

At this time, Commissioner Valencia requested a moment of silence in honor of Mr. Juan Garza, Right-of-Way Agent, who died the previous week.

----- 0 -----

(10) AUTHORIZATION TO SUBMIT CONTINUATION GRANT APPLICATIONS TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE FOLLOWING PROJECTS

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Continuation Grant Applications to the Governor's Office Criminal Justice Division were authorized for the following Projects:

- a) District Attorney's Misdemeanor Intake Attorney;
- b) Sheriff's Department Juvenile Law Enforcement Officer;
- c) Juvenile Probation Department's Purchase of Juvenile Services; and
- d) People Against Violent Crime Victim Referral Services.

The Resolutions are as follows:

(11) **AUTHORIZATION TO SUBMIT FIRST YEAR GRANT APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR A DISTRICT ATTORNEY'S CHILD ABUSE PROSECUTION UNIT**

Mr. Luis Saenz, District Attorney, explained that the concept of the Child Abuse Prosecution Unit was to consolidate all the Agencies dealing with Child Abuse in order to minimize the traumatic experiences for that child.

Mr. Saenz stated that the Grant Application, at this stage, would be for an Attorney and staff, and would not cost the County any money.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the First Year Grant Application to the Governor's Office Criminal Justice Division for a District Attorney's Child Abuse Prosecution Unit was authorized.

The Resolution is as follows:

(1) APPROVAL OF COUNTY CLAIMS

Commissioner Valencia moved to approve the County Claims as presented by the County Auditor.

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

AYE: Commissioners Rosenbaum, and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claims of E. De La Garza, Warrant No. 55967 in the amount of \$3,869.34, Warrant No. 55968 in the amount of \$7,967.62, Warrant No. 56067 in the amount of \$5,818.04, Warrant No. 56068 in the amount of \$1,729.05, Warrant No. 56069 in the amount of \$381.49; and Commissioner Cascos as to the claims of Landair Travel, Warrant No. 56162 in the amount of \$3,252.00 and Warrant No. 56163 in the amount of \$856.00; and Waters Implement Company Inc., Warrant No. 56307 in the amount of \$259.90.

The Affidavits are as follows:

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

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the 1991/1992 Budget Amendment No. 18 and the Salary Schedule for the District Attorney's Office, Department No. 90-475 were approved as presented by the County Auditor.

The Budget Amendment and Salary Schedule are as follows:

**(13) IN THE MATTER RELATIVE TO ACCESS AGREEMENT
AND RELEASE FOR STATE-LEAD INVESTIGATION OF
SUBSURFACE RELEASE OF PETROLEUM PRODUCTS
AT SEA RANCH MARINA (TABLED)**

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

----- 0 -----
**(14) CONSIDERATION AND DISCUSSION REGARDING PARK
SYSTEM RENTAL INCOME REPORTS FOR FIRST
QUARTER 1991/1992 AND JANUARY 1992**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Park System Rental Income Reports for the First Quarter of 1991/1992, and January 1992 were acknowledged as presented.

The Income Reports are as follows:

(15) **AUTHORIZATION TO EXECUTE PUBLIC BEACH
CLEANING AGREEMENT FOR 1991/1992**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Parks Director was authorized to execute the Public Beach Cleaning Agreement for 1991/1992, subject to review by the Commissioner from Precinct No. 1.

The Service Agreement is as follows:

(28) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 2:00 P. M. to discuss the following matters:

- a) Discuss the acquisition of Parcels No. 16 and No. 18 for Loop 590, Section III, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Confer with Counsel regarding lawsuit styled Paul Andrew Moly, et al. vs. Russell Morris, et al., (pursuant to Section 2(e) of Article 6252-17 of the Texas Revised Civil Statutes); and
- c) Confer with Counsel concerning lawsuit styled William R. Kingsbury vs. Cameron County Drug Task Force, et al., (pursuant to Section 2(e) of Article 6252-17 of the Texas Revised Civil Statutes).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 3:00 P. M.

----- o -----

(29) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Discuss the acquisition of Parcels No. 16 and No. 18 for Loop 590, Section III.

Judge Garza reported that the Court was informed that the last offer had been accepted regarding Parcels No. 16 and No. 18 for Loop 590, and that said Parcels had been acquired along the terms and conditions as previously outlined.

- b) Confer with Counsel regarding lawsuit styled Paul Andrew Moly, et al. vs. Russell Morris, et al.

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 Mr. Rick Bilbie, County Counsel, should be directed to prepare all the necessary "pleadings" for the defense of said case in representing the County as an entity and Mr. Kenneth Conway and Mr. Russell Morris as individuals.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Report by Counsel regarding the lawsuit styled Paul Andrew Moly, et al. vs. Russell Morris, et al., was acknowledged, and County Counsel was directed to prepare the necessary "pleadings" in defense of said case.

