

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 10th day of FEBRUARY, 1992 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

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COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA  
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA  
COUNTY CLERK

ABSENT:

ADOLPH THOMAE, JR.

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Mr. Doug Wright, Assistant District Attorney, 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 County Clerk's Office on February 7, 1992, at 11:32 A. M.

At this time, Judge Garza introduced Mr. Doug Wright, Assistant District Attorney, who will assume the duties as Counsel for the Court in four (4) weeks.

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**ANNOUNCEMENT:**

Judge Garza announced that the Meeting would be recessed at 2:40 P. M., so that the Court could have the opportunity to watch Hidalgo County Judge Edgar Ruiz plant some trees in front of the Cameron County Courthouse in honor of Arbor Week. Judge Ruiz lost a friendly wager last year regarding "Valley Recycling Day".

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**(4) PRESENTATION OF CERTIFICATE OF APPRECIATION TO GAIL WHITE FORMER EXTENSION SERVICE AGENT IN CAMERON COUNTY**

At this time, Judge Garza presented a Certificate of Appreciation to Ms. Gail White, former Extension Service Agent, for her years of service and wished her success in her new endeavors.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Certificate of Appreciation to Ms. Gail White, former Extension Service Agent in Cameron County, was acknowledged.

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**(5) PRESENTATION OF 1991 AUDIT REPORT OF THE INTERNATIONAL TOLL BRIDGE SYSTEM AND THE 1991 AUDIT REPORT OF THE PARK SYSTEM BY THE FIRM OF LONG, CHILTON, PAYTE AND HARDIN, C.P.A'S.**

Mr. Ignacio Garza, representing the Firm of Long, Chilton, Payte and Hardin, Certified Public Accountants, reviewed the 1991 Audit Report of the International Toll Bridge System Fund.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the 1991 Audit Report of the International Toll Bridge System Fund by the Firm of Long, Chilton, Payte and Hardin, Certified Public Accountants, was acknowledged.

**The Audit Report is as follows:**

At this time, Mr. Garza reviewed the 1991 Audit Report of the Parks System and highlighted the main points of concern.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the 1991 Audit Report of the Parks System Fund by the Firm of Long, Chilton, Payte and Hardin, Certified Public Accountants, was acknowledged.

**The Audit Report is as follows:**

**(1) APPROVAL OF COUNTY CLAIMS**

Commissioner Valencia moved to approve the County Claims as presented and on the recommendation of the County Auditor.

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

AYE: Commissioners Rosenbaum and Valencia

NAY: None

ABSTAIN: Commissioner Cascos as to the claim of Waters Implement Company, Warrant No. 54648 in the amount of \$72.50.

**The Affidavit is as follows:**

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

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the 1991/1992 Budget Amendment No. 14 was approved.

**The Budget Amendment is as follows:**

**(3) APPROVAL OF THE MINUTES' OF JANUARY 30,  
1992 AND FEBRUARY 3, 1992**

Mr. Joe G. Rivera, County Clerk, presented a Supplemental Page to the Minutes of January 30, 1992, that being Item No. 25.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Minutes' of the Special Meeting held on January 30, 1992, at 9:30 A. M., including the Supplemental Page with respect to Item No. 25, and the Regular Meeting held on February 3, 1992 at 1:30 P.M., were approved.

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**(6) AUTHORIZATION TO AMEND CONTRACT WITH  
DAVID M. GRIFFITH AND ASSOCIATES FOR  
FISCAL YEARS 1991-1994**

Mr. Rayburn MacNelly, County Auditor, stated that due to the recent Legislation, the County is now required to submit "actual expenses" for housing State prisoners and that the County would need a "jail rate analysis" at a cost of \$2,500.00, as explained in the following "Letter" by the Firm of David M. Griffith and Associates:

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Amendment to the Contract with David M. Griffith and Associates for Fiscal Years 1991 through 1994 was authorized.

