

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of SEPTEMBER, 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 Ms. Jo Jennings, member of the National Society of Daughters of the American Revolution, 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 September 4, 1992, at 8:20 A. M.

**(8) APPROVAL OF REQUEST TO PROCLAIM THE  
WEEK OF SEPTEMBER 17TH THROUGH 23RD, AS  
"CONSTITUTION WEEK"**

At this time, Ms. Jo Jennings, DuBois-Hite Chapter of the National Society of Daughters of the American Revolution, briefly reminded the Audience that the Constitution was one of the greatest documents ever written and she charged everyone present to guard it from the efforts by some to dilute the freedoms that it guaranteed.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the Resolution proclaiming the Week of September 17 through 23, 1992, as "Constitution Week", was adopted.

**The Resolution is as follows:**

(17)

**AUTHORIZATION TO SET THE SALARIES OF  
ELECTED OFFICIALS FOR FY 1993**

Judge Garza explained that the salaries for the Elected Officials for Fiscal Year 1993 included a three (3) percent increase, consistent with the salary recommendation for the County employees. He explained that the salaries must be published and an Appellate Period "tolled" of five (5) days, wherein the Elected Officials can appeal their salary to the Salary Grievance Committee. Judge Garza added that the Grievance Committee approved by the Court was composed of both public members and Elected Officials.

At this time, the following Elected Officials presented their concerns over the proposed Budget and provided detailed justification for their requests for salary increases for themselves and their staff to be comparable to the District Court level:

Judge Adolph Betancourt, County Court-At-Law No. 2 and

Judge Everardo Garcia, County Court-At-Law No. 1.

Commissioner Thomae stated that part of the problem with County Court-At-Law Judges' Salaries had been the unfair treatment by some Commissioners' Courts in the State, and added that he would favor an increase of \$5,000.00 for several years in order to raise the salaries to a fair level.

Commissioners Cascos, Rosenbaum and Valencia concurred with Commissioner Thomae and expressed their support of a salary increase if recommended by the Grievance Committee.

Judge Garza clarified that the two (2) Elected Officials would approach the Grievance Committee on their own initiative, and that it appeared to be the consensus of the Court that they would support a salary increase if the Grievance Committee made that recommendation.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Salaries of the Elected Officials for the Fiscal Year 1993 were adopted as filed.

The suggestion was made that the appeals proceed "instanter" within five (5) days.

At this time, Commissioner Cascos stated that he voted in favor of the Salary increase for the Elected Officials and that, for the record, the net increase that he would receive he wanted to donate to the United Way.

**The Salary Schedule is as follows:**

**(1) APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Rayburn MacNelly, County Auditor, presented a late claim as to Scoggins Constructions, Harlingen, Texas, Warrant No. 64980 in the amount of \$262,842.00 for approval.

Commissioner Thomae moved that all the County Claims be approved as presented, inclusive of the late claim as to Scoggins Constructions, Harlingen, Texas, Warrant No. 64980, in the amount of \$262,842.00, on the recommendation by the County Auditor.

The motion was seconded by Commissioner Valencia and carried unanimously.

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

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the 1991/1992 Budget Amendment No. 41 and the Salary Schedules for Title IV-D Masters Program, Department No. 57-437 and the Fifth Administrative Region, Department No. 57-436 were approved as outlined by the County Auditor.

**The Budget Amendment and Salary Schedules are as follows:**

(3) **IN THE MATTER OF MINUTES' OF AUGUST 24, 1992 AND AUGUST 31, 1992 (TABLED)**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, this Item was TAF

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(4) **AUTHORIZATION TO AWARD PROPOSALS FOR THE AUDIT OF CAMERON COUNTY, TEXAS, FOR THE FISCAL YEARS 1992, 1993, 1994**

Mr. Rayburn MacNelly, County Auditor, stated that six (6) proposals were received for the Audit Contract and he reviewed the as follows:

Mr. MacNelly emphasized that the evaluations were done as fairly and equally as possible, and added that the Court should understand that the Auditing Firm was being retained to please the Court and not the Auditing Department.

At this time, the following individuals presented their Firm's qualification to the Court:

- 1) Mr. Gary Miglicco - Peat, Marwick and Company  
Corpus Christi, Texas
- 2) Ms. Sandra Altemeyer - Altemeyer and Cooper  
Brownsville, Texas
- 3) Mr. Nacho Garza - Long, Chilton, Payte and Hardin  
Brownsville, Texas
- 4) Mr. Vince Palasota - Pattillo, Brown and Hill  
Mr. Mike DeRosa Waco, Texas.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the recommendation by the Audit Proposal Review Committee to accept the Firm of Pattillo, Brown and Hill, Waco, Texas, for the Audit of Cameron County, Texas, for the Fiscal Years 1992, 1993, and 1994 was accepted, that being the lowest bid and the Firm achieving the highest Point Rating. ----- o -----

(5) **AUTHORIZATION TO AWARD BIDS FOR ELECTRICAL FOR CAMERON PARK COMMUNITY CENTER**

Commissioner Valencia moved that the low bid of Global Electric, Brownsville, Texas, in the amount of \$24,492.00, be accepted for the electrical work for Cameron Park Community Center, subject to final approval by the Texas A & M Extension Service.

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

AYE: Commissioners Rosenbaum, Cascos and Valencia

NAY: Commissioner Thomae.

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(6) **AUTHORIZATION TO SUBMIT A TEXAS CAPITAL FUND INFRASTRUCTURE GRANT ON BEHALF OF AMFELS, INC.**

Mr. Frank Bejarano, Program Development and Management Director, explained that Amfels, Inc., doing business at the old Marathon Le Thorneau Facility at the Port of Brownsville, had approached the County for assistance in obtaining State Grants to finance a dry dock facility. He stated that the pre-application would be in the amount of \$800,000.00 and would create approximately thirty-eight (38) jobs.

Commissioner Thomae moved that the Texas Capital Fund Infrastructure Grant be submitted on behalf of Amfels, Inc.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(7) **APPROVAL OF FISCAL YEAR 1993 CAMERON COUNTY EMPLOYEE HOLIDAY SCHEDULE**

Upon motion by Commissioner Cascos, seconded by Commissioner Thomae and carried unanimously, the 1993 Fiscal Year Cameron County Employee Holiday Schedule was approved.

**The 1993 Holiday Schedule is as follows:**

(9) **APPROVAL OF TDH DOCUMENT NO. C3000282  
BETWEEN THE CAMERON COUNTY HEALTH  
DEPARTMENT AND TDH IN THE AMOUNT OF  
\$1,826,555.00**

Commissioner Thomae moved that the Texas Department of Health (TDH) Document No. C3000282 between the Cameron County Health Department and Texas Department of Health (TDH) in the amount of \$1,826,555.00 be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**The Document No. C3000282 is as follows:**

**(10) CONSIDERATION AND DETERMINATION OF PLAT REQUIREMENTS FOR 10.39 ACRES OUT OF BLOCK 30 OF THE WILSON TRACT SUBDIVISION AS PER SECTION 232.0046 LOCAL GOVERNMENT CODE**

Mr. Andy Cueto, County Engineer, stated that the Court was requested to determine the plat requirements for 10.39 acres tract of land, and that the County Engineer's Office had researched the matter and it was their finding that, as per Subdivision Ordinance, it would require a subdivision for it to be legal.

Commissioner Thomae asked why they were asking the Court for the determination, and Mr. Cueto responded that the Court had granted approval on a similar request several weeks ago.

At this time, Commissioner Thomae stated that he did not have a problem with granting approval.

Mr. Cueto reminded the Court of the Subdivision Ordinance adopted in September 1990 that stated that the division of any piece of land into two (2) or more parts would require a subdivision.

Commissioner Thomae moved that the plat requirements for the 10.39 acres out of Block 30 of the Wilson Tract Subdivision, as per Section 232.0046 Local Government Code, be waived, subject to meeting water and sewer requirements.

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

AYE: Commissioners Rosenbaum, Thomae and Valencia

NAY: Judge Garza and Commissioner Cascos.

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**(11) AUTHORIZATION TO AWARD BIDS FOR THE NORTH DAKOTA ROAD PAVEMENT IMPROVEMENTS FOR PRECINCT NO. 1**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the low bid of G & T Paving, Brownsville, Texas, in the amount of \$143,150.50, was accepted for the North Dakota Road Pavement Improvements Project for Precinct No. 1.

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**(12) AUTHORIZATION TO AWARD BIDS FOR SURVEYING EQUIPMENT FOR THE COUNTY ENGINEER'S OFFICE**

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the low bid of Sokkia, Corpus Christi, Texas, in the amount of \$9,932.00, was accepted for the Surveying Equipment for the County Engineer's Office.

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(13) **AUTHORIZATION TO ADVERTISE FOR BIDS TO PURCHASE A VEHICLE FOR THE SAFETY/RISK COORDINATOR**

Commissioner Thomae moved that the advertisement for bids to purchase a vehicle for the Safety/Risk Coordinator be approved.

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

AYE: Commissioners Cascos, Thomae and Valencia

NAY: Commissioner Rosenbaum.

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(14) **PRELIMINARY AND FINAL APPROVAL**

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

- a) Villa Bonita Subdivision - being 1.059 acre out of the East ½ of Block 8, Esperanza Place.

**Location:**

The proposed Subdivision, within Precinct No. 1, is located off Southmost Road approximately 1/4 mile outside the Brownsville City limits. It is a 1.06 acre tract of land being subdivided into two (2) commercial lots with water and sanitary sewer service by the Public Utilities Board (PUB).

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

- b) Ernesto Cortez Subdivision - being a 6.38 acre tract out of the South portion of Block 1, Swan-Nelson Subdivision.

**Location:**

The proposed Subdivision, within Precinct No. 2, is located off F.M. 511 approximately 1/2 mile east of Expressway 77 and 83. It is a 6.38 acre tract of land being subdivided into five (5) combinations of commercial and residential types of development lots. Potable water will be provided by Olmito Water Supply Corporation, and sanitary water will be by individual septic system.

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

- c) 4E Renteria Subdivision - being a 1.272 acres out of the Northeast corner of Block 24, Leeland Subdivision of Survey 298, also being Block 24 of Stuart Place Subdivision of Survey 298.

**Location:**

The proposed subdivision, within Precinct No. 4, is located off Drury Lane approximately 400 feet East of Altas Palmas Road between Expressway 83 and the railroad. It is a 1.27 acre tract of land being proposed into two (2) residential lots. Potable water will be provided by the City of Harlingen Waterworks and sanitary sewer will be by individual septic system. Drury Lane has a caliche surface.

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

- d) Maria Soto- Family Partition - being 9.636 acres of Lot 12, Juan Gonzalez Subdivision Survey 639, Share 22, Espiritu Santo Grant, Cameron County, Texas.

**Location:**

The proposed Family Partition, within Precinct No. 3, is located off F.M. 106 (Rio Hondo East Road), approximately 1/2 mile West of F.M. 1847 (Paredes Line Road). It is a proposed five (5) lot Family Partition with potable water to be supplied by East Rio Hondo Water Supply. Sanitary sewer will be by individual septic tank system.

At this time, Commissioner Thomae questioned whether the lots would be fronting the Farm to Market Road and if the County was acquiring the Right-of-Way. He requested that the approval of the subdivision be subject to the acquisition of the Right-of-Way.

Mr. Andy Cueto, County Engineer, stated that the County did not have legal authority to require the acquisition of the Right-of-Way.

At this time, Commissioner Thomae moved that preliminary and final approval be given to the Maria Soto Family Partition Subdivision, as recommended by the County Engineer, subject to the acquisition of the Right-of-Way.

The motion was seconded by Commissioner Cascos and the vote was as follows:

AYE: Commissioners Cascos and Thomae

NAY: Judge Garza, Commissioners Rosenbaum and Valencia.

Judge Garza clarified that if the Court wanted the latitude to require the acquisition of the Right-of-Way, it would require a separate Policy Item (to the Subdivision Ordinance).

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**(15) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES**

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

- a) Parks Director to Austin to attend Meeting regarding Beach Maintenance Fund on September 14, 1992;
- b) Commissioner Valencia to Austin for the Regional Reviewing Committee Meeting on September 10-11, 1992;
- c) District Clerk to Austin to attend Meeting for the Citizens Judicial Commission on September 9-11, 1992;
- d) Four (4) Drug Task Force Officers to San Antonio to exchange Lease Vehicles (arrival of new Lease Vehicles should be within the next two (2) to three (3) weeks);
- e) C.I.D. Investigator, Sheriff's Department, to Los Angeles, California, on Criminal Investigation Follow-up (Instant). DELETED.

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**(16) BUDGET HEARING ON THE PROPOSED FY 93 BUDGET FOR CAMERON COUNTY AS REQUIRED BY CHAPTER 111.067 VERNON'S ANNOTATED CIVIL STATUTES, LOCAL GOVERNMENT CODE**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Public Hearing was opened.

Ms. Rosemary Martinez, Administrative Assistant to the County Judge and Budget Officer, stated that the proposed Budget for Fiscal Year 1993 was filed as required on Thursday, September 3, 1992, with the County Clerk and

the County Auditor. She summarized the Transmittal Letter included in the Budget, highlighting the major Budget changes which are as follows:

**GENERAL FUND:**

**Revenues:**

Ms. Martinez stated that it was anticipated that the Tax Revenues would increase by \$684,352.00 based on a \$.311921 tax rate per \$100.00 valuation. She explained that it was a half per cent (1/2%) increase from the current budget and not a three per cent (3%) increase as stated in the newspapers, and added that the tax increase would amount to seventy-eight (78) cents on a home valued at \$50,000.00.

Ms. Martinez stated that the County would receive an estimated \$678,900.00 from the State as reimbursement for housing State prisoners during Fiscal Year 1993. She stated that the Tax-Collector commissions would decrease by \$275,000.00 due to the withdrawal of the Brownsville Independent School District (BISD) from the tax collections, and the transfer of commissions on Auto Sales Tax collections to the Road and Bridge Fund, estimated at \$488,276.00.

**Expenditures:**

Ms. Martinez reported an estimated increase of expenditures of \$326,137.00 for the County Jail and \$181,563.00 for the Detention Center, said cost directly related to the housing of State Prisoners and the need to comply with Jail Standards.

She stated that a three (3%) per cent salary increase had been incorporated into the Budget at a cost of \$354,479.00, for all County Employees, including Elected Officials, Department Heads and Staff.

Ms. Martinez added that the proposed Budget did not contain any funding for equipment or building additions requested, but that those requests could be funded through the utilization of Surplus or Lapsed Salaries, once the new Fiscal Year started.

**ROAD AND BRIDGE FUND:**

**Revenues:**

Ms. Martinez indicated that the Road and Bridge Fund would experience an increase by \$114,356.00 due to the Tax Revenue and \$488,276.00 from the statutory transfer of commissions on the Auto Sales Tax. She added that increases in other categories, as well as the estimated Fund Balance of \$291,528.00, would result in an increase of \$943,790.00 in available funding.

**Expenditures:**

Ms. Martinez stated that the Engineering and Flood Control Department Proposed Budget of \$1,032,947.00 included \$400,000.00 for bridge repairs throughout the County and \$50,000.00 for Right-of-Way acquisitions and explained the allocation formula used in determining the fund distribution among the Precincts.

**OTHER FUNDS:**

Ms. Martinez stated that there were no significant changes in the Proposed Budget for the Law Library Fund, Lateral Road Fund, Drug Forfeiture Fund and Debt Service Fund.

Commissioner Thomae questioned whether the Lateral Road Fund allocations had conformed with the law and Ms. Martinez responded that the allocations were done according to the procedures used in the past.

Commissioner Thomae requested that the County Attorney research the matter to determine the legality of the formula used in the allocation of funds and suggested that this section of the Budget be Tabled until next week.

**TOLL BRIDGES SYSTEM:**

**Revenue:**

Ms. Martinez stated that the Toll Bridges' Budget included a proposed toll increase for commercial traffic from \$1.00 per axle to \$2.00 per axle for a revenue increase of \$325,000.00.

**Expenses:**

Ms. Martinez stated that the total County Budget requirement for the Los Indios International Bridge was expected to be \$402,830.00 for Fiscal Year 1993.

**PARKS SYSTEM FUND:**

Ms. Martinez stated that the Parks System would experience an estimated increase in revenues of \$150,541.00 and that the major expense would be \$81,764.00 for the Park Rangers.

At this time, Judge Garza solicited public comments and the following individuals presented their Budget concerns and/or requests:

Ms. Tencha de la Peña, Elections Administrator, stated that she did not have a Budget Hearing and she reminded the Court that the Elections Commission had recommended a salary increase from \$24,500.00 to \$32,000.00. She added that she was the lowest paid Elections Administrator in the State and that she did not have the benefit of the Grievance Committee.

Judge Rogelio Valdez, District Judge, appeared before the Court explaining that the District Judges were recommending the following salary increase for the Bailiffs, to be funded from Fund 90, and added that the District Attorney and the Sheriff supported said allocations:

Judge Garza stated that the Court allowed the District Attorney and the Sheriff a great deal of latitude regarding the allocation of Fund 90 and remarked that once those Funds were eliminated, so would the supplement.

Other Department Head and Elected Officials to present their requests were as follows:

Mr. Tony Yzaguirre, County Tax Assessor-Collector

Chief Carlos Tapia, Sheriff's Department

Mr. Andy Cueto, County Engineer

Mr. Rolando Martinez, Health Administrator and

Mr. Rudy Juarez, Computer Center Director.

At this time, Ms. Martinez, reviewed the list of equipment requested by the various Departments that were not funded by the proposed Budget and added that the General Fund Surplus may provide the latitude to consider these requests after the end of the Fiscal Year.

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

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**(20) AUTHORIZATION TO SET THE TOLLS FOR  
COMMERCIAL TRAFFIC AT THE  
INTERNATIONAL TOLL BRIDGES AT \$2.00 PER  
AXLE**

Commissioner Cascos moved that the Tolls for Commercial Traffic at the International Toll Bridges be set at \$2.00 per axle.

The motion was seconded by Commissioner Thomae and carried unanimously.

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**(18) AUTHORIZATION TO ADOPT THE PROPOSED  
FISCAL YEAR 1993 BUDGET**

**GENERAL FUNDS:**

Commissioner Valencia moved that the proposed General Fund Budget for Fiscal Year 1993 for Cameron County be adopted as presented, as required by Chapter 11.067 Vernon's Annotated Civil Statutes, Local Government Code.

The motion was seconded by Commissioner Thomae.

At this time, Commissioner Cascos suggested that a pay scale be initiated in order that the gaps in compensation among County employees be narrowed and that evaluations of Department Heads be conducted on a regular basis. He stated that the three percent (3%) salary increase in the proposed Budget was an adequate starting point; however, he proposed an additional two percent (2%) salary increase to be used at the discretion of the Department Head, but that no employee receive greater than a five percent (5%) increase.

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, concurred that the establishment of a pay scale would be the only way to equalize compensations and added that she intended to undertake that project during the year.

She added that there were no areas in the Budget that could be cut to provide the additional two percent (2%) salary increase, other than the Surplus Fund.

At this time, Judge Garza called on the original motion; that being that Commissioner Valencia moved that the General Fund Budget for Fiscal Year 1993 be adopted, as proposed and filed for record on Thursday, September 3, 1992.

The motion was seconded by Commissioner Thomae and carried unanimously.

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

**Toll Bridges System:**

At this time, Ms. Martinez reviewed the staffing requirements and operating expenses for the Los Indios International Bridge for a total estimated Budget of \$870,860.00.

Upon motion by Commissioner Valencia, seconded by Commissioner Thomae and carried unanimously, the International Toll Bridges Systems Budget for Fiscal Year 1993 for Cameron County was adopted, as required by Chapter 11.067 Vernon's Annotated Civil Statutes, Local Government Code.

**PARKS SYSTEM FUND:**

Ms. Martinez stated that other than the funding for the Park Rangers, the Park System Budget included a proposed auto allowance instead of a County vehicle for the Parks Director, in the amount of \$6,600.00.

Mr. Kenneth Conway, Parks Director, stated that the auto allowance would permit him more flexibility and would result in a net savings to the Parks System by reducing the number of vehicles by one (1) and added that the amount is based on 33,000 miles a year.

Commissioner Thomae moved that the proposed Parks System Budget for Fiscal Year 1993 for Cameron County be adopted.

The motion died for lack of a second.

Commissioner Thomae moved that the proposed Parks System Budget for Fiscal Year 1993 for Cameron County be adopted, without the auto allowance.

