

COUNTY OF CAMERON §

**THE COURT MET AT:  
1:30 P. M.**

**LUCINO ROSENBAUM, JR.**  
**COMMISSIONER, PRECINCT NO. 1**

**CARLOS H. CASCOS**  
**COMMISSIONER, PRECINCT NO. 2**

**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 Ms. Pandora Dysart, County Counsel, 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 January 31, 1992, at 10:07 A. M.

**ANNOUNCEMENT:**

At this time, Judge Garza acknowledged the presence of Chief Carlos Tapia, Sheriff's Department, and stated that Chief Tapia had been hospitalized and was glad to see him back at work and wished him good health and God-speed.

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**(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 Valencia and carried the following vote:

AYE: Commissioners Rosenbaum and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claim of Brownsville Community Health Center, Warrant No. 53925 in the amount of \$112.75, and the claims of E. De La Garza, Warrant No. 54053 in the amount of \$2,850.71, Warrant No. 54054 in the amount of \$2,452.17, Warrant No. 54055 in the amount of \$1,419.38, and Warrant No. 54056 in the amount of \$173.40; and Commissioner Cascos as to the claim of Landair Travel, Warrant No. 54148 in the amount of \$730.00.

**The Affidavits are as follows:**

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

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the 1991/1992 Budget Amendment No. 13 was approved as presented.

**The Budget Amendment is as follows:**

**(3) IN THE MATTER OF MINUTES OF JANUARY 30,  
1992 (TABLED)**

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

**(4) APPROVAL OF COUNTY TREASURER'S  
QUARTERLY REPORT ENDING DECEMBER 31,  
1991**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously,  
the County Treasurer's Quarterly Report for the period ending December 31, 1991, was approved and acknowledged.

**The Quarterly Report is as follows:**

(5)        **APPROVAL TO ADVERTISE FOR COUNTY AUCTION**

Mr. Michael Forbes, County Purchasing Agent, recommended the date of March 28, 1992, to hold the County Auction.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the advertisement for the County Auction to be held on March 28, 1992, was approved.

(6)        **AUTHORIZATION TO ADVERTISE FOR REQUEST PROPOSALS NO. 92-02-01 FOR COMPUTER SYSTEM TASK FORCE DEPARTMENT**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the advertisement for request for Proposals No. 92-02-01 for the Computer System Task Force Department was authorized.

(7)        **APPROVAL OF REQUEST TO PLACE VOLUNTEER WORKERS IN THE VETERAN'S SERVICE OFFICE**

Mr. Don Boykin, Veterans' Service Officer, stated that it might not be legal for the County to authorize the placement of Volunteers and that he did not know what the Volunteers could do to help him in the Office.

Commissioner Valencia moved that this Item be DENIED.

The motion died for lack of a second.

Judge Garza suggested to defer this request until the matter of Volunteer Workers had been researched by Legal Counsel.

At this time, Commissioner Cascos moved to approve the request to place Volunteer Workers in the Veterans' Service Office, subject to review by Legal Counsel on the "legality or propriety" of Volunteer Workers.

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

AYE:    Commissioners Rosenbaum and Cascos

NAY:    Commissioner Valencia.

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**(8) APPROVAL OF RESOLUTION TO PRO-CLAIM  
APRIL 5-11, 1992, AS COUNTY GOVERNMENT  
WEEK**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution to proclaim the week of April 5 through 11, 1992, as County Government Week was adopted.

**The Resolution is as follows:**

(9)

APPROVAL OF REQUEST FOR PAYMENT OF ANNUAL DUES TO THE CONFERENCE OF URBAN COUNTIES IN THE SUM OF \$1,135.00

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the request for payment of Annual Dues to the Conference of Urban Counties in the sum of \$1,135.00, was approved.

(10)

APPROVAL OF REQUEST BY SPIRIT OF GRACE CHURCH YOUTH DIRECTOR TO SET UP A BOOTH DURING CHARRO DAYS AT THE CORNER OF 14TH AND ELIZA-BETH STREET TO RAISE FUNDS FOR THE YOUTH

Commissioner Rosenbaum moved that the request by the Spirit of Grace Church Youth Director to set up a Booth during Charro Days at the Corner of 14th and Elizabeth Street to raise funds for the Youth, be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

(11)

IN THE MATTER OF ESTABLISHING THE DUTIES OF THE POSITION OF SAFETY AND RISK COORDINATOR (TABLED)

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

(12)

APPROVAL OF RESOLUTION ASSOCIATED WITH APPLICATION TO TEXAS GENERAL LAND OFFICE FOR STATE ASSISTANCE IN CLEANING AND MAINTAINING PUB-LIC BEACHES

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution associated with the Application to the Texas General Land Office for State Assistance in Cleaning and Maintaining Public Beaches was adopted.

**The Resolution is as follows:**

(13) **IN THE MATTER OF MOBILE VENDOR'S PERMIT FOR FRANCOIS NEWKIRT AND ANDRES PENA, D.B.A. "THE GRILL" TO OPERATE VENDING CONCESSION ON PUBLIC BEACHES NORTH OF ANDY BOWIE PARK (TABLED)**

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

(14) **APPROVAL OF REQUEST TO ALLOW THE COUNTY ENGINEER TO PARTICIPATE IN THE PROPOSED LOWER RIO GRANDE BASIN STUDY**

Mr. Andy Cueto, County Engineer, explained to the Court that the Department of Interior, Bureau of Reclamation, had requested that the County Engineer participate in a Study of the Lower Rio Grande River Basin, from Del Rio to Brownsville, Texas. He said that the Study would provide vital information on water and ecological resources and would involve mostly "in-kind" participation.