**The Amendment is as follows:**

(11) **APPROVAL OF STATEMENT OF POLICY  
REGARDING AUTOMOBILE USAGE**

Ms. Rosemary Martinez, First Assistant County Auditor, stated that the Personnel Committee was directed by the Court on January 30, 1992, to prepare an Amendment to the Personnel Policies Manual adding a Sub-Section called "Use of County-owned vehicles". She stated that the Section would prohibit the use of County-owned vehicles for any purpose, other than "Official County Business" and it would prohibit transporting "non-employees" in the County vehicles, except in the course of County business.

Ms. Martinez stated that since the Personnel Policies Manual specifically exempted Elected Officials, a Resolution was drafted stating that it was the intent of the Court to include the "Elected Officials".

**At this time, Judge Garza read the Resolution as follows:**

Commissioner Valencia questioned the proposed Policy with respect to Elected Officials, and added that the Officials would be at risk of being sued for not providing "emergency assistance" or assisting someone stranded on the Highway, and Ms. Martinez responded that the County was at a greater risk right now at being sued because of the abuse by County employees transporting other individuals on County-owned vehicles. She added that an accident did occur involving a County employee and his children; however, no one was hurt but the potential for liability existed. She reminded the Court that the County does not have Personal Injury Protection Coverage.

Commissioner Cascos moved that the Resolution, as a County Statement of Policy with respect to use of County-owned vehicles, be adopted.

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

AYE:Commissioners Rosenbaum and Cascos

NAY:Commissioner Valencia.

Commissioner Cascos moved to integrate the Amendment into the County Personnel Policies Manual, that being Sub-Section 2.07.

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

AYE:Commissioners Rosenbaum and Cascos

NAY:Commissioner Valencia.

**The Policy is as follows:**

(7) **AUTHORIZATION TO OPEN BIDS FOR  
TYPEWRITERS FOR VARIOUS DEPARTMENTS**

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

**NOTE: Commissioner Valencia left the Courtroom at this time.**

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

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

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**NOTE: Commissioner Valencia returned to the Courtroom.**

(8) **IN THE MATTER TO OBTAIN PRO-FESSIONAL SERVICES FOR THE PRE-PARATION OF A TITLE REPORT AND RELATED TITLE TRANSFER DOCUMENTS, PURSUANT TO THE SALE OF THE OLD COUNTY JAIL (TABLED)**

Mr. Frank Bejarano, Program Development and Management Director, stated that the Professional Service for the Title Report and Title Transfer needed to be retained in anticipation of the sale of the "Old County Jail", and that the cost of the services would be between \$1,700.00 to \$2,800.00.

There was some discussion regarding the preparation of documents "in-house" and the suggestion was made to "hold-off" on retaining Professional Services until the negotiations begin.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, this Item was TABLED.

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(9) **CONSIDERATION AND ACTION ESTABLISHING THE DUTIES OF THE POSITION OF SAFETY AND RISK COORDINATOR**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Job Description for the position of the "Safety and Risk Coordinator" was adopted.

**The Job Description is as follows:**

Judge Garza stated that the range in salary established for the position of Safety and Risk Coordinator was between \$18,000.00 to \$24,000.00 and that said monies needed to be allocated and the position advertised.

Commissioner Valencia moved to direct the advertisement for the position of a Safety and Risk Coordinator.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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**(10) APPROVAL OF CERTAIN REVISIONS TO THE COUNTY'S PERSONNEL POLICY MANUAL AS RECOMMENDED BY LABOR COUNSEL**

Mr. Frank Bejarano, Program Development and Management Director, reviewed the summary of the recommendations by the Personnel Committee regarding the revisions to the Personnel Policy Manual as recommended by the Firm of Haynes and Boone, the County's Labor Counsel. He stated that the Personnel Committee concurred with most of the recommendations unless otherwise noted in the following summary:

Mr. Bejarano said that the biggest change necessary would be to the Pre-Employment Physical procedures currently being used. He stated that the Physicals should be called "Post-Employment Physicals" and should only apply to certain positions, as recommended by Counsel and that those positions should be identified by the Department Heads.