- c) Confer with Counsel concerning lawsuit styled William R. Kingsbury vs. Cameron County Drug Task Force, et al.

Judge Garza reported that this Item was discussed with Mr. Rick D. Schell, Attorney representing the City of Harlingen, Texas, Mr. Horacio Barrera, Attorney representing Cameron County, and Mr. Rick Bilbie, County Counsel, who coordinated the defense of this case for the Drug Task Force, and after some discussion it was the consensus of the Court as determined by polling, that a settlement offer should be made along the terms and conditions as outlined in Executive Session, said offer to remain confidential until such time as the case is fully and finally settled.

Commissioner Cascos moved that a settlement offer be made along the terms and conditions as outlined in Executive Session regarding the lawsuit styled William R. Kingsbury vs. Cameron County Drug Task Force, et al., and that said offer remain confidential until such time as the case is fully and finally settled.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

----- o -----

(19) **APPROVAL TO AWARD CONTRACT FOR CONSTRUCTION OF APPROACH ROADWAY AND SITE IMPROVEMENTS, LOS INDIOS INTERNATIONAL BRIDGE, TO LOW BIDDER, SOUTH TEXAS UTILITY CONTRACTORS**

Mr. Jack Brown, Project Manager, recommended that the Contract for the construction of the Approach Roadway to the Los Indios Bridge be awarded to the low bidder, South Texas Utility Contractors, Mercedes, Texas, in the amount of \$1,824,330.19. He said that a Change Order to the Contract would be prepared, at a later date, to reduce the cost by approximately \$287,000.00, that being the potential figure that the County and the Cities of Harlingen and San Benito, Texas, would probably agree upon based on the deletions to be made.

At this time, Judge Garza reported that a Joint Meeting with the Cities of Harlingen and San Benito had been scheduled for March 27, 1992, to discuss the potential Change Orders for the Project.

Commissioner Valencia moved that the low bid of South Texas Utility Contractors, Mercedes, Texas, in the amount of \$1,824,330.19 for the construction of the Approach Roadway and Site Improvements at the Los Indios International Bridge be accepted.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Service Agreement is as follows:

(20) APPROVAL OR REJECTION OF FEMA-DSR FOR REPAIRS TO MAIN ROAD IN GREEN VALLEY FARMS SUBDIVISION (REJECTED)

Judge Garza reported that this Item had previously been discussed informally by the Court, but that no action had been taken.

Mr. Jack Brown, Project Manager, stated that he needed formal action by the Court on this matter in order to complete his Report to the Federal Emergency Management Assistance (FEMA).

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Federal Emergency Management Assistance - Disaster Survey Report (FEMA-DSR) for repairs to the main road in Green Valley Farms Subdivision was REJECTED.

(21) AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE A CORRECTION DEED TO THE STATE OF TEXAS FOR RIGHT-OF-WAY FOR FM 509 AT THE ENTRANCE TO THE LOS INDIOS BRIDGE. THE REVISED RIGHT-OF-WAY IS TO INCLUDE THE PORTION BETWEEN THE PREVIOUSLY CONVEYED RIGHT-OF-WAY AND THE COUNTY AND FEDERAL PROPERTY

Mr. Jack Brown, Project Manager, stated that the Bridge Committee had recommended that the County retain a portion of the Right-of-Way that had originally been identified to be transferred to the State Highway Department.

He explained that bids were taken for the construction and that the cost to the County to retain that portion of intersection would be \$90,000.00. He added that the State Highway Department still had that portion as part of their Plans and will construct it if the Right-of-Way is transferred to them. He said that a Correction Deed will transfer the Right-of-Way, and that it will be a savings in the amount of \$90,000.00 off the Project construction cost.

Commissioner Valencia moved that the County Judge be authorized to execute a Correction Deed to the State of Texas for the conveyance of Right-of-Way for FM 509 at the entrance to the Los Indios Bridge, the revised Right-of-Way to include the portion between the previously conveyed Right-of-Way and the County and Federal Property.

The motion was seconded by Commissioner Cascos and carried unanimously.

(22) APPROVAL TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF TOLL EQUIPMENT AT LOS INDIOS INTER-NATIONAL BRIDGE. BIDS ARE TO BE ADVERTISED FOR RECEIPT ON APRIL 6, 1992.

Mr. Jack Brown, Project Manager, explained that the bids for the Construction of Toll equipment at the Los Indios International Bridge would include a separate bid for equipment at Gateway International Bridge.

At this time, Mr. Brown requested that receipt of the bids for the Buildings (Toll Buildings at Los Indios Bridge) be extended from March 23, 1992, to April 6, 1992, as recommended by the Architect.

Commissioner Valencia moved that the advertisement for bids for the construction of toll equipment at the Los Indios International Bridge be approved and that the bid date on the "Building" be amended to April 6, 1992.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(3) **IN THE MATTER OF MINUTES' OF MARCH 2, 1992 AND MARCH 9, 1992 (TABLED)**

Commissioner Valencia moved that the Minutes of the Regular Meeting held March 2, 1992 at 1:30 P. M. and the Minutes of the Regular Meeting held March 9, 1992 at 1:30 P.M., be approved.

The motion died for lack of a second.

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

(4) **IN THE MATTER TO SWEAR IN HECTOR CAVAZOS AS NEW PARK RANGER (NO ACTION TAKEN)**

Due to the absence of Mr. Hector Cavazos, this Item was NOT CONSIDERED.

(5) **IN THE MATTER OF PROPOSALS FOR SUPPLEMENTAL INSURANCE BENEFITS (TABLED)**

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

(6) **AUTHORIZATION FOR COUNTY AUDITOR'S OFFICE TO ACQUIRE ONE PORTABLE, CELLULAR TELEPHONE FOR USE BY OFFICE PERSONNEL WHILE TRAVELING ON COUNTY BUSINESS AT A RATE OF \$49.90 PER MONTH FOR TWO HUNDRED (200) MINUTES**

Commissioner Cascos moved that the County Auditor's Office be authorized to acquire one (1) Portable Cellular Telephone for use by the Office Personnel while traveling on County business, at a rate of \$49.90 per month for two hundred (200) minutes.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(7) **AUTHORIZATION TO OPEN BIDS FOR LEASE PURCHASE OF TWO (2) WATER TRUCKS FOR PRECINCTS NO. 1, NO. 2 AND NO. 4**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to open bids as received for the Lease Purchase of two (2) water trucks for Precincts No. 1, No. 2 and No. 4.

The bids received and opened are as follows:

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the bids were referred to the Purchasing Agent and the respective Commissioners for tabulation and recommendation to the Court of the best bid.

----- 0 -----

(8) **RATIFICATION OF ACTION TAKEN ON MARCH 9, 1992
RELATIVE TO BIDDING GUIDELINES FOR
CONSTABLES' RADIOS**

Commissioner Cascos moved that the approval given on March 9, 1992, regarding the bidding guidelines for Constables' radios be ratified, that being that the Constables could select either the 800 MHZ or the 150 MHZ radios to meet their individual needs, and that an additional \$5,000.00 be appropriated from Lapsed Salaries for the potential increase costs.

The motion was seconded by Commissioner Valencia and carried unanimously.

At this time, Mr. Michael Forbes, County Purchasing Agent, stated that Mr. Jim Sojak, Constable Precinct No. 4, had requested authorization from the Court to rent two (2) mobile radios for one (1) month because of the Spring Break situation at the Island.

Mr. Forbes stated that the rental cost would be approximately \$200.00, and that two (2) antennas would need to be purchased at \$200.00, for a total amount of \$400.00.

Commissioner Valencia moved that the rental of two (2) mobile radios and the purchase of two (2) antennas for Mr. Jim Sojak, Constable Precinct No. 4, be authorized, to be ratified at the next meeting.

The motion was seconded by Commissioner Cascos and carried unanimously.

----- 0 -----

(9) **AUTHORIZATION TO AWARD BIDS FOR FURNITURE
FOR VARIOUS DEPARTMENTS**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the low bid of Cook Office Machines, Brownsville, Texas, in the amount of \$5,366.50 for Office Furniture for various Departments was accepted.

----- 0 -----

(12) **AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE
AMENDMENT NO. 1 TO THE CONTRACT WITH THE
TEXAS DEPARTMENT OF HOUSING AND COMMUNITY
AFFAIRS ON THE ARROYO ALTO PROJECT**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the County Judge was authorized to execute Amendment No. 1 to the Contract with the Texas Department of Housing and Community Affairs on the Arroyo Alto Project.

The Amendment to the Contract is as follows:

**(16) CONSIDERATION AND ACTION ON LEASE RENEWAL
BETWEEN FIRST BANK PORT ISABEL AND CAMERON
COUNTY**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Lease renewal between First Bank Port Isabel and Cameron County was authorized.

The Lease Agreement is as follows:

(17) **CONSIDERATION AND ACTION ON REQUEST FOR MAINTENANCE DIRECTOR, PETE BLANCO, TO SEEK PROPOSAL ON REQUEST FOR WATER-BLASTING EXTERIOR BRICK WALLS OF THE CAMERON COUNTY COURTHOUSE**

Mr. Pete Blanco, Maintenance Director, explained that the exterior walls of the Courthouse need to be cleaned and that the "water-blasting" method will cost between \$4,500.00 to \$5,500.00. He stated that he did not have funds in his budget for that project.

Commissioner Valencia moved that Mr. Pete Blanco, Maintenance Director, be authorized to seek proposals for "water-blasting" the exterior brick walls of the Cameron County Courthouse and that the funds be allocated from Lapsed Salaries in the amount necessary once the proposal is awarded.

The motion was seconded by Commissioner Cascos and carried unanimously.

(18) **AUTHORIZATION OF EMPLOYMENT OF ARTHUR ANDERSEN AND COMPANY TO DO ASSESSMENT OF CAMERON COUNTY DATA PROCESSING OPERATIONS ALONG TERMS AND CONDITIONS OUTLINED IN JANUARY 20, 1992 PROPOSAL**

Judge Garza reported that the Court had previously agreed to the concept of retaining an outside Consultant to assess the Data Processing Operations.

He explained that a Meeting was held last Friday, March 13, 1992, with the Computer Center Director, the County Auditor, the Independent Auditor, and the Commissioner for Precinct No. 2, to review the Proposal as presented by the Proponent **which is as follows:**

Judge Garza stated that the Proposal is basically an "interview oriented assessment process" at an estimated cost of \$36,000.00 to \$40,000.00.

NOTE: Commissioner Valencia left the Courtroom at this time.

Commissioner Cascos moved to retain Arthur Andersen and Company, San Antonio, Texas, to do the assessment of Cameron County Data Processing Operations along the terms and conditions outlined in the January 20, 1992 Proposal, said funds to be allocated from the Data Processing Budget; to wit: Equipment Line Item, with the payment of \$18,000.00 upon the execution of said Contract.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

(23)

----- 0 -----

**CONSIDERATION AND ENDORSEMENT OF
RESOLUTION IN FAVOR OF A REGIONAL
WASTEWATER TREATMENT AND COLLEC-TION
SYSTEM TO SERVE THE COM-MUNITY OF OLMITO**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution favoring a Regional Wastewater Treatment and Collection System to serve the Community of Olmito was adopted.

The Resolution is as follows:

(24) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, preliminary and final approval was given to the following subdivision on the recommendation of the County Engineer:
a)Poe Subdivision - being a 5.634 acre tract of land and a resubdivision of Lot 3 of T K & J Subdivision, as recorded in Cabinet 1, Slot 926-B of the Cameron County Map Records.

----- 0 -----

(25) REQUEST FOR FINAL APPROVAL

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, final approval was given to the following subdivision, on the recommendation of the County Engineer:
a)Lynn Mitchell Subdivision No. 3 - being a 0.879 acre tract out of a 9.02 acre tract out of Share 5 and 6, San Pedro de Carricitos Grant, Cameron County, Texas.

----- 0 -----

(26) PUBLIC HEARING AND CONSIDERATION AND APPROVAL OF CLOSING OF MED-FORD ROAD IN LOT 7 AND 8, BLOCK 408, EL JARDIN RESUBDIVISION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Public Hearing was opened.

At this time, Mr. Andy Cueto, County Engineer, commented that he had the documents showing that the closing procedures were conducted as required.

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

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Resolution for the abandonment of Medford Road in Lot 7 and 8, Block 408, El Jardin Resubdivision was adopted.

The Resolution is as follows:

(27) **APPROVAL OF TRAVEL EXPENSES**

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

- a) County Engineer to attend the Texas Section Spring Convention of the American Society of Civil Engineers in Fort Worth, Texas, on April 23-25, 1992;
- b) County Judge to attend Texas Association of Counties' Judicial Education Institute on April 27, 1992, through May 1, 1992, in Lubbock, Texas;
- c) Jackie Lockett and David Hanawa to the Emergency Planning Committee Workshop in Austin, Texas, on March 31, 1992, to represent Cameron County Local Emergency Planning Committee;
- d) Computer Center Director to attend conference in Arlington, Texas, on April 12-14, 1992;
- e) County Clerk to attend Seminar in College Station on March 16-18, 1992; (RATIFICATION)
- f) County Auditor to Houston, Texas, on March 14, 1992, to confer with the Texas Association of Counties' Personnel and Harris County Hospital Personnel and Harris County Attorney for the drafting of proposed regulations on residency and citizenship concerning eligibility for County Indigent Health Care Program; and
- g) Veteran's Service Officer and Assistant to Austin, Texas, for State mandated Spring Conference and Training on April 7-9, 1992.

----- o -----

ANNOUNCEMENT:

Judge Garza announced that the Commissioners' Court will meet on Friday, March 27, 1992, at 10:30 A. M., instead of holding the Regular Meeting on Monday, March 23, 1992.

----- o -----

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

----- o -----

APPROVED this _____ day of March, 1992.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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