

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 22nd day of AUGUST, 1995, 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:

GILBERTO HINOJOSA
COUNTY JUDGE

LUCINO ROSENBAUM, JR
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

LUPITA RAMIREZ Deputy
COUNTY CLERK

ABSENT:



The meeting was called to order by Judge Gilberto Hinojosa. He then asked Mr. Joseph O'Bell, Legislative Aide to Senator Eddie Lucio, for the invocation and 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 August 18, 1995, at 1:12 P. M.:

**(4) ADOPTION OF A RESOLUTION HONORING
"TROOPER LAWRENCE ALVA DRAKE" AND
PROCLAIMING AUGUST 31, 1995, AS
"TROOPER LAWRENCE ALVA DRAKE" DAY**

At this time, Judge Hinojosa recognized Trooper Lawrence Alva Drake, on the occasion of his retirement, with a Resolution honoring him for the many years of service as a Texas Department of Public Safety Officer.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the Resolution honoring "Trooper Lawrence Alva Drake", was adopted and August 31, 1995, was proclaimed as "Trooper Lawrence Alva Drake" Day.

The Resolution is as follows:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, recommended that Warrant Nos. 124101 through 124105, be excluded, in order for the Bank Drafts to clear the bank.

Commissioner Matz moved that the County Claims be approved as presented by the County Auditor, excluding Warrant Nos. 124101 through 124105.

The motion was seconded by Commissioner Peña.

Commissioner Cascos recommended that Warrant No. 123892 be excluded from approval.

Upon motion duly made by Commissioner Matz, seconded by Commissioner Peña and carried unanimously the County Claims were approved as presented by the County Auditor, excluding Warrant Nos. 123892 and 124101 through 124105.



(2) IN THE MATTER OF BUDGET AMENDMENT AND/OR SALARY SCHEDULES (NO ACTION)

The County Auditor reported that there were no Budget Amendments or Salary Schedules for approval at this time.



(3) APPROVAL OF MINUTES OF AUGUST 1, 1995

Commissioner Matz moved that the Minutes of the Regular Meeting held on August 1, 1995, at 1:30 P. M. be approved.

The motion was seconded by Commissioner Peña and carried unanimously.



(5) APPROVAL OF THE REPORT(S) FOR CASH IN BANK AND INVESTMENTS THROUGH JUNE 30, 1995

At this time, Mr. Eddie A. Gonzalez, County Treasurer, highlighted the "Cash In Bank and Investments" Report through June 30, 1995, and noted that income generated through the Interest in the Investments increased by the amount of \$700,000.00 over the Budgeted amount.

Judge Hinojosa questioned whether the income generated by the investments had been projected into the Budget, and the County Auditor responded that the Interest Income was projected into the County Budget.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously the Report(s) for "Cash In Bank and Investments" through June 30, 1995, were approved.

The Reports are as follow:

**(6) ACKNOWLEDGMENT OF APPROVED
REGIONAL SOLID WASTE MANAGEMENT PLAN
BY THE LOWER RIO GRANDE VALLEY
DEVELOPMENT COUNCIL**

Mr. Richard Hinojosa, Lower Rio Grande Valley Development Council, presented the Regional Solid Waste Management Plan adopted May, 1995, as required by the State and the Texas Department of Health. He explained that the Twenty (20) Year Plan described the Regional Landfill Capacity, Recycling Programs, and Waste Management, with the goal of recycling thirty percent (30%) of the waste. He stated that funding was allocated from the Texas Natural Resource Conservation Commission, and added that the Plan would have to be updated on a yearly basis. He noted that Commissioner Matz served as the Chairman of the Solid Waste Management Advisory Committee.

Commissioner Matz noted that the Plan took four (4) years of continuous work and involved between sixty (60) to seventy (70) people. He highlighted Section No. Ten (10), titled Subregional Summaries, and stated that it included the three (3) County areas and added that between twenty-two (22) through twenty-four (24) Communities had instituted Re-cycling Programs.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Presentation of the Regional Solid Waste Management Plan by the Lower Rio Grande Valley Development Council, was acknowledged.