Commissioner Valencia moved that the revisions to the Policy Sections as affected by the Americans with Disabilities Act (ADA), to the extent that the Personnel Committee concurred with the recommendation by the Firm of Haynes and Boone, Labor Counsel, be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

At this time, the Revisions to the Policy Sections that the Personnel Committee DID NOT concur with the recommendation by the Firm of Haynes and Boone, Labor Counsel, were considered individually and are as follows:

**PERFORMANCE EVALUATION**

Commissioner Cascos moved that the category on Physical Fitness be removed from the Performance Evaluation, as recommended by the Firm of Haynes and Boone, Labor Counsel, and that the category "Other" be added as recommended by the Personnel Counsel.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**11.02 PERFORMANCE EVALUATION REPORT**

Commissioner Valencia moved to adopt the Labor Counsel's recommendation of using the word "should" instead of "shall" regarding the requirement of Performance Evaluations at least once a year.

The motion was seconded by Commissioner Cascos and carried unanimously.

**16.00 EXEMPT POSITION**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Section on Exempt Positions was referred to the Personnel Committee for additional discussion.

**EMPLOYMENT APPLICATION**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the "dates attended in the Education History" are to remain in the Personnel Policies, consistent with the recommendation of the Personnel Committee.

**VERBAL WARNING  
RECORD AND REPRIMAND MEMORANDUM**

Commissioner Cascos moved that the checklist not be eliminated concerning the Verbal Warning Record and Reprimand Memorandum and that the "Other" category be added as recommended by Personnel Committee.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(13) **APPROVAL OF WAIVER OF PENALTIES AND INTEREST ON THE VILLA DEL SOL SUBDIVISION, PURSUANT TO TEXAS TAX CODE ANNOTATED SECTION 33.011 (VERNON'S SUPPLEMENTAL 1992)**

Mr. Brian Janis, Attorney at Law, appeared before the Court requesting the waiver of tax penalties and interests assessed with the taxes on Villa del Sol Subdivision, a property developed by Mr. Joe Zayas.

Mr. Janis explained that initially Mr. Zayas had a partner in the development of the subdivision and that each individual owned one-half undivided interest; however, the other individual filed for bankruptcy protection several years ago, and that the collection of property taxes were held in abeyance as explained in a Letter dated January 16, 1992, to the County Judge as follows:

Mr. Janis stated that in the meantime, Mr. Zayas attempted to pay the taxes owed on his share of the property, but was informed by the Tax Office that he could not until the bankruptcy was resolved.

Mr. Janis stated that Mr. Zayas subsequently purchased the other share of the property and was willing to pay the pending tax debt but questioned the assessment of the penalties and interests. Mr. Janis indicated that Ms. Pandora Dysart, former County Counsel, had reviewed the matter and did not see a problem with the waiver.

Commissioner Valencia moved that the waiver of penalties and interests on the Villa del Sol Subdivision be approved.

The motion was seconded by Commissioner Rosenbaum.

At this time, Mr. Rayburn MacNelly, County Auditor, stated that the undivided interest could not be separated prior to 1988 because of the type of tax structure the County had, which was that an individual had to pay all or none of the taxes, and that the penalties could not be waived.

Commissioner Cascos questioned whether the amount owed between 1984, when the delinquency started, through 1988 could be pro-rated, and Mr. MacNelly stated that the Court could waive the interest but not the penalties.

Judge Garza stated that "if there was a discretion on the waiver of interest, that it appeared to be the consensus of the Court to exercise the waiver, and if there was discretion on the waiver of penalties, that it was a question of Law".

At this time, Judge Garza suggested that perhaps the Law could be researched while the Court was recessed and the County Attorney indicated that he would attempt to obtain a clarification during that time.

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Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Meeting was RECESSED until 3:30 P. M., or at the conclusion of the "Tree-Planting" Ceremony.

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Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Regular Meeting reconvened at 3:40 P. M.

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At this time, Judge Garza stated that the discussion regarding Item No. 13 would resume and questioned whether Counsels had had an opportunity to discuss and clarify the points of concern.

Mr. Janis responded affirmatively and added that Mr. Zayas was willing to pay the taxes, and that the Court had the discretion to waive the interests but that the penalties could not be waived, as a matter of Law.

Judge Garza clarified that a motion was pending by Commissioner Valencia and seconded by Commissioner Rosenbaum to waive the penalties and interests.

