

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 4th day of OCTOBER, 1994, there was conducted a REGULAR PUBLIC 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

COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

INELDA T. GARCIA Deputy
COUNTY CLERK

ABSENT:

JAMES R. MATZ

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The meeting was called to order by Judge Antonio O. Garza Jr. He then asked Commissioner Cascos 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 30, 1994, at 1:12 P. M.:

(23) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 1:40 P. M. to discuss the following matters:

- d) Confer with Counsel concerning possible litigation involving a tract of land in Block No. 112, San Benito Land and Water Company Subdivision, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A)(B);
- e) Confer with Counsel concerning the case styled Francisco Concita et. al., vs. Cameron County, B-94-271, United States District Court, Southern District of Texas, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.0719 (1)(A);
- f) Confer with Counsel concerning the case styled Patricia Cortez vs. Cameron County, B-94-264, United States District Court, Southern District of Texas, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- g) Confer with Counsel concerning the case styled McFareland vs. Alex Perez, et. al., B-94-256, United States District Court, Southern District of Texas, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- h) Confer with Counsel concerning the case styled Bernadino Olvera vs. Cameron County, B-94-265, United States District Court for Southern District of Texas, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A); and
- i) Confer with Counsel concerning the case styled Castillo vs. Cameron County, B-93-260, United States District Court, Southern District of Texas, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.0719 (1)(A).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 2:25 P. M.

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(24) ACTION RELATIVE TO EXECUTIVE SESSION

- d) Action regarding possible litigation involving a tract of land in Block No. 112, San Benito Land and Water Company Subdivision;
- e) Action regarding the case styled Francisco Concita, et. al., vs. Cameron County, B-94-271, United States District Court, Southern District of Texas;
- f) Action regarding the case styled Patricia Cortez vs. Cameron County, B-94-264, United States District Court, Southern District of Texas;
- g) Action regarding the case styled McFareland vs. Alex Perez, et. al., B-94-256, United States District Court, Southern District of Texas;
- h) Action regarding the case styled Bernadino Olvera vs. Cameron County, B-94-265, United States District Court, Southern District of Texas; and
- i) Action regarding the case styled Castillo vs. Cameron County, B-93-260, United States District Court, Southern District of Texas.

Judge Garza reported that the Court received status Reports from County Counsel and after some discussion, it was the consensus of the Court as determined by polling, that the Court should acknowledge said Reports and that County Counsel should proceed along the terms and conditions as outlined in Executive Session.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, County

Counsel was directed to proceed along the terms and conditions as outlined in Executive Session regarding the possible litigations concerning the following items:

- d) a tract of land in Block No. 112, San Benito Land and Water Company Subdivision;
- e) Francisco Concita, et. al., vs. Cameron County, B-94-271;
- f) Patricia Cortez vs. Cameron County, B-94-264;
- g) McFareland vs. Alex Perez, et. al., B-94-256;
- h) Bernadino Olvera vs. Cameron County, B-94-265; and
- i) Castillo vs. Cameron County, B-93-260.

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(8) CONSIDERATION OF DOUGLAS LATIMER'S APPLICATION TO RE-OPEN TANDY ROAD IN OLMITO, TEXAS

Mr. Doug Wright, Cameron County Counsel, stated that a Petition was received requesting to open a road that was previously closed by the Court and that it appeared that some adjoining property owners were opposed and the matter would require condemnation proceedings.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Hearing was opened for public comment.

At this time, Ms. Michelle Sanchez, Attorney at Law, explained that Tandy Road in Olmito, Texas, was closed by the Commissioners' Court in July, 1969. She stated that her client, Mr. Douglas Latimer, owned thirteen (13) lots, and a total of fifteen (15) lots were not accessible, and added that the owners of a small lot, measuring 150'x60' were not willing to sell, so condemnation proceedings would have to be initiated.

Judge Garza questioned whether or not the Court had the latitude to open the road or to initiate condemnation proceedings and Mr. Wright explained that the legal process would begin with the Petition being filed with the County Clerk's Office and Notice served to the homeowners, in order to start the condemnation procedures.

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

Commissioner Cascos moved that the Application and Notice Procedures be initiated through the County Clerk's Office, regarding the request by Mr. Douglas Latimer to re-open Tandy Road in Olmito, Texas.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, reported that the Loss Prevention Committee met on Thursday, September 29, 1994; and called on the "newly appointed" Secretary, Ms. Dylbia Jefferies, Assistant County Attorney, to read the following Minutes:

Mr. Yates reported that the Agenda and Minutes of the Monthly Committee Meetings would be submitted to the Texas Association of Counties (TAC) for a possible refund of \$23,000.00. He suggested that the Court designate the refund, when received, for safety equipment, education and training.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the County Claims were approved as recommended by the County Auditor, and the Report from the Loss Prevention Risk Safety Committee was acknowledged, noting that the additional \$23,000.00, should it be reimbursed, be appropriated for Safety and Risk Management efforts.