The Plan is as follows:

(7) **IN THE MATTER OF THE AUTHORIZATION TO PAY THE CITY OF PORT ISABEL FOR JAIL SERVICES PROVIDED TO THE CONSTABLE OF PRECINCT NO. 1, IN THE AMOUNT OF \$11,670.00, THROUGH JULY 1995, AND TO DESIGNATE A FUNDING SOURCE (TABLED)**

At this time, Judge Hinojosa abstained from the discussion because of his relationship to the City Manager of Port Isabel.

Mr. Mark Yates, County Auditor, reported that the County received a letter dated July 3, 1995, from the Law Offices of Hoffman & Garcia, demanding payment to the City of Port Isabel Police Department, in the amount of \$11,300.00, for jail services provided to Constable No. One (1). He stated that the matter was presented to the Court in 1991 and at that time, the Court issued a directive not to use the jail services. He noted that the Auditor's Office had not received any invoices until said Letter and requested a funding source for payment, and added that the Constable had no money in the Budget to pay for the services. He stated that there was no Contract pertaining to these services, and that the Letter was in response to a City of Port Isabel Ordinance that charged a per diem per day served.

At this time, Judge Pro-tem Cascos suggested that the matter be tabled and that it be placed as an Executive Session Agenda Item.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, this Item was **TABLED**.

NOTE: JUDGE HINOJOSA ABSTAINED FROM THE DISCUSSION.

(8) **IN THE MATTER OF THE PROPOSAL TO ADOPT A TAX RATE FOR FISCAL YEAR 1996 THAT EXCEEDS NOTICE AND HEARING LIMITS (TABLED)**

Mr. Mark Yates, County Auditor, reported that if the County proposed to levee a Tax Rate that was 103% greater than the Effective Tax Rate as calculated, it would require a Public Hearing and Notice. He stated that the rate levied last year was 103%, plus the applicable Tax Rate for Project Road Map, which totaled 105.43% and required a Public Hearing. He added that the proposed Tax Rate discussion did not mean that an increase in the Tax Rate had to be approved, but it provided for a Public Notice and Public Hearing on said issue.

Commissioner Cascos stated that this was not a Public Hearing and he was not ready to adopt a new Tax Rate and suggested that Members of the Court work with the County Auditor regarding said issue.

Mr. Yates suggested "one-on-one" Sessions with the Members of the Court to explain the Budget in detail and to allow sufficient time for review. He added that a Public Hearing was not required if the Tax Rate remained within the 103%; however, if the Tax Rate for Project Road Map was added, in the same format as it was adopted the previous year, then the Tax Rate would be approximately 106.58% and it should be addressed at a Public Hearing.

Commissioner Cascos stated that the the majority of the Court would not approve a 7% Tax Rate increase.

Mr. Yates noted that if the Tax Rate was a flat 3%, inclusive of Project Road Map, the County would experience a "short fall" in the amount of \$400,000.00.

Commissioner Cascos stated that \$400,000.00 was the amount that needed to be found somewhere in the Budget and suggested a three percent (3%) reduction on the salaries of Elected Officials, a hiring freeze, retroactive 120 days or 90 days, reduction of the use of Cellular phones, travel, and other expenses before considering raising Taxes.

Judge Hinojosa stated that a large part of the problem related to the fact that the County had lost the State's "paper ready" inmates, losing an amount of approximately one million dollars (\$1,000,000.00) and suggested that the jail population be projected for the coming year and the jail staff reduced accordingly.

Commissioner Peña stated that cutting expenses was an important issue but that the activities that generated Revenue should be considered.

At this time, Ms. Juanita Brodecky, Rio Hondo resident, presented the following List of Budget Items to consider before setting a Tax Rate and expressed her concerns regarding any increases in the County Tax Rate:

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

At this time, Judge Hinojosa requested that the Item be scheduled for a Workshop on Tuesday, August 29, 1995, at 9:30 A.M.