At this time, Commissioner Valencia withdrew that motion.

Commissioner Cascos moved that the waiver of interests, but not the penalties, on the Villa del Sol Subdivision be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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**(12) APPROVAL OF RESOLUTION CONCERNING  
DESIGN AND CONSTRUCTION OF BOARD-  
WALK FACILITIES AT ANDY BOWIE PARK**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Resolution concerning the design and construction of the Boardwalk facilities at Andy Bowie Park was adopted.

**The Resolution is as follows:**

At this time, Mr. Kenneth Conway, Parks Director, stated that he anticipated the completion (Isla Blanca Park) within two (2) weeks and suggested to schedule a "Grand Opening" event on Thursday, February 27, 1992.

Commissioner Valencia moved that the status report by the Parks Director be acknowledged and that the "Grand Opening" be scheduled for Thursday, February 27, 1992.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(14) **APPROVAL OF MOBILE VENDOR'S PERMIT  
FOR FRANCOIS NEWKIRK AND ANDRES PENA,  
DBA "THE GRILL" TO OPERATE VENDING  
CONCESSION ON PUBLIC BEACHES NORTH OF  
ANDY BOWIE PARK**

Commissioner Valencia moved that the Mobile Vendor's Permit for Francois Newkirk and Andres Pena, doing business as "The Grill", to operate a vending concession on the public beaches north of Andy Bowie Park be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Application is as follows:**

(15) **AUTHORIZATION TO TERMINATE LEASE  
BETWEEN COUNTY AND JOHN MICHAEL  
LYNCH, DBA "CONEY ISLAND SNACK BAR",  
PER LESSEE'S REQUEST**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the Lease between the County and John Michael Lynch, doing business as "Coney Island Snack Bar", as per the Lessee's request, was terminated.

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(16) **AUTHORIZATION TO EXECUTE NEW LEASE  
AGREEMENT BETWEEN COUNTY AND CONEY  
ISLAND, INC., DBA CONEY ISLAND SNACK BAR  
& GRILL**

Mr. Kenneth Conway, Parks Director, stated that these individuals would be assuming the existing Lease terms for the duration and that the only substantial difference was that they now had formed a Corporation. He added that although the Court had been reluctant in the past to approve Lease Agreements with Corporations, these individuals wanted the protection of a Corporation.

There was some discussion regarding the need to obtain the signature as "individuals" or as "Agents of the Corporation" and the suggestion was made to obtain the signature of an individual as a "guarantor" for the Corporation.

Commissioner Cascos suggested that the Certificate of Incorporation should be included in any future Corporation-type-  
Leases.

Commissioner Cascos moved that the County Judge be authorized to execute the new Lease Agreement between the County and Coney Island, Inc., doing business as Coney Island Snack Bar & Grill, subject to the provision of an Officer as a "guarantor" and the provision of a Certificate of Incorporation and Resolution.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Lease Agreement is as follows:**

(17) **IN THE MATTER OF CHANGE ORDER NO. 2 TO  
MCALLEN CONSTRUCTION AT LOS INDIOS  
INTERNATIONAL BRIDGE TO ADD THE  
CONSTRUCTION OF WATER LINE  
IMPROVEMENTS TO THEIR CONTRACT  
(TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, this Item was TABLED.

(18) **DISCUSSION AND POSSIBLE ACTION  
REGARDING THE ADOPTION OR  
MODIFICATION OF POLICY REGARDING  
PURCHASING**

Mr. Rayburn MacNelly, County Auditor, stated that the County follows the "State Statutes" of the competitive bidding process requirements that competitive pricing or bids be received on all the County purchases. He said that it was a formality addressed by the Purchasing Act which states that purchases over \$10,000.00 be advertised to assure competitive bidding. The County follows the procedure that purchases between \$250.00 and \$10,000.00 require three (3) telephone requests for price quotations, written down; and purchases below \$250.00, just some quotations.

He stated that his Department contacted other Counties regarding the procedures used to comply with the "competitive bidding process" and that most Counties received written quotations in the amounts between \$500.00 to \$10,000.00 and that they recommended telephone quotations in the amounts below \$500.00.