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(13) **DISCUSSION REGARDING MOBILE VOTING PROVISIONS OF STATE STATUTES AND POSSIBLE USE FOR UPCOMING ELECTION IN CAMERON COUNTY. ELECTION COMMISSION MEETING OF SEPTEMBER 27, 1994, RECOMMENDED THAT ELECTION ADMINISTRATOR AND BUDGET OFFICER WORK UP COST PROJECTIONS AND THAT COUNTY CHAIRMAN, BOTH DEMOCRAT AND REPUBLICAN, PREPARE A LIST OF PROPOSED SITES. BOTH THE COST ESTIMATE AND SITES SHOULD BE SUBMITTED AT THE NEXT REGULAR MEETING OF THE COMMISSIONERS' COURT**

Judge Garza reported that the Election Commission had met on September 27, 1994, and had outlined a Time Table that would be consistent with the upcoming election, and that would take advantage of the Mobile Voting Provisions.

He stated that the discussion concerned the designation of potential sites, and the Democrat and Republican Chairman were asked to prepare a list of proposed sites, in order for the Court to make an informed decision as to how many sites should be utilized in the upcoming election for Mobile Voting.

He stated that the Election Committee suggested that the Elections Administrator and Budget Officer should work on a Proposal regarding the cost projections based on the List.

At this time, Ms. Tencha de la Peña, Elections Administrator, reported that she had received over one hundred (100) sites to consider from the Republican and the Democrats. She explained that in 1992, 1,374 voters utilized the twenty five (25) Retail sites, at a total cost of \$35,000.00, that being \$25.40 a vote, and added that her Office did not have the personnel to handle the "tremendous" work-load for one hundred (100) sites.

She stated that "the Court did not realize the work load that Early Voting locations entailed", and added that eight (8) Early Voting sites were already established. She stated that the Court "has an obligation and a responsibility, according to the Election Code, to provide enough Staff to this Office, in order to efficiently run the Office."

Judge Garza stated that neither the Democratic or the Republican Chairman "had any illusions of having one hundred (100) Retail Voting sites", but wanted the Court to make an informed decision regarding the designation of Mobile Voting Sites.

He suggested that the Elections Administrator and the Budget Officer should prepare a proposal including the

cost of part-time personnel, and present it to the Court in one (1) week, in order to make a decision.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Elections Administrator and Budget Officer were directed to prepare a Proposal, with the cost projections for the Mobile Voting Locations, to be submitted at the next Regular Meeting of the Commissioners' Court.

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(16) **AUTHORIZATION TO ADOPT RESOLUTION IN HONOR OF SAMS FOUNDATION APPRECIATION DAY**

At this time, Mr. Joe Rodriguez, Brownsville Independent School District (B.I.S.D.) Athletic Director, explained that the Sams Foundation was being recognized for their efforts to the Community, in conjunction with the 40th Anniversary of Sams Stadium, and requested that the Court honor them with a Resolution.

Commissioner Cascos moved that the Resolution, in honor of the Sams Foundation Appreciation Day, be adopted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Resolution is as follows:

**(11) AUTHORIZATION FOR MR. WOODIE PEABLES,
DIRECTOR, PEOPLE AGAINST VIOLENT
CRIMES, TO ROLL OVER 1994 BUDGET**

Mr. Woodie Peables, Director of People Against Violent Crimes, requested that the money left in the Budget be rolled over, in order to purchase a modem and software which would reduce the telephone bills and provide better services to the victims.

At this time, Mr. Luis Saenz, District Attorney, expressed his support for the Organization.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the request by Mr. Woodie Peables, Director of People Against Violent Crimes, to roll over the 1994 Budget, was authorized.

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**(10) ACTION REGARDING POSSIBLE EXTENSION OF
CONTRACT WITH HEARD, GOGGAN, BLAIR,
AND WILLIAMS FIRM**

At this time, Judge Garza stated that Commissioner Matz requested that his reservations be expressed, that being, "that it was premature for the Court to extend the Contract and that the Court should request Bids prior to the extension of this effort, and place all Firms in a competitive environment", noting Commissioner Matz absence.

Commissioner Valencia stated that after reviewing the work performed by the Firm of Heard, Goggan, Blair and Williams, and their help extended to the Community, he felt satisfied with their work and recommended to extend the Contract for three (3) years.

Commissioner Valencia moved that the Contract with the Firm of Heard, Goggan, Blair, and Williams be extended for three (3) years.

At this time, Mr. Tony Yzaguirre, County Tax Assessor-Collector, recommended that the Contract not be renewed, and that the County solicit Proposals.

Mr. Hector Peña, Commissioner-Elected for Precinct No. 4, requested the opportunity to review Proposals.

Upon motion duly made by Commissioner Valencia that the Contract with Heard, Goggan, Blair, and Williams be extended for three (3) years, the motion was seconded by Commissioner Cascos and carried the following vote:

AYE: Commissioners Rosenbaum, Cascos, and Valencia

NAY: Judge Garza.

At this time, Judge Garza noted that he did not have "any problem with the job that the Firm was doing", but the he was being consistent with the need to solicit Proposals for services.

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**(2) IN THE MATTER OF BUDGET AMENDMENTS
AND/OR SALARY SCHEDULES (PASSED)**

The Budget Officer noted that there were no Budget Amendments or Salary Schedules for approval, at this time.

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**(3) IN THE MATTER OF MINUTES OF SEPTEMBER 9,
1994, (2 SETS) AND SEPTEMBER 13, 1994**

(TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Minutes were **TABLED**.

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(4) ACTION RELATIVE TO PROPOSED "COUNTY PARKS 2000" COMPREHENSIVE PLAN FOR THE CAMERON COUNTY PARKS SYSTEM

Mr. Kenneth Conway, Parks Director, stated that the Parks Advisory Board and the County Staff had been working to update the 1995 Cameron County Comprehensive Plan for the Parks System, which focused mainly on Isla Blanca Park. He stated that the Parks System had since extended beyond Isla Blanca and that the Plan being presented was the result of Surveys, the Parks Advisory Board and the County Staff.

At this time, Mr. Conway reviewed the Five (5) Year Plan, highlighting the pricing philosophy, the Procedures for selecting concessionaires, and the priority identified to maintain and improve the existing facilities, as opposed to acquiring more facilities:

Commissioner Cascos moved that the "County Parks 2000" Comprehensive Plan for the Cameron County Parks System, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Plan is as follows:

**(5) ACKNOWLEDGMENT OF PARK RANGER
ACTIVITY REPORTS FOR JANUARY THROUGH
AUGUST, 1994**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Park Ranger Activity Reports for January through August, 1994, were acknowledged.

The Reports are as follow:

**(6) IN THE MATTER TO AWARD CONTRACT FOR
THE CONSTRUCTION OF A TIMBER BRIDGE AT
VASQUEZ ROAD (TABLED)**

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

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**(7) APPROVAL OF A PROFESSIONAL SERVICES
AGREEMENT WITH THE FIRM OF HEJL, LEE
AND ASSOCIATES FOR THE PLATTING OF
COLONIA LEAL NO. 2 AND SUNNY SKIES**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Professional Service Agreement with the Firm of Hejl, Lee and Associates, for the platting of Colonia Leal No. 2 and Sunny Skies was approved, as recommended by the Program Development and Management Director.

The Agreement is as follows:

(9) **IN THE MATTER TO AWARD ANNUAL BIDS FOR
A) ROAD DRAINAGE MATERIALS, B) ROAD
SURFACING MATERIALS, AND C) ROAD
EMULSION OILS (TABLED)**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, this Item was **TABLED** for one (1) week, and the existing Contracts were extended for a period of one (1) week, or until the bids were awarded.

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(12) **AUTHORIZATION TO LOWER SPEED LIMIT
FROM 55 TO 35/25 MILES PER HOUR (M.P.H.) ON
SOUTHMOST ROAD**

Mr. Andy Cueto, County Engineer, stated that the County Engineers' Office would submit a recommendation to the Texas Department of Transportation to lower the Speed Limit and to add the appropriate "signage" on Southmost Road

Commissioner Cascos moved that the request to lower the Speed Limit from 55 miles per hour (m.p.h.) to 35/25 m.p.h. on Southmost Road, that being a School Zone, and to include the appropriate "signage", be recommended to the Texas Department of Transportation.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(14) **AUTHORIZATION TO PURCHASE COMPACT
DISK (CD) READ-ONLY-MEMORY (ROM)
SYSTEM FROM WEST PUBLISHING COMPANY
FOR NEW DETENTION CENTER**

Ms. Rosemary Martinez, Budget Officer, explained that, as part of the Construction and Furnishing Project for the new Detention Center, the Library/Recreation Center needed to have Law Books available to inmates. She recommended that a CD-ROM System, in the amount of \$20,000.00 be obtained instead of buying books. She noted that a Subscription for Maintenance would need to be included in the Operating Budget for 1995, in order to keep up the annual updates.

Commissioner Cascos moved that the purchase of a Compact Disk (CD) Read-Only-Memory (ROM) System, from the West Publishing Company, be authorized for the new Detention Center.

The motion was seconded by Commissioner Valencia and carried unanimously.

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(15) **ACTION RELATIVE TO LAGUNA MADRE YACHT
CLUB REQUEST FOR CAMERON COUNTY TO
TAKE A POSITION "OPPOSING THE
CONTINUATION OF THE EXISTING POWER
LINES" OVER THE LOWER LAGUNA MADRE**

Mr. Kenneth Conway, Parks Director, stated that he received the following letter from the Laguna Madre Yacht Club requesting the County's support to oppose the existing power lines over the Lower Laguna Madre:

Judge Garza questioned whether the area was not encompassed by the existing Agreement with Central Power and Light (CPL) and Mr. Conway responded that the existing Ordinance pertained to South Padre Island and the Unincorporated land.

At this time, Mr. James Caldwell, Laguna Madre Yacht Club, expressed their concerns with the hazard involved with the existing power lines.

Judge Garza questioned why this issue was not addressed as part of the Original Ordinance and Mr. Conway responded that the original discussion concerned underground utilities and that the matter of the removal of the causeway had not been contemplated.

Judge Garza clarified that the Court was not adopting an Ordinance, just a Resolution expressing a position on the issue and Mr. Conway added that the Parks System did not have any jurisdiction, but that they did have an interest on the matter.

At this time, Mr. Ben Silva, Central Power and Light, stated that CPL was concerned with the safety, as well as the benefits provided by the power lines. He explained that there were several alternatives being discussed, such as to lifting the lines or bury them, but that all the factors had to be weighed against other factors, such as costs, and the availability of other power lines.

Judge Garza questioned whether the Court had Ordinance making power over the issue and the suggestion was made to refer the matter to County Counsel for legal review.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, this Item was **TABLED** for one (1) week, and referred to the County Counsel for review.

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"CONSENT" AGENDA ITEMS

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

Upon motion by Commissioner Cascos seconded by Commissioner Valencia and carried unanimously, the

"Consent" Agenda Items were approved as follow, exclusive of Items No. 22c and 22d:

- (17) AUTHORIZATION TO APPROVE REPORT ON THE COUNTY LATERAL ROAD ACCOUNT

The Report follows:

- (18) ACTION TO APPROVE CONTRACT AMENDMENT WITH TEXAS DEPARTMENT OF HEALTH TO ADD A NEW ATTACHMENT FOR BUREAU OF NUTRITION SERVICE FOR WOMEN, INFANTS AND CHILDREN (WIC) FOR PERIOD BEGINNING SEPTEMBER 1, 1994 THROUGH SEPTEMBER 30, 1995

The Contract Amendment follows:

- (19) APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND ALEXANDER P. SUDARSHAN, M.D., TO PERFORM VOLUNTEER OPHTHALMIC SERVICE FOR PEDIATRIC PATIENTS IN THE CAMERON COUNTY HEALTH DEPARTMENT BROWNSVILLE CLINIC AT NO COST TO THE COUNTY

The Contract follows:

- (20) APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES BY DR. JAMES A. FREEBERG, EXECUTIVE DIRECTOR, P. C.

The Contract follows:

- (21) PRELIMINARY AND FINAL APPROVAL

- a) **Precinct No. 4:**
Verla's Subdivision - being a subdivision of 3.50 acres, and being a resubdivision of Lot No. 2, Island Estates

- (22) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THEIR BUDGETS:

- a) Five (5) Health Department Employees to attend the "Texas Prenatal Associations Update Conference" in McAllen, Texas, on September 7, 1994;
- b) County Judge to attend the "Future of the Region Conference" in San Antonio, Texas, on October 5-7, 1994;
- e) Court Administrator for the 197th District Court to attend the "Texas Association for Court Administration 18th Annual Education Conference" in Austin, Texas, on October 11-14, 1994;
- f) Four (4) Court Administrators from four (4) District Courts to attend the "18th Annual Education Conference" in Austin, Texas, on October 10-14, 1994; and
- g) Health Administrator to attend a "Pre-Legislature Conference" in Austin, Texas, on October 4, 1994.

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ITEM NO. 17

**AUTHORIZATION TO APPROVE REPORT ON THE
COUNTY LATERAL ROAD ACCOUNT**

The Report follows:

ITEM NO. 18

ACTION TO APPROVE CONTRACT AMENDMENT WITH TEXAS DEPARTMENT OF HEALTH TO ADD A NEW ATTACHMENT FOR BUREAU OF NUTRITION SERVICE FOR WOMEN, INFANTS AND CHILDREN (WIC) FOR PERIOD BEGINNING SEPTEMBER 1, 1994 THROUGH SEPTEMBER 30, 1995

The Contract Amendment follows:

ITEM NO. 19

APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT AND ALEXANDER P. SUDARSHAN, M.D., TO PERFORM VOLUNTEER OPHTHALMIC SERVICE FOR PEDIATRIC PATIENTS IN THE CAMERON COUNTY HEALTH DEPARTMENT BROWNSVILLE CLINIC AT NO COST TO THE COUNTY

The Contract follows:

ITEM NO. 20

APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES BY DR. JAMES A. FREEBERG, EXECUTIVE DIRECTOR, P. C.

The Contract follows:

(22c) IN THE MATTER OF COUNTY ENGINEER TO ATTEND THE ENVIRONMENTAL MANAGEMENT AND TECHNOLOGY CONFERENCE IN HOUSTON, TEXAS, ON NOVEMBER 1-3, 1994 (DENIED)

Mr. Andy Cueto, County Engineer, explained that all Professional Engineers and Surveyors were required to attend thirty (30) hours of Professional Development Courses per year, and that said Conference was the nearest to the Valley.

Judge Garza questioned whether the Conference was related to his Licensing, and Mr. Cueto responded that it was, but that it was optional.

Commissioner Cascos remarked that Commissioner Matz had requested a reply to the question as follows: "given the backlog in undone work in the Engineer's Office, is the Houston trip really necessary?" Commissioner Cascos questioned if the trip was necessary, and the County Engineer responded that it was not necessary for the County.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, this Item was **DENIED**.

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(22d) VETERANS SERVICE OFFICER TO ATTEND THE PRESENTATION OF VETERANS ADMINISTRATION (VA) BENEFITS TO VETERANS LIVING WITHIN THE SAN MIGUEL AREA IN SAN MIGUEL DE ALLENDE, TAMAULIPAS, ON OCTOBER 10-12, 1994

Mr. Salvador Salinas, Veterans Service Officer, stated that every two (2) years the Texas Veterans Commission organized a presentation to a large number of Veterans in Mexico, and added that it was the first time that he was invited to attend.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the travel expenses for the Veterans Service Officer were approved, in order to attend the Presentation of Veterans Administration (VA) benefits to Veterans living within the San Miguel area in San Miguel de Allende, Tamaulipas, on October 10-12, 1994.

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**NOT ON AUTHORIZATION TO OPEN BIDS
AGENDA FOR THE SAN PEDRO SIDEWALK
PROJECT**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to open bids as received for the San Pedro Sidewalk Project.

Judge Garza noted that it was a policy of the Court to direct the opening of bids in open Court, but that it was not a "legal" requisite.

The Bids received and opened are as follow:

(23) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 3:30 P. M. to discuss the following matters:

- a) In the matter of evaluation of Election Administrator, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(1) **(NOT DISCUSSED) (NO ACTION TAKEN)**;
- j) Discuss lease matters pertinent to Cameron County Parks Concessions: 1) Rossi's Too, Incorporated, 2) Little Marcella's, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Discuss Right-of-Way (R-O-W) acquisition for FM/509, parcels 7-014, 6-015, 7-007, 6-017, 6-007, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- b) Discuss evaluation of County Engineer, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(1).

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 5:30 P.M.

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(24) ACTION RELATIVE TO EXECUTIVE SESSION

- c) Action regarding Right-of-Way (R-O-W) Acquisition for FM/509, parcels 7-014, 6-015, 7-007, 6-017, 6-008.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that County Counsel should proceed along the terms and conditions as outlined in Executive Session, regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, County Counsel was directed to proceed along the terms and conditions as outlined in Executive Session concerning the Right-of-Way (R-O-W) Acquisition for FM/509, parcels 7-014, 6-015, 7-007, 6-017, and 6-008.

- j) In the matter regarding lease matters pertinent to Cameron County Parks Concessions: 1) Rossi's Too, Incorporated, 2) Little Marcella's **(NO ACTION, NO RECOMMENDATION)**

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that **no action be taken** and **no recommendation** be made regarding said matter.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, **no action** was taken and **no recommendations** were made regarding the lease matters pertinent to Cameron County Parks Concessions.

- b) In the matter regarding evaluation of County Engineer **(TABLED)**.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, that this item be **TABLED** for one (1) week.

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

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

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APPROVED this **18th** day of **OCTOBER, 1994**.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

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