NO. 2; ATTACHMENTS NO. 2A - AMENDMENT TO FUND EXPANDED OUTREACH SERVICES TO INDIVIDUALS OF IDENTIFIED SUB-GROUPS WHO HAVE TUBERCULOSIS OR ARE AT HIGH RISK OF DEVELOPING TUBERCULOSIS; AND NO. 4A - AMENDMENT TO FUND TUBERCULOSIS OUTREACH SERVICES TO INMATES IN CORRECTIONAL FACILITIES AND THE COMMUNITY

The Contract Amendments follow:

- (9) AUTHORIZATION OF RESOLUTION AND ASSOCIATED APPLICATION FOR ANNUAL BEACH CLEANING CONTRACT (FISCAL YEAR 1993/1994) BETWEEN CAMERON COUNTY PARKS SYSTEM AND TEXAS GENERAL LAND OFFICE, CERTIFYING THAT CAMERON COUNTY PARKS SYSTEM WILL CLEAN AND PATROL 31,800 LINEAR FEET OF PUBLIC BEACHES ON SOUTH PADRE ISLAND

The Resolution follows:

- (10) APPROVAL OF APPLICATION FOR MOBILE BEACH VENDING PERMIT FOR ABOLFAZL MARANDA, DBA: ABO'S FOOD AND BEACH RENTAL

The Application follows:

- (11) AUTHORIZATION TO AWARD BIDS FOR CASH OR LEASE PURCHASE OF ONE CHIP SPREADER FOR PRECINCTS NO. 1 AND NO. 2

COOPER EQUIPMENT CO., San Antonio, Texas

Item F: Lease Purchase 5 years - \$79,829.80

- (12) AUTHORIZATION TO AWARD REQUEST FOR PROPOSAL (RFP) NO. 940401 FOR INMATE PAY PHONES EQUIPMENT AND SERVICE - COUNTY JAIL

SOUTHWESTERN BELL, Houston, Texas

The Contract follows:

- (13) AUTHORIZATION TO OPEN ANNUAL BIDS 1994/1995 FOR LASER PRINTING OF TAX STATEMENTS - TAX DEPARTMENT

The Bids received and opened are as follow:

- (14) AUTHORIZATION TO OPEN BIDS FOR TWO (2) AIR CONDITIONING/RTU'S - MAINTENANCE

The Bids received and opened are as follow:

- (15) AUTHORIZATION TO OPEN ANNUAL BIDS FOR TYPEWRITERS

The Bids received and opened are as follow:

- (16) AUTHORIZATION TO ADVERTISE FOR THE SALE OF ONE (1) 1976 WATER TRUCK - LOS INDIOS BRIDGE

(17) AUTHORIZATION TO ADOPT RESOLUTION IN SUPPORT OF THE VALLEY RURAL EMPOWERMENT ZONE APPLICATION

The Resolution follows:

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

- a) Elections Administrator and one (1) Deputy to attend "Federal Election Commission Meeting" in Tucson, Arizona, on June 18-22, 1994;
- b) Constable Precinct No. 1 to attend the "1994 Justice of the Peace and Constable Conference" in Amarillo, Texas, on July 7-11, 1994;
- c) County Clerk and one (1) Deputy to attend the "99th Annual County and District Clerk's Conference" in Galveston, Texas, on June 13-17, 1994;
- d) Chief Sanitarian to attend the "National Environmental Health Association's 58th Annual Educational Conference and Exhibition" in Fort Worth, Texas, on June 20-23, 1994; and
- e) One (1) Health Department employee to attend the "South Texas Border Region Health Care Conference" as a delegate in San Antonio, Texas, on June 6-7, 1994.

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ITEM NO. 7

**AUTHORIZATION FOR APPROVAL OF SUMMER
YOUTH EMPLOYMENT PROGRAM WORK SITE
AGREEMENT BETWEEN CAMERON COUNTY AND THE
CAMERON COUNTY PRIVATE INDUSTRY COUNCIL
AND AUTHORIZATION FOR MR. FRANK BEJERANO,
PROGRAM DEVELOPMENT AND MANAGEMENT
DIRECTOR, TO SIGN SAID CONTRACT**

The Agreement follows:

ITEM NO. 8

AUTHORIZATION FOR APPROVAL OF CONTRACT BETWEEN TEXAS DEPARTMENT OF HEALTH (TDH) AND THE CAMERON COUNTY HEALTH DEPARTMENT; TDH DOCUMENT NO. C5000223, CHANGE NO. 2; ATTACHMENTS NO. 2A - AMENDMENT TO FUND EXPANDED OUTREACH SERVICES TO INDIVIDUALS OF IDENTIFIED SUB-GROUPS WHO HAVE TUBERCULOSIS OR ARE AT HIGH RISK OF DEVELOPING TUBERCULOSIS; AND NO. 4A - AMENDMENT TO FUND TUBERCULOSIS OUTREACH SERVICES TO INMATES IN CORRECTIONAL FACILITIES AND THE COMMUNITY

The Contract Amendments follow:

ITEM NO. 9

AUTHORIZATION OF RESOLUTION AND ASSOCIATED APPLICATION FOR ANNUAL BEACH CLEANING CONTRACT (FISCAL YEAR 1993/1994) BETWEEN CAMERON COUNTY PARKS SYSTEM AND TEXAS GENERAL LAND OFFICE, CERTIFYING THAT CAMERON COUNTY PARKS SYSTEM WILL CLEAN AND PATROL 31,800 LINEAR FEET OF PUBLIC BEACHES ON SOUTH PADRE ISLAND

The Resolution follows:

ITEM NO. 10

**APPROVAL OF APPLICATION FOR MOBILE BEACH
VENDING PERMIT FOR ABOLFAZL MARANDA, DBA:
ABO'S FOOD AND BEACH RENTAL**

The Application follows:

ITEM NO. 12

**AUTHORIZATION TO AWARD REQUEST FOR
PROPOSAL (RFP) NO. 940401 FOR INMATE PAY PHONES
EQUIPMENT AND SERVICE - COUNTY JAIL**

SOUTHWESTERN BELL, Houston, Texas

The Contract follows:

ITEM NO. 13

**AUTHORIZATION TO OPEN ANNUAL BIDS 1994/1995
FOR LASER PRINTING OF TAX STATEMENTS - TAX
DEPARTMENT**

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

ITEM NO. 14

**AUTHORIZATION TO OPEN BIDS FOR TWO (2) AIR
CONDITIONING/RTU'S - MAINTENANCE**

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

ITEM NO. 15

**AUTHORIZATION TO OPEN ANNUAL BIDS FOR
TYPEWRITERS**

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

ITEM NO. 17

**AUTHORIZATION TO ADOPT RESOLUTION IN
SUPPORT OF THE VALLEY RURAL EMPOWERMENT
ZONE APPLICATION**

The Resolution follows:

(5) **AUTHORIZATION TO HOLD A PUBLIC HEARING AND TO ADOPT AN ORDER TO ESTABLISH PROPOSED WEIGHT LIMITS, SPEED LIMITS, NAME CHANGES AND TRAFFIC CONTROLS ON VARIOUS SEGMENTS OF COUNTY ROADS AND/OR BRIDGES**

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

Hearing and sensing no public comment, upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Public Hearing closed.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Order to establish proposed Weight Limits, Speed Limits, Name Changes and Traffic Controls on various segments of County Roads and/or Bridges was adopted.

The Order is as follows:

(19) EXECUTIVE SESSION

At this time, Judge Pro-tem Cascos noted that Item "c" concerning the case styled Flores vs. Cameron County would not be discussed.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 1:45 P. M. to discuss the following matters:

- a. Discuss Levier vs. Cameron County, et. al., Cause No. 94-05-2150-B, 138th District Court, with Attorney and representation of individual defendants, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- b. .Discuss Morris vs. Molly, B-92-047, U.S. District Court Southern District of Texas, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(II)(A&B), and
- c. In the Matter to discuss status of Appeal in Flores vs. Cameron County, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A)(NOT DISCUSSED).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Court reconvened in Regular Session at 2:25 P.M.

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(20) ACTION RELATIVE TO EXECUTIVE SESSION

- a. Action concerning discussion of Levier vs. Cameron County, et. al., Cause No. 94-05-2150-B, 138th District Court, with Attorney and representation of individual defendants;
- b. Action concerning discussion of Morris vs. Molly, Cause No. B-92-047, U.S. District Court, Southern District of Texas.

Judge Pro-tem Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed along the terms and conditions as outlined in Executive Session concerning said Matters.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session, concerning the cases styled Levier vs. Cameron County, et.

al., Cause No. 94-05-2150-B, and Morris vs. Molly, Cause No. B-92-047, U.S. District Court.

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SUPPLEMENTAL AGENDA

- 1) In the Matter of consolidation of the Road and Bridge System in Cameron County, Texas. (TABLED)

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, this Item was Tabled.

Mr. Doug Wright, County Counsel, noted that a quorum would not be present at the scheduled time of 3:30 P.M. as posted.

At this time, Ms. Juanita Brodecky, Rio Hondo resident, expressed her disappointment at having the Item concerning Road consolidation "tabled". She expressed her support for consolidation of the Road System and presented the following Letter which detailed her concerns and views:

There was some discussion concerning the need to consider the various issues in a timely manner, such as the petition and the required number of proper signatures, in order to call for an election.

Judge Pro-tem Cascos explained that there were many options available in the matter of Road consolidation. He stated that the Court had not determined the direction it would take concerning "consolidation" and added that it was premature to start the petition process. He stated that the issues would require discussion with the entire Court and the appropriate Staff present in order to make a decision that would be workable for the County.

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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 **14th** day of **JUNE**, 1994.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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