

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 11TH day of MAY, 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

ADOLPH THOMAE, JR.
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Mr. Joe G. Rivera, County Clerk, 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 May 8, 1992, at 11:43 A. M.

(1) APPROVAL OF COUNTY CLAIMS

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

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

AYE: Commissioners Rosenbaum, Cascos, Thomae, and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claims of E. De La Garza, Warrant No. 58668 in the amount of \$8,518.04, Warrant No. 58669 in the amount of \$6,699.66, Warrant No. 58750 in the amount of \$101.98, Warrant No. 58751 in the amount of \$6,144.33, and Warrant No. 58752 in the amount of \$3,631.28.

The Affidavit is as follows:

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

Commissioner Rosenbaum moved that the 1991/1992 Budget Amendment No. 25 be approved as presented.

The motion was seconded by Commissioner Valencia and carried unanimously.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Salary Schedule for the M & O Precinct No. 1, Department No. 15-617 was approved, noting the amendment presented, to wit, that being the deletion of Job Slot No. 14.

The Budget Amendment and Salary Schedule are as follows:

(3) **APPROVAL OF MINUTES OF APRIL 27, 1992 AND MAY 4 AND 6, 1992 (TABLED)**

April 27, 1992

Commissioner Cascos moved that the Minutes of the Regular Meeting held on April 27, 1992, at 1:30 P. M., be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

May 4 and 6, 1992 (TABLED)

Upon motion by Commissioner Thoma, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes' of the Regular Meeting held on May 4, 1992, at 1:30 P. M., and of the Special Meeting held on May 6, 1992 at 1:30 P. M. were Tabled.

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(4) **APPROVAL OF COUNTY TREASURER'S QUARTERLY REPORT ENDING MARCH 31, 1992**

Commissioner Valencia moved that the County Treasurer's Quarterly Report ending March 31, 1992 be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Quarterly Report is as follows:

(5) AUTHORIZATION TO ADVERTISE FOR BIDS ON TWO VEHICLES FOR WIC PROGRAM

Mr. Rolando Martinez, Health Administrator, explained that the Court denied the request for two (2) vehicles for the Women, Infants and Children (WIC) Program from the General Fund, and that bids needed to be solicited in order to provide the cost of the vehicles to the State for Funding.

Commissioner Thomaе explained that the WIC Program is a Federal Program funded through the State and administered by the County and that the County should not expend any County funds for this Program. He stressed the need to understand that the vehicles would be funded by the WIC Program.

Commissioner Thomaе moved that the advertisement for bids for two (2) vehicles for the Women, Infants and Children (WIC) Program, be authorized, subject to the provision of said funds by WIC for the ultimate purchase of the vehicles and the reimbursement of any expenses associated with the advertisement.

The motion was seconded by Commissioner Cascos and carried unanimously.

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NOT ON AGENDA APPROVAL OF AGREEMENT WITH CBM EDUCATION CENTER FOR A STUDENT EXTERN-SHIP FOR THE WIC PROGRAM

At this time, Judge Garza stated that he had reviewed a proposed Agreement with the CBM Education Center, San Benito, Texas, which would provide a "student extern-ship" to the Women, Infants and Children (WIC) Program, at no cost to the County.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomaе and carried unanimously, the Agreement with CBM Education Center, San Benito, Texas, for a "student extern-ship" for the WIC Program was approved, subject to legal review and ratification.

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(6) APPROVAL OF BOND OF ELECTIONS ADMINISTRATOR

Upon motion by Commissioner Thomaе, seconded by Commissioner Rosenbaum and carried unanimously, the Elections Administrator's Official Bond and Oath was approved, subject to final review by Counsel.

The Official Bond and Oath is as follows:

(7) **CONSIDERATION OF VOTING MACHINE LEASE AND SERVICE AGREEMENTS REGARDING ELECTION OF MAY 2, 1992, FOR THE CITY OF HARLINGEN AND SANTA ROSA INDEPENDENT SCHOOL DISTRICT**

Commissioner Rosenbaum moved that the approval given regarding the Voting Machine Lease and Service Agreements for the Elections of May 2, 1992, for the City of Harlingen and the Santa Rosa Independent School District, be ratified.

The motion was seconded by Commissioner Valencia and carried unanimously.

At this time, Ms. Tencha de la Peña, Elections Administrator, stated that her Office had just received the Voting Machine Lease and Service Agreement for the South Texas Independent School District and requested Court approval.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Voting Machine Lease and Service Agreement with South Texas Independent School District was approved, to be ratified at the next Meeting.

The Lease Agreement is as follows:

**(8) CANVASS OF ELECTION RETURNS OF SOUTH TEXAS
INDEPENDENT SCHOOL DISTRICT**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the approval given to canvass the election returns of the South Texas Independent School District was ratified.

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**(9) AUTHORIZATION FOR COUNTY ENGINEER TO DRAW
UP FINALIZED CAMERON COUNTY PRECINCT
BOUNDARY MAP**

Ms. Tencha de la Peña, Elections Administrator, explained that the County Engineer was required to submit a finalized Cameron County Precinct Boundary Map to the Secretary of State and the Texas Legislative Council and that the County Engineer had requested Court approval in order to proceed.