Mr. MacNelly stated that some frustration existed because people wanted to do things in a hurry, with no long range planning and that his Department, in the spirit of trying to help everybody, was obtaining the telephone quotes to issue Purchase Orders and that it doubles the Departments' workload.

He suggested that this Item would be good as a "Workshop" Item with all the staff that handles purchasing to identify and resolve problems that exist. He gave several examples of Department heads trying to avoid the competitive bids process and the problems that are created.

Judge Garza questioned whether the \$250.00 limit was "per Purchase Order", or "per item on the Purchase Orders" and Mr. MacNelly responded that the limit was "per Purchase Order" and that there were two (2) ways to look at it - "per vendor" and "per item" and stated if the County had purchased up to \$10,000.00 from a vendor, then anything over \$10,000.00 must be bid "formally".

Commissioner Valencia asked when the County adopted the Policy of the \$250.00 limit and Mr. MacNelly responded that he did not think that the Court had adopted a Policy, because if they followed the "letter of the Law" the Court did not have that latitude.

Commissioner Cascos stated that based on the explanations, he understands that purchases that accumulate to \$10,000.00 and above by Item or Vendor, must be "formally" bid; and purchases under \$10,000.00 require competitive bidding with a \$250.00 low limit, and he questioned how the phone bids were enforced.

Mr. MacNelly stated that phone bids are enforced when the County Auditor does not pay the bills. He added that in the spirit of cooperation, his staff would obtain the three (3) phone bids; and that Purchase Orders are not issued if the item has already been purchased.

Commissioner Valencia stated that he agreed with the need for three (3) telephone bids but requested that the \$250.00 limit be raised and added that it should be up to the Court to set that limit.

Commissioner Cascos stated that it was his understanding that three (3) verbal quotes needed to be obtained on any dollar amount value by Law, and he did not know if the Court could authorize increasing the limit to \$1,000.00 without violating State Law.

Commissioner Valencia questioned whether it was not up to the Court to authorize the limits, and Mr. MacNelly responded that the Court could not regulate State Law and that the issue was not whether to obtain competitive bids, but whether it would be "formal" or "informal".

There was some lengthy discussion and Commissioner Cascos suggested to hold a "Workshop".

Judge Garza suggested that the Purchasing Agent provide the Court a copy of the Purchasing Act for them to study.

Commissioner Valencia disagreed with tabling this Item and he again stressed the desire to increase the limits in the order to purchase the materials when needed.

At this time, Commissioner Cascos asked for clarification regarding the \$250.00 limit and the Purchasing Agent responded that anything under \$250.00 was "discretionary" and anything over \$250.00 was "mandatory" to make three (3) telephone calls. He then restated Commissioner Valencia's intention of increasing the discretionary value to \$1,000.00 and to obtain three (3) verbal quotes on purchases between \$1,000.00 through \$10,000.00.

Commissioner Valencia moved to raise the limit on telephone call confirmations to \$1,000.00 from \$250.00.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

Judge Garza stated that increasing the discretionary limit to \$1,000.00 would provide too much latitude and could create problems and suggested to recess the Meeting for a "Workshop" in the next few days.

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**APPROVAL OF REQUEST FOR FOOD  
CONCESSION AT UPCOMING COUNTY  
AUCTION**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the request by Mr. Lorenzo Benavidez, Brownsville, Texas, to operate a Food Concession at the upcoming County Auction was approved, subject to inspection by the Health Department.

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**APPROVAL OF APPOINTMENT OF MARVIN  
HUCKLE AS DIRECTOR AT LARGE OF SOUTH  
TEXAS INDEPENDENT SCHOOL DISTRICT**

Judge Garza reported that Mr. Marvin Huckle had served as Director-at-Large for several years and had indicated a desire to continue to serve in that capacity.

Judge Garza moved that the appointment of Mr. Marvin Huckle, Rio Hondo, Texas, as Director-at-Large of South Texas Independent School District be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

**(21) APPROVAL OF REQUEST TO PURCHASE MPE-X  
COMPUTER SOFTWARE**

Mr. Rudy Juarez, Computer Center Director, stated that MPE-X was software for the "main-frame" computer to increase productivity and that the cost would be in the amount of \$4,000.00.