Judge Garza recommended that the Court be informed at the point that the Study becomes other than "in-kind" participation.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the request to allow the County Engineer to participate in the proposed Lower Rio Grande Basin Study was approved.

(15) **PUBLIC HEARING**

- a)Abandonment of a portion of Tutt Avenue, a portion of Robertson Avenue and a portion of Yoakum Street within the Santa Maria Area, Precinct No. 4.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Public Hearing was opened to solicit comments regarding the abandonment of the portions of Tutt, Robertson, and Yoakum Streets.

Mr. Andy Cueto, County Engineer, stated that the portions of Streets had not been utilized by the Public and that they had a Petition signed by eight (8) property owners requesting said abandonment.

At this time, Mr. William Faulk, Attorney-at-Law, stated that he represented several of the property owners whose signatures appeared in the Petition for Abandonment and added that those portions of the Roads had been dedicated but had never been opened to the Public and he requested abandonment of said portions.

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

- b)Adoption of Resolution for the abandonment of said Street as shown on Map of the Town of Santa Maria and recorded in Volume 5, Page 2 of the Map Records.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution for the abandonment of said Street as shown on the Map of Town of Santa Maria and recorded in Volume 5, Page 2 of the Map Records, was adopted.

The Resolution is as follows:



(16) REQUEST FOR PRELIMINARY APPROVAL

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer and subject to a copy of the percolation test:

- a) J & S Subdivision, a replat of 4.82 acres out of the Southeast corner of Block 30, Stuart Place Subdivision, Section 139 and 298, Volume 5, Page 6, Map Records of Cameron County, Texas. All four lots are on Beckham Road, Precinct No. 4 area.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, preliminary approval was given to the following subdivision on the recommendation of the County Engineer and subject to: 1) adjoiners with Deed references, 2) a scale shown on the location of the Map, 3) total acreage in the Legal Description, and 4) provide tie to the Southwest corner of Block 39:

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

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer and subject to: 1) adjoiners with Deed references, 2) contour lines, 3) water lines and types of road and widths, and 4) culvert size and flow lines:

- c) Guerra Subdivision No. 1, a replat, being the Northwest 2.5 acres out of Block 106, El Jardin Subdivision, Share 32, Espiritu Santo Grant, within the Precinct No. 1 area, at the corner of Browne Avenue and Alabama Road.

(17) REQUEST FOR PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, preliminary and final approval was given to the following subdivision, on the recommendation of the County Engineer and subject to obtaining the signature from the Health Department:

- a) 5.00 acres being Lot 8, West Whipple Road Subdivision, Cabinet 1, Slot 181-A, Map Records, in Share 22, Espiritu Santo Grant, Cameron County, Texas. The property is located on West Whipple Road within Precinct No. 3 area.

(18) 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) Betty Ford Subdivision - a 3.163 acre tract of land situated in and a part of Block 6, Collins Subdivision, within Precinct No. 4 area.

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

- b) M. and I. Subdivision - being the North 5.179 acres out of Lot 1, Las Villitas Subdivision, Share 15, Espiritu Santo Grant, at the right hand side of Olmito North Road at approximately 3 1/4 miles from F.M. 510, within Precinct No. 1 area.

(19)        **APPROVAL OF TRAVEL EXPENSES**

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

- a) Judge Betancourt to Corpus Christi to attend Seminar on March 4-6, 1992;
- b) Health Department employee to attend meeting in Austin on February 4-6, 1992, and February 28, 1992, to attend meeting in Harlingen, Texas; and
- c) District Clerk to attend Judicial Conference in Austin, Texas, on February 21-22, 1992.

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(20)        **EXECUTIVE SESSION**

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

- a)        Discuss the acquisition of Parcel No. 12, Loop 590, Section III, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes);
- b)        Confer with Counsel concerning Ashby vs. Cameron County, pursuant to Section 2(e) of Article 6252-17 (of the Texas Revised Civil Statutes); and
- c)        Confer with Counsel concerning Cameron County vs. Alicia Pasol, 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 2:20 P. M.

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

- a)        Discuss the acquisition of Parcel No. 12, Loop 590, Section III.

Judge Garza reported that after some discussion in Executive Session it was the consensus of the Court as determined by polling, that a counter offer be extended to the owner of said Parcel in the sum as agreed to in Executive Session.

Commissioner Cascos moved that an offer be extended to the owners of Parcel No. 12, Loop 590, Section III, in the sum as agreed to in Executive Session.

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

- AYE:    Commissioners Rosenbaum and Cascos
- NAY:    None
- ABSTAIN:        Commissioner Valencia.

- b)        Confer with Counsel concerning Ashby vs. Cameron County.

Judge Garza reported that the Court received a status Report from Counsel and it was the consensus of the Court as determined by polling, to direct Counsel to settle said matter along the terms and conditions as outlined in Executive Session.

Commissioner Cascos moved that the Report by Counsel be acknowledged and that Counsel be directed to settle the matter concerning Ashby vs. Cameron County along the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.  
c)Confer with Counsel concerning Cameron County vs. Alicia Pasol.

Judge Garza reported that the Court received a status Report from Counsel and after some discussion in Executive Session it was the consensus of the Court as determined by polling, to direct Counsel to pursue the course of activity along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Report by Counsel was acknowledged and Counsel was directed to pursue the course of activity in the matter styled Cameron County vs. Alicia Pasol along the terms and conditions as outlined in Executive Session.

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At this time, Judge Garza expressed the Court's appreciation to Ms. Pandora Dysart, County Counsel, for the excellent counsel she has provided the last six (6) months, this being the last Meeting before her reassignment.

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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.

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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**