At this time, Commissioner Thomae stated that the County Maps should include the Commissioners Precinct Boundary Lines.

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the County Engineer was directed to prepare the finalized Cameron County Precinct Boundary Map.

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**(10) APPROVAL OF RESOLUTION IN SUPPORT OF THE
PALMER DRUG ABUSE PROGRAM, BROWNSVILLE,
INC., TO BE PASSED IN ACCORDANCE WITH HB 1185**

Ms. Terri Harkness, Palmer Drug Abuse Program (PDAD) Board Member, stated that they met with the District Attorney and that an Agreement was reached whereby the District Attorney's Office would provide \$7,500.00, at this time, and two (2) more contributions of \$7,500.00, during the Fiscal Year, said funds to be allocated from the Forfeiture Funds.

Mr. Luis Saenz, District Attorney, explained that the payments would be based upon a favorable "Sixty days (60) Performance Report" between each payment and that the Agreement would be prepared by his Office.

Commissioner Thomae moved that the Agreement regarding the support of the Palmer Drug Abuse Program (PDAP), Brownsville, Inc., in accordance with House Bill 1185, be approved as outlined, to wit, contributions of \$7,500.00 each sixty (60) days, subject to a performance review, said Agreement to be in the form of a "Memorandum of Understanding" to be prepared by Legal Counsel.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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**(11) APPROVAL OF APPOINTMENT OF RAUL BESTEIRO TO
THE BOARD OF DIRECTORS OF SOUTH TEXAS
INDEPENDENT SCHOOL DISTRICT TO FILL AT-LARGE
DIRECTOR POSITION FOR CAMERON COUNTY**

Commissioner Thomae moved that the appointment of Mr. Raul A. Besteiro, Brownsville, Texas, to the At-Large Position on the Board of Directors of South Texas Independent School District be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(12) **CONSIDERATION AND DISCUSSION OF SECOND
QUARTER ANALYSIS FOR PARK SYSTEM**

Mr. Kenneth Conway, Parks Director, presented a brief analysis of the Revenues for the Parks System for the Second Quarter as compared with the Revenues of the previous year.

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, the Second Quarter Analysis Report for the Park System was acknowledged.

The Quarterly Report is as follows:

(13) **APPROVAL OF RESOLUTION EXPANDING PARK RANGER JURISDICTION TO PUBLIC BEACHES NORTH OF ANDY BOWIE PARK ON SOUTH PADRE ISLAND**

Mr. Kenneth Conway, Parks Director, explained that the jurisdiction of the Parks Rangers had been limited to the County Parks; however, several weeks ago the Court authorized the extension of the jurisdiction to include the Public Beaches North of Andy Bowie up to the Willacy County Line, consistent with the Dune Protection Plan.

At this time, Commissioner Cascos questioned when the law enforcement would be initiated at Boca Chica Beach, and Mr. Conway responded that Boca Chica Beach was not part of the County Parks System, but that it could be with a similar Resolution. Mr. Conway added that the Sheriff's Department and the Constable were responsible for the law enforcement at Boca Chica Beach.

Commissioner Cascos stated that the issue of law enforcement for the Boca Chica Beach needed to be addressed and the suggestion was made to "Workshop" the matter.

At this time, Commissioner Thomaе expressed his appreciation to Mr. Salvador Tinajero, Jr., Chief Park Ranger, for his efforts concerning the drownings at Arroyo City on Saturday, May 9, 1992, and added that he had received favorable comments for the assistance provided and he commended the Parks Director and his staff for their efforts in general.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution expanding the Park Rangers' Jurisdiction to the Public Beaches North of Andy Bowie Park on South Padre Island was adopted.

The Resolution is as follows:

**(14) SWEARING IN OF JOSE ANGEL RIVAS, JR., RAYMOND
G. SHEARS, JOSE CARLOS GARZA AND DEBRA STUKEY**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Oaths of Office administered by Judge Garza to Mr. Jose Angel Rivas, Jr., Mr. Raymond G. Shears, Mr. Jose Carlos Garza and Ms. Debra Stukey, as Park Rangers, were acknowledged.

The Oath of Office Certificates are as follows:

(15) **CONSIDERATION AND DISCUSSION REGARDING
CAMERON COUNTY PARK RANGER DIVISION
SUMMARY OF ACTIVITIES, JANUARY THROUGH
MARCH 1992**

Mr. Salvador Tinajero, Jr., Chief Park Ranger, briefly highlighted some of the activities of the Park Ranger Division for the Months of January through March, 1992.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Summary Activity Report for the Cameron County Park Ranger Division for the Months of January through March, 1992, was acknowledged.

The Report is as follows:

**(16) APPROVAL OF APPOINTMENT OF RANDY MCMURRAY
TO THE CAMERON COUNTY DRAINAGE DISTRICT NO.
3**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the appointment of Mr. Randy McMurray, San Benito, Texas, to the Cameron County Drainage District No. 3 was approved.

**(17) IN THE MATTER TO DETERMINATION OF
MAINTENANCE RESPONSIBILITY FOR PROPERTY
OWNED BY CAMERON COUNTY AS TRUSTEE (TABLED)**

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

**(18) APPROVAL FOR CAMERON COUNTY TO ACCEPT
CAMINO DEL REY, IN CASA DEL REY SUBDIVISION, AS
A COUNTY ROAD**

Mr. Andy Cueto, County Engineer, reported that Camino del Rey, located in Precinct No. 3, was inspected on April 30, 1992, and that it does meet County Standards as a County Road.

Commissioner Valencia moved that Camino del Rey, located in the Casa del Rey Subdivision, be accepted as a County Road.

The motion was seconded by Commissioner Thomae and carried unanimously.

**(19) APPROVAL TO HOLD A PUBLIC HEARING AND 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 Thomae and carried unanimously, the Public Hearing was opened.

Mr. Andy Cueto, County Engineer, presented the proposed Weight Limits, Speed Limits, Name Changes and Traffic Control on various segments of County Roads as recommended by the County Commissioners and outlined in the following Report.

Judge Garza question whether any Traffic or Engineering Studies were conducted to support the changes concerning the Signs or the Speed Limits, and the County Engineer responded that studies are conducted when requested.

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

Commissioner Rosenbaum moved that the proposed Weight Limits, Speed Limits, Name Changes and Traffic Controls on various segments of County Roads or Bridges be adopted, as outlined.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(20) AUTHORIZATION TO OPEN BIDS AS RECEIVED FOR RYAN ROAD (POMELO ROAD TO NORTH KANSAS CITY ROAD)

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, approval was given to open bids as received for the paving of Ryan Road, that being from Pomelo Road to North Kansas City Road.

The bids received and opened are as follows:

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the bids were referred to the County Engineer and Precinct Commissioner for tabulation and recommendation to the Court of the best bid in one (1) week.

(21) AUTHORIZATION TO PREPARE STRIP MAP AND METES AND BOUNDS DESCRIPTIONS AND ACQUIRE RIGHT-OF-WAY FOR MAVERICK ROAD AND DAKOTA ROAD WITHIN PRECINCT NO. 1

Commissioner Rosenbaum moved that the preparation of the Strip Map and Metes and Bounds descriptions be approved and that the Right-of-Way for Maverick Road and Dakota Road within Precinct No. 1 be acquired.

The motion was seconded by Commissioner Cascos and carried unanimously.

(22) AUTHORIZATION TO CONSTRUCT A TURN AROUND ON CAMINO ANGOSTO AND TO ALLEVIATE DRAINAGE PROBLEMS BY REGRADING THE BAR DITCH

Commissioner Thomae moved that the "turn around" on Camino Angosto and the regrading of the bar ditch, to alleviate the drainage problems be authorized, subject to the removal of the fences by the property owners, the pipes being furnished by the owners and the "blue top" being provided by the County Engineer's Office, said work to be completed by September 1, 1992.

The motion was seconded by Commissioner Cascos.

At this time, Ms. Rose Maria Perez, resident, appeared before the Court and described the concerns of the homeowners regarding the flooding problems in that community and requested a "firm date" for the completion of the work.

Ms. Josefina Salinas, Valley Interfaith member, briefly translated some of the remarks by Ms. Perez and spoke in support of the residents.

Judge Garza translated the requirements of the motion to the homeowners present and Ms. Perez requested that the information be provided in writing to prevent misunderstandings.

Upon motion duly made and seconded, the motion carried unanimously.

(23) APPROVAL OF TRAVEL EXPENSES

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

- a) Parks Director to Houston, Texas, to attend TRAPS Meeting on July 10-11, 1992;
- b) Drug Task Force Director and staff to attend TNCP Organization Conference on May 26-29, 1992, in Galveston, Texas;

- c) Commissioners Rosenbaum and Valencia to Austin, Texas, on May 27-29, 1992, to attend Human Resources Institute;
- d) Two (2) County Engineer Department employees to Corpus Christi, Texas, on June 1, 1992, to attend Seminar on Supervision Skills;
- e) Two (2) County Engineer Department employees to McAllen, Texas, on June 24, 1992, to attend Seminar on People Skills;
- f) Justice of the Peace Tony Torres to attend Justice of the Peace and Constables Association Convention on June 17, 1992, in Dallas, Texas;
- g) Elections Administrator to New Orleans, Louisiana, for IACREOT'S Annual Conference on June 8-11, 1992, (State will pay half of the expenses);
- h) WIC Nutritionist Sonya Etheridge to Gainesville, Florida, to attend course in Maternal Nutrition on June 12-18, 1992 (RATIFICATION); and
- i) County Clerk to San Antonio, Texas, to attend Computer and Office Systems Show on May 12-13, 1992.

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

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APPROVED this 18 day of May, 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