Commissioner Rosenbaum moved that the request to purchase the MPE-X computer software be approved, subject to a Budget Amendment transferring funds from Line Item No. 96, that being the Equipment Line Item.

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

AYE:Commissioners Rosenbaum and Valencia

NAY:Commissioner Cascos.

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**(22) AUTHORIZATION TO ENTER INTO A  
CONTRACT AND EXECUTE SAID CONTRACT  
WITH FARAKLAS AND ASSOCIATES, INC. TO  
DO PRE-LIMINARY WORK RELATED TO A  
PEDESTRIAN WALKWAY AT GATEWAY  
INTERNATIONAL BRIDGE**

Commissioner Cascos moved that the County Judge be authorized to execute a Contract with Faraklas and Associates, Inc., San Antonio, Texas, to do the preliminary work related to a pedestrian walkway at the Gateway International Bridge.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Service Agreement is as follows:**

**(23) REQUEST FOR FINAL APPROVAL**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, final approval was given to the following subdivision, on the recommendation of the County Engineer:

- a) Margarita L. Garza Subdivision - 2.36 acres being a resubdivision of Lot 1, Block 1, Canales Subdivision, Cameron County.

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**(24) APPROVAL OF TRAVEL EXPENSES**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the following travel expenses were approved subject to availability of funds in their budget:

- a) Parks Director to Ft. Worth to attend TRAPS Annual Conference, March 2-5, 1992;
- b) Three (3) Clerks and one (1) Assistant Auditor to attend Seminar and evaluate the District Clerk's Attorney General Program in Corpus Christi, on February 26-27, 1992;
- c) County Judge to Border Trade Alliance Meeting in Mexico City on February 23-25, 1992;
- d) Judge Bennie Ochoa to Austin on February 18-21, 1992, to attend Seminar;
- e) Judge Bennie Ochoa's Secretary to attend Justice Court Training Seminar in Austin on March 3-6, 1992;
- f) District Clerk and Two (2) Deputies to attend Seminar at College Station on March 15-18, 1992;
- g) Emergency Management Coordinator to attend and participate in 31st Annual State Emergency Management Conference in Austin on February 25-27, 1992;
- h) Jail Administrator Jesse Masso to McAllen to attend Conference on February 23-25, 1992; and
- i) County Judge to Corpus Christi to attend Workshop sponsored by Texas College of Probate Judges on March 4-6, 1992.

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**(25) EXECUTIVE SESSION**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 4:30 P. M. to discuss the following matters:

- a) Discuss acquisition of property southwest of intersection of FM 1847 and FM 3248, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- b) Discussion regarding possible litigation relative to Cause No. 86-1616-E, Isla Blanca Mobile Home Association vs Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Regular Session at 5:10 P. M.

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

- a) Discuss acquisition of property southwest of intersection of FM 1847 and FM 3248.

**NOTE: Judge Garza did not engage in any discussion of this Item.**

Commissioner Cascos reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer be directed to proceed with the acquisition of said property and to report to the Court at a future date.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the County Engineer was directed to proceed with the acquisition of the property southwest of the intersection of FM 1847 and FM 3248 and to report to the Court at a future date.

- b. Discussion regarding possible litigation relative to Cause No. 86-1616-E, Isla Blanca Mobile Home Association vs. Cameron County.

Judge Garza reported that the Court received a report from Counsel and after some discussion, it was the consensus of the Court as determined by polling, that Counsel be directed to prepare a letter for the County Judge's signature in response to the allegedly aggrieved Isla Blanca Mobile Home Association.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the report by Counsel was acknowledged and Counsel was directed to prepare a response in the possible litigation relative to Cause No.86-1616-E, Isla Blanca Mobile Home Association vs. Cameron County.

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Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Meeting was recessed until Tuesday, February 11, 1992, at 1:30 P. M.

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**APPROVED** this \_\_\_\_\_ day of February, 1992.

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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**