(9) **AUTHORIZATION TO ENTER INTO A FIVE (5)
YEAR LEASE WITH SOUTHWESTERN BELL
TELEPHONE FOR A PLEXAR OFF-PREMISE
PHONE SWITCHING SYSTEM**

Mr. Juan Torres, Senior Account Representative of Southwestern Bell, presented the following Proposal of the Plexar System and explained that the Plexar System was a "Central Office Based System" that eliminated the problems of incoming or outgoing calls that could not get through, would function if there was a power shortage, and was easy to expand:

Mr. Mark Yates, County Auditor, added that the County did not need to buy new equipment and that the Plexar System was currently being used in the Old Courthouse, Dancy Building, and in the Annex Building in Harlingen.

Commissioner Matz noted the monthly saving, in the amount of \$765.00, with the Plexar System, and added that the System would not preclude vendors from bidding on the equipment.

Commissioner Peña moved that the Five (5) Year Lease with Southwestern Bell Telephone for a "Plexar Off-Premise Phone Switching System" be approved.

The motion was seconded by Commissioner Matz and carried unanimously.



(10) IN THE MATTER OF THE PROFESSIONAL CONSULTING SERVICES CONTRACT WITH DAVID M. GRIFFITH FOR THE PREPARATION OF THE COUNTY'S COST ALLOCATION PLAN (TABLED)

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



(11) AUTHORIZATION TO AWARD CONTRACT FOR AUDIT SERVICES

Mr. Mark Yates, County Auditor, explained that the Proposals for Auditing Services were objectively evaluated as to the experience of Governmental Accounting, Auditing and cost, noting that cost was not the overriding factor, and recommended that Burton, McCumber and Richard, LLP, Brownsville, Texas, be Contracted for Audit Services.

Upon motion by Commissioner Cascos, second by Commissioner Matz and carried unanimously, the Contract for Audit Services was awarded to the Accounting Firm of Burton, McCumber & Richard, LLP, Brownsville, Texas, in the amount of \$84,000.00.

The Contract is as follows:

(12) ACTION ON AMENDMENT NO. TWO (2) TO THE COUNTY'S CONTRACT WITH MR. RICHARD MYCUE, ARCHITECT FOR THE INTERIOR RESTORATION OF THE "OLD" COUNTY COURTHOUSE

Mr. Richard Mycue, Architect, explained that Amendment No. Two (2) proposed to provide for the interior restoration of the "Old" County Courthouse. He reported that more than sixty percent (60%) of the Exterior Project had been completed, and that the Interior Project could be completed within one (1) year.

Commissioner Cascos moved that Amendment No. Two (2) of the County's Contract with Mr. Richard Mycue, Architect, for the Interior Restoration of the "Old" County Courthouse, be approved.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Amendment is as follows:

(13) AUTHORIZATION FOR THE SHERIFF'S DEPARTMENT TO APPLY FOR CONTINUATION FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FOLLOWING SELECTIVE TRAFFIC ENFORCEMENT (STEP) GRANT PROGRAMS: DRIVING WHILE INTOXICATED (DWI); OCCUPANT PROTECTION (OP); AND SPEED

Mr. Frank Bejarano, Program Development and Management Director, reported that these were Second Year Continuation Grants and the County was required to provide a twenty-five percent (25%) Local Match for each Project, in the total amount of \$18,750.00, said funding to be allocated from the General Fund.

Mr. Mark Yates, County Auditor, reported that the funding for the Grant Programs were not projected into the Budget, and added that Discretionary Funds, in the amount of \$60,000.00, were allocated for the Court to use at their discretion.

Mr. Joe Elizardi, Chief Deputy, reported that the increase number of citations had resulted in increased Revenues.

Mr. Ronald K. Saenz, Captain, reported that Cameron County ranked second in Texas on 1) Alcohol related accidents, 2) "No Seat Belts", 3) "Children with No Seat Belt", and 4) Excessive speed violations and added that the County had to address the serious problems concerning Driving While Intoxicated (DWI) and requested that the Court provide funding for the Programs.

Commissioner Cascos suggested to continue the Program for at least the coming year, said funding to be allocated through Lapsed Salaries.

Commissioner Cascos moved that the Sheriff's Department be authorized to apply for Continuation of Funding from the Texas Department of Transportation for the following Selective Traffic Enforcement (STEP) Grant Programs: Driving While Intoxicated (DWI); Occupant Protection (OP); and Speed, said funding to be allocated from Lapsed Salaries.

The motion was seconded by Commissioner Rosenbaum and carried as follows:

AYE: Commissioners Rosenbaum, Cascos, and Peña

NAY: None

ABSTAIN: Commissioner Matz.

The Resolutions are as follow:

**(14) ADOPTION OF AMENDMENT TO A
COMMISSIONERS' COURT RESOLUTION,
ADOPTED JULY 18, 1995, DEALING WITH
TEXAS COMMUNITY DEVELOPMENT
PROGRAM CONTRACT NO. 714005**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Amendment to a Commissioner's Court Resolution, adopted on July 18, 1995, dealing with Texas Community Development Program Contract No. 714005, was adopted.

The Amendment is as follows:

(15) RATIFICATION OF APPLICATION FOR OFFICIAL TEXAS HISTORICAL MARKER FOR BRAZOS ISLAND MILITARY DEPOT, PREPARED BY CAMERON COUNTY HISTORICAL COMMISSION, SIGNED BY PARKS SYSTEM MANAGER AND PARKS SYSTEMS DIRECTOR

Commissioner Matz moved that the Application for the Official Texas Historical Marker for Brazos Island Military Depot, as prepared by the Cameron County Historical Commission, and signed by Parks Systems Manager and Parks Systems Director, be ratified.

The motion was seconded by Commissioner Peña and carried unanimously.

The Application is as follows:

- (16) **AUTHORIZATION TO ISSUE BEACH VENDOR PERMIT NO. ONE (1) TO FRANCISCO TORRES D/B/A/ EL REY DEL ELOTE, FOR MOBILE VENDING ON THE BEACHES OF PUBLIC VEHICULAR BEACHES OF SOUTH PADRE ISLAND AND BOCA CHICA**

- (17) **AUTHORIZATION TO ISSUE BEACH VENDOR PERMIT NO. TWO (2) TO FRANCISCO TORRES D/B/A/ EL REY DEL ELOTE, FOR MOBILE VENDING ON THE BEACHES OF PUBLIC VEHICULAR BEACHES OF SOUTH PADRE ISLAND AND BOCA CHICA**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Permit Nos. One (1) and Two (2) to Francisco Torres D/B/A/ El Rey Del Elote, for Mobile Vending on the Beaches of the Public Vehicular Beaches of South Padre Island and Boca Chica, were issued.

At this time, the County Auditor questioned the designation of the Permit Fee and the County Judge responded that it be directed to the General Fund.

The Permits are as follow:

**(18) ADOPTION OF THE 1996 FISCAL YEAR
HOLIDAY SCHEDULE FOR CAMERON
COUNTY EMPLOYEES**

Mr. Mariano Ayala, Personnel Director, stated that Martin Luther King's Day had not been included and would be observed on Monday, January 15, 1996, and that the Holiday Schedule would then have eleven (11) Days.

Commissioner Matz suggested that if Martin Luther King's Day was added, to delete another Holiday Day.

Commissioner Peña moved that the 1996 Fiscal Year Holiday Schedule for Cameron County Employees be adopted, inclusive of Martin Luther King's Day.

The motion was seconded by Judge Hinojosa and carried as follows:

AYE: Commissioners Rosenbaum and Peña and Judge Hinojosa,

NAY: Commissioners Cascos and Matz.

The Schedule is as follows:

(19) APPOINTMENT OF A GRIEVANCE COMMITTEE, AN AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE COMMITTEE, AND A PERSONNEL COMMITTEE, AND DESIGNATION OF THE PERSONNEL/SAFETY RISK DIRECTOR AS THE CHAIRMEN FOR THE COMMITTEES

Mr. Mariano Ayala, Personnel/Safety Risk Director, explained that three (3) Committees needed to be appointed by the Court and suggested each Member of the Court appoint one (1) individual and that the Personnel Director designate one (1) member and would serve as the Committees' Chair.

There was some discussion concerning the appointments and the need for three (3) Committees and the suggestion was made to Table the matter.

Mr. Frank Bejarano, Program Development and Management Director, stated that each Committee had different functions and addressed different issues.

Mr. Doug Wright, Cameron County Counsel, reported a need to establish a Grievance Committee promptly, because a Grievance had been filed and needed to be considered on a timely basis.

At this time, the Members of the Court and the Personnel Director recommended that the following individuals serve on the Grievance Committee:

- Mr. Mariano Ayala, Personnel Director, - Mr Richard Santellano, Adult Probation Officer;
- Judge Hinojosa - Ms. Amalia Cano, Elections Administrator;
- Commissioner Rosenbaum - Mr. Frank Bejarano, Program & Development Management Director;
- Commissioner Cascos - Mr. Norio Nishiguchi, Computer Center Director;
- Commissioner Matz - Mr. Kenneth Conway, Parks Systems Director; and
- Commissioner Peña - Ms. Inelda Garcia, Chief Administrator County Clerk.

At this time, Mr. Bejarano explained that the Personnel Committee would consider Wage and Salary Classifications and added that Elected and Appointed Officials should be represented because it would affect all the Departments. The suggestion was made to have the Grievance Committee serve as the Personnel Committee with the addition of Mr. Joe Rivera, Cameron County Clerk, Ms. Aurora De La Garza, District Clerk, and Mr. Tony Yzaguirre, County Tax Assessor Collector, and as the Americans with Disabilities Act (ADA) Committee with the addition of an ADA Representative when considering matters regarding ADA issues.

Commissioner Rosenbaum moved that the Personnel/Safety Risk Director serve as the Chairman for the Committees appointed as follows:

GRIEVANCE COMMITTEE:

Mr. Mariano Ayala, Personnel/Safety Risk Director;
Mr. Frank Bejarano, Program & Development Management Director;
Ms. Amalia Cano, Elections Administrator;
Mr. Kenneth Conway, Parks Systems Director;
Ms. Inelda Garcia, Chief Administrator County Clerk;
Mr. Norio Nishiguchi, Computer Center Director.
Mr Richard Santellano, Adult Probation Officer; and

AMERICANS WITH DISABILITIES ACT (ADA) COMMITTEE:

Mr. Mariano Ayala, Personnel/Safety Risk Director;
Mr. Frank Bejarano, Program & Development Management Director;
Ms. Amalia Cano, Elections Administrator;
Mr. Kenneth Conway, Parks Systems Director;
Ms. Inelda Garcia, Chief Administrator County Clerk;
Mr. Norio Nishiguchi, Computer Center Director.
Mr Richard Santellano, Adult Probation Officer; and
Mr. David Vander Hee, Valley Association for Independent Living.

PERSONNEL/INSURANCE COMMITTEE

Mr. Mariano Ayala, Personnel/Safety Risk Director;
Mr. Frank Bejarano, Program & Development Management Director;
Ms. Amalia Cano, Elections Administrator;
Mr. Kenneth Conway, Parks Systems Director;
Ms. Inelda Garcia, Chief Administrator County Clerk;
Mr. Norio Nishiguchi, Computer Center Director.
Mr Richard Santellano, Adult Probation Officer; and
Mr. Joe G. Rivera, County Clerk;
Ms. Aurora De La Garza, District Clerk; and
Mr. Tony Yzaguirre, County Tax Assessor.

The motion was seconded by Commissioner Peña and carried unanimously.



"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 Rosenbaum, seconded by Commissioner Peña and carried unanimously, the "Consent" Agenda Items were approved as follow:

(20) PRELIMINARY AND FINAL APPROVAL:

- a) **Precinct No. 2** - Candice and Dean Subdivision - being plat of a 2.654 acre tract out of Share No. 2, of the partition of the East 1/2 of private Survey No. 412, Cameron County, Texas; and further being out of the certain 5.00 acre tract conveyed to E.E. Frazier;
- b) **Precinct No. