

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 2nd day of NOVEMBER, 1993, 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:

PRESENT:

1:30 P. M.

ANTONIO O. GARZA, JR.  
COUNTY JUDGE

LUCINO ROSENBAUM, JR.  
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS  
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ  
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA  
COMMISSIONER, PRECINCT NO. 4

INELDA T. GARCIA, Deputy  
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Mr. Thomas B. Carroll, National Park Service, 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 October 28, 1993, at 1:11 P. M.

## "CONSENT" AGENDA ITEMS

**THE FOLLOWING ITEMS ARE RECOMMENDED FOR "CONSENT" AND ARE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, Item

No. 16 through Item No. 26 were approved as follows:

- (16) **APPROVAL OF THE HEWLETT PACKARD (HP) HARDWARE, SOFTWARE, AND NETWORK SUPPORT FROM OCTOBER 1, 1993, TO SEPTEMBER 31, 1994**
- (17) **APPROVAL FOR DBGENERAL MAINTENANCE FOR HP SYSTEM FROM OCTOBER 1, 1993, TO SEPTEMBER 30, 1994**
- (18) **REQUEST FOR PRELIMINARY AND FINAL APPROVAL**
  - a) **PRECINCT NO. 4:**  
Texas Rose Subdivision - being a subdivision of a 1.714 acre tract of land out of Block 20, Dougherty-Paillet Subdivision, out of Survey 293;
  - b) **PRECINCT NO. 3:**  
Los Cedros Subdivision - being a subdivision of a 0.657 acre tract of land out of Block 13, of a partial subdivision in Share 15, Espiritu Santo Grant; and
  - c) **PRECINCT NO. 2:**  
Somerset Farms V Subdivision - being a 7.30 acre tract out of Somerset Farms IV Subdivision in Farm Block 182, El Jardin Subdivision in Share 28, Espiritu Santo Grant.
- (19) **REQUEST FOR FINAL APPROVAL**
  - a) **PRECINCT NO. 2:**  
Molina Subdivision - being 19.83 acre tract of land, more or less, being a re-subdivision of all of Lot 1-B, Block 114, as recorded in Map of Record of El Jardin Re-Subdivision.
- (20) **REQUEST FOR PRELIMINARY APPROVAL**
  - a) **PRECINCT NO. 3:**  
Esquina Subdivision - being a re-subdivision of 31.774 Acres, Lot 24, Block 1, Calle Esquina Subdivision; and
  - b) **PRECINCT NO. 4:**  
MSJAC Estates Subdivision - being a re-subdivision of the 3.62 acre tract out of the Southeast corner of Block 9, Stuart Place Subdivision, Survey 297.
- (21) **AUTHORIZATION TO OPEN BIDS AS RECEIVED FOR THE TRUCK LANE IMPROVEMENTS TO THE GATEWAY INTERNATIONAL BRIDGE**

**The bids received and opened follow:**
- (22) **AUTHORIZATION TO AWARD ANNUAL BIDS FOR LAUNDRY SUPPLIES AS FOLLOWS:**

**ASTRO SUPPLY COMPANY, McAllen, Texas**
- (23) **AUTHORIZATION FOR THE HEALTH DEPARTMENT TO RENEW PRENATAL CARE CONTRACT WITH OB/GYN ASSOCIATES**

**The Contract follows:**

- (24) APPROVAL OF TDH DOCUMENT NO. C4000019, CHANGE NO. 06 TO ATTACHMENT NO. 08 - AMENDMENT TO ADD A NEW ATTACHMENT FOR WIC PROGRAM TO PROVIDE GROUP NUTRITION EDUCATION, INDIVIDUAL COUNSELING AND PRESCRIBE FOODS AT NO COST TO INDIVIDUALS IDENTIFIED AS HAVING NUTRITIONAL DEFICIENCIES

The Document follows:

- (25) APPROVAL OF SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND SHIRLEY J. LANE FOR WINTER TEXAN ACTIVITIES

The Agreement follows:

- (26) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES, SUBJECT TO AVAILABLE FUNDS IN BUDGETS

The Travel Items follow:

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**ITEM NO. 21 -**

**AUTHORIZATION TO OPEN BIDS AS RECEIVED FOR THE  
TRUCK LANE IMPROVEMENTS TO THE GATEWAY  
INTERNATIONAL BRIDGE**

**The bids received and opened follow:**

**ITEM NO. 23 -**

**ACTION FOR THE HEALTH DEPARTMENT TO  
RENEW PRENATAL CARE CONTRACT WITH OB/GYN  
ASSOCIATES**

**The Contract follows:**

**ITEM NO. 24 -**

**APPROVAL OF TEXAS DEPARTMENT OF HEALTH (TDH) DOCUMENT NO. C400019, CHANGE NO. 06 TO ATTACHMENT NO. 08 - AMENDMENT TO ADD A NEW ATTACHMENT FOR WIC PROGRAM TO PROVIDE GROUP NUTRITION EDUCATION, INDIVIDUAL COUNSELING AND PRESCRIBE FOODS AT NO COST TO INDIVIDUALS IDENTIFIED AS HAVING NUTRITIONAL DEFICIENCIES**

**The Document follows:**

**ITEM NO. 25 -**

**APPROVAL OF SERVICES AGREEMENT BETWEEN  
CAMERON COUNTY AND SHIRLEY J. LANE FOR  
WINTER TEXAN ACTIVITIES**

**The Agreement follows:**

**ITEM NO. 26 -**

**AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES, SUBJECT TO AVAILABLE FUNDS IN THE BUDGET:**

- a) **Two (2) secretaries from the Cameron County Drug Enforcement, to attend "5.1 Wordperfect Course" in Pharr, Texas, on November 2, 1993;**
- b) **One (1) staff member from the Computer Center to attend "Training Course" in the Task Force Office in El Paso, Texas, on November 2 - 11, 1993; and**
- c) **Ms. Yvette Salinas, Health Department, to attend the "Regional WIC Director's Meeting" in Corpus Christi, on October 25, 1993.**

(14) **IN THE MATTER FOR THE ASSIGNMENT OF THE COUNTY'S CONTRACTS WITH GLOBAL ELECTRIC (AWARDED SEPTEMBER 24, 1992) AND SAIS PLUMBING (AWARDED AUGUST 5, 1992) FOR THE CAMERON PARK COMMUNITY CENTER TO REYNA CONSTRUCTION, THE PROJECT'S GENERAL CONTRACTOR (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, this

Item was TABLED for one (1) week.

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(1) **APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Mark Yates, County Auditor, presented the last claims as to Sais Plumbing, Warrant No. 87562 in the amount of \$1,800.00 and Reyna Construction, Warrant No. 87521 in the amount of \$43,082.50, for approval.

Commissioner Cascos moved that the County Claims be approved as presented, inclusive of the late claims as to Sais Plumbing, Brownsville, Texas, Warrant No. 87562 in the amount of \$1,800.00 and Reyna Construction, Weslaco, Texas, Warrant No. 87521 in the amount of \$43,082.50, as recommended by the County Auditor.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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

Commissioner Cascos moved that the Fiscal Year 1994 Budget Amendment No. 94-03 and the Salary Schedule for the Sheriff's Department, Department No. 10-560 and the Health Department, Department No. 24-636, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.

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

(3) **APPROVAL OF MINUTES OF OCTOBER 26, 1993**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Regular Meeting held October 26, 1993, at 1:30 P. M. were approved.

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(4) **ACTION TO APPROVE FINAL INVOICE FROM THE REVENUE MARKETS, INC.**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the final invoice from The Revenue Markets, Inc., Accord, New York, was approved.

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NOT ON AGENDA **SUPPORT OF RESOLUTION FOR APPLICATION FOR FEDERAL FUNDING FOR PALO ALTO BATTLEFIELD NATIONAL HISTORIC SITE**

At this time, Mr. Thomas B. Carroll, National Parks Service, requested the Court's support in their efforts to obtain federal funding for land acquisition within the authorized boundaries of the Palo Alto Battlefield National Historic Site.

It appeared to be the consensus of the Court as determined by polling, that the Court would adopt a Resolution supporting the efforts of the National Parks Service to obtain federal funding in order to acquire land within the authorized boundaries of the Palo Alto Battlefield National Historic Site, to be ratified at the next Meeting.

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NOT ON AGENDA **APPROVAL OF VOTING MACHINE REQUEST BY SOUTHMOST ELEMENTARY SCHOOL**

It appeared to be the consensus of the Court as determined by polling, to approve the use of voting machines by Southmost Elementary School, subject to ratification at the next Meeting.

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(7) **PRESENTATION OF REPORT OF RABIES IN CAMERON COUNTY AND SOUTH TEXAS**

Mr. Ray Rodriguez, Health Department Chief Sanitarian, presented a brief Report concerning the Texas Public Health Meeting conducted on October 21, 1993, which addressed several Health issues, including the control of the incidents of Rabies cases in the Valley.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Report concerning the Rabies cases in Cameron County and South Texas was acknowledged.

**The Report is as follows:**

(8) **ACTION TO ACCEPT PROPOSAL FROM  
BROWNSVILLE MEDICAL CENTER FOR  
PRIORITY ONE BENEFITS**

Mr. Rolando Martinez, Health Administrator, explained that the Health Insurance Committee had been reviewing several options in order to reduce the out-of-pocket expenses for the County employees, and reported that the Committee was recommending that the Brownsville Medical Center's "Priority One" Benefits Proposal be accepted.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Proposal from Brownsville Medical Center for "Priority One" Benefits was accepted, as recommended by the Insurance Committee.

**The Proposal is as follows:**

**(10) IN THE MATTER TO ACCEPT INTO THE COUNTY ROAD SYSTEM AN UNNAMED ROAD LOCATED NORTH OF LA FERIA OFF FM/506 AND TO NAME THE ROAD AS "HOPE ROAD" (TABLED)**

At this time, Judge Garza questioned whether said matter had been presented to the Historical Commission for review and comments and the County Engineer responded it was his understanding that the referrals to the Historical Commission concerned changing road names, and the suggestion was made to table the Item.

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

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**(11) AUTHORIZATION FOR CAMERON COUNTY TO PROVIDE TWENTY PERCENT (20%) LOCAL MATCHING FUNDS TOWARDS A TEXAS DEPARTMENT OF TRANSPORTATION ENHANCEMENT PROGRAM GRANT TO PROVIDE ROAD-SIDE IMPROVEMENTS IN SAN PEDRO**

Mr. Andy Cueto, County Engineer, explained that the County Engineer's Office had been discussing the matter with Commissioner Cascos and had developed a conceptual design for a bicycle path and sidewalk to be constructed at the San Pedro Community. He added that the matching funds would be allocated from Commissioner Cascos' Budget and the County Engineer's Office would provide an additional twelve percent (12%) in Engineering and Surveying Services.

Commissioner Cascos moved that Cameron County be authorized to provide twenty percent (20%) local matching funds towards a Texas Department of Transportation Enhancement Program Grant, in order to provide road-side improvements in San Pedro.

The motion was seconded by Commissioner Matz and carried unanimously.

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**(13) IN THE MATTER OF PRESENTATION OF HIGH PERFORMANCE AWARD TO THE CAMERON COUNTY HOUSING AUTHORITY BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (TABLED)**

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

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**(5) APPROVAL FOR ROOF REPAIR AND OTHER MAINTENANCE NEEDS AT THE PORT ISABEL - CAMERON COUNTY AIRPORT**

At this time, Commissioner Matz stated that roof repairs were needed at the County Airport and added that according to the Budget Officer, over \$60,000.00 in Bond monies were available and could be utilized for the maintenance and repairs at the Airport.

Ms. Rosemary Martinez, Budget Officer, confirmed that the County's Bond Counsel had indicated that the money was available and could be utilized in said manner.

At this time, Mr. Bob Steenbock, Southwind Aviation, reported that according to an invoice by Davis Electric, the lighting work at the County Airport was completed. He explained that the County Engineer had provided him with the "proposed" work to be performed and that the County's Purchase Order indicated that the matter was approved by the Court on August 16, 1993, but that the Commissioners Court's Minutes did not reflect that approval, and added that the lights were not functioning according to Federal Aviation Administration (FAA) Standards.

There was some discussion concerning the "proposed" work to be performed at the Airport and the fact that repairs should be done according to Federal Aviation Standards, and the suggestion was made to have the County Engineer or County Counsel contact Davis Electric concerning the need to repair the Airport lights according to Federal Aviation Standards, as specified.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, Mr. Doug Wright, Cameron County Counsel, in conjunction with the County Engineer, were directed to contact the Electrical Contractor to perform the work according to the specifications or to prove that the specifications were met.

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**(6) AUTHORIZATION FOR THE COUNTY ENGINEER TO CONTRACT OUT TO CONSULTANTS THE PREPARATION OF THE PLANS AND SPECIFICATIONS FOR REPAIRS TO THE ROOF OF THE MAIN HANGER AT THE COUNTY AIRPORT AND DESIGNATE THE FUNDING SOURCE**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the County Engineer was authorized to contract the preparation of the Plans and Specifications with outside Consultants, for the repairs to the roof of the Main Hanger at the County Airport, said funds to be allocated from existing Bond proceeds.

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**(27) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court met in Executive Session at 1:55 P. M. to discuss the following matters:

- a) Discuss litigation on Case No. 92-06-02450-A, Hokanson, et. al. vs. Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b) Discuss Dakota Avenue South, Parcels 42 and 46, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- c) Discuss contemplated or potential litigation with respect to Cameron County International Bridge System, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes).

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

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

- a) Discuss litigation on Case No. 92-06-02450-A, Hokanson, et. al. vs. Cameron County.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, to acknowledge the Status Report provided by County Counsel and to continue the defense of said matter, along the terms and conditions as agreed to in Executive Session.

Commissioner Matz moved that the Status Report by County Counsel concerning the litigation on Case No. 92-06-04-2450-A, Hokanson, et. al. vs. Cameron County be acknowledged and that the defense of said matter be continued, along the terms and conditions as agreed to in Executive Session.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

- b) Discuss Dakota Avenue South, Parcels No. 42 and No. 46.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that the County Engineer be directed to extend an offer, along the terms and conditions as agreed to in Executive Session.

Commissioner Rosenbaum moved that the County Engineer be directed to extend an offer concerning the Dakota Avenue South, Parcels No. 42 and No. 46, along the terms and conditions as agreed to in Executive Session.

The motion was seconded by Commissioner Matz and carried unanimously.

- c) Discuss contemplated or potential litigation with respect to Cameron County International Bridge System.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, to acknowledge the discussion with the District Attorney and the County Attorney with respect to the pending investigation and the litigation regarding said matter, and that the Item be placed on the Agenda one (1) week hence, on the recommendation of the District Attorney.

Commissioner Matz moved that the discussion with the District Attorney and the County Attorney, concerning the pending investigation and litigation with respect to Cameron County International Bridge System be acknowledged, and that the Item be placed on the Agenda one (1) week hence, as recommended by the District Attorney.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(9) **PRESENTATION OF 4TH QUARTER FISCAL YEAR  
1993 (FY93) INCOME REPORT FOR PARK  
SYSTEM**

Commissioner Matz moved that the Fourth Quarter Fiscal Year 1993 (FY93) Income Report for the Parks System be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

**The Quarterly Report is as follows:**

(12) **ACTION RELATIVE TO PARKS' BOARD AND STAFF'S RECOMMENDATION ON CLOSURE AND DEMOLITION OF CABINS IN ISLA BLANCA PARK**

Commissioner Valencia moved that the closure and demolition of the cabins in Isla Blanca Park be authorized as outli recommendation of the Parks Director, the Parks Advisory Board and the staff.

The motion was seconded by Commissioner Matz and carried unanimously.

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(15) **IN THE MATTER TO CANVASS THE STATE CONSTITUTIONAL AMENDMENT ELECTION OF NOVEMBER 2, 1993 (RECESSED)**

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

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There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner I meeting was RECECESSED until Wednesday, November 3, 1993, at 8:30 A.M.

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APPROVED this **19th** day of **NOVEMBER**, 1993.

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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**