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

AYE: Judge Garza and Commissioners Rosenbaum and Thomae

NAY: Commissioner Valencia.

**LAW LIBRARY AND DRUG FORFEITURE FUNDS:**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the proposed Law Library Fund and Drug Forfeiture Fund Budget for Fiscal Year 1993 for Cameron County were adopted.

**DEBT SERVICE FUND:**

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the proposed Debt Service Fund Budget for Fiscal Year 1993 for Cameron County was adopted.

**The Proposed Budget is as follows:**

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Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the Regular Meeting was Recessed.

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Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the Regular Meeting reconvened at 4:00 P. M.

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

At this time, Judge Garza reviewed the action taken by the Court on sections of the Proposed Budget during Commissioner Cascos absence.

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(18) **IN THE MATTER OF THE SPECIAL ROAD AND BRIDGE AND LATERAL ROAD FUNDS: (TABLED)**

(19) **IN THE MATTER TO ADOPT ORDER SETTING THE 1992 TAX RATE (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Thomae and carried unanimously, these Items were TABLED.

**SUPPLEMENTAL AGENDA**

(1) **AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES**

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the following travel expense was approved, subject to availability of funds in the budget:

- a) Commissioner Rosenbaum to attend Meeting in Austin on September 10-11, 1992.

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(21) **EXECUTIVE SESSION**

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 4:00 P. M. to discuss the following matter:

- a) Discuss the acquisition of a temporary easement for FM 510, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, the Court reconvened in Regular Session at 4:10 P. M.

(2) **EXECUTIVE SESSION - SUPPLEMENTAL AGENDA**

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 4:00 P. M. to discuss the following matter:

- a) Discuss possible action regarding Lease of Coastal Public Lands adjacent to a 216.6 acre tract (Brazos Island) along Boca Chica Beach on the Gulf of Mexico, within the San Martin Grant (Share 1). The location and proposed structures are depicted in Exhibits A through E, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the Court reconvened in Supplemental Session at 4:11 P. M.

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

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

- a) Discuss the acquisition of a temporary easement for FM 510.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the temporary easement for FM 510 be acquired along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the acquisition of a temporary easement for FM 510 was approved, along the terms and conditions as agreed in Executive Session.

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Upon motion by Commissioner Thomae, seconded by Commissioner Rosenbaum and carried unanimously, the Regular Meeting was adjourned.

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## **SUPPLEMENTAL AGENDA**

### **(3) ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Discuss possible action regarding Lease of Coastal Public Lands adjacent to a 216.6 acre tract (Brazos Island) along Boca Chica Beach on the Gulf of Mexico, within the San Martin Grant (Share 1). The location and proposed structures are depicted in Exhibits A through E.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the Court execute said Lease at \$1.00 per year for a five (5) year term, subject to final review by Legal Counsel.

Commissioner Thomae moved that the Lease of Coastal Public lands adjacent to a 216.6 acre tract (Brazos Island) along Boca Chica Beach on the Gulf of Mexico, within the San Martin Grant (Share 1) be approved at a \$1.00 per year for a five (5) year term, along the terms and conditions as agreed in Executive Session.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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### **(1) IN THE MATTER OF POSSIBLE TEMPORARY "MOBILE" BRANCH POLLING PLACES FOR EARLY VOTING FOR THE GENERAL ELECTION OF NOVEMBER 3, 1992 (TABLED)**

Ms. Tencha de la Peña, Elections Administrator, reviewed the following proposal and stated that, for the record, she was in favor of everyone voting:

At this time, Ms. de la Peña recommended that the Harlingen County Building be retained as a Polling Place in order to avoid voter confusion, as well as the Lopez Food Store, Harlingen, Texas, for Precinct No 4. She added that her proposal did not include the cost for the transportation of ballots and equipment to the different "mobile" and "retail" location.

Commissioner Cascos questioned whether the locations had to be specific or whether it could be general, such as "Churches" instead of the specific Church, and Ms. de la Peña responded that federal regulations required specific sites and times; however, she suggested to contact the Justice Department to determine whether they would accept a "Blanket" submission for "retail" and "mobile" locations.

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, this Item was TABLED until Monday, September 14, 1992.

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

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APPROVED this **5th** day of **October**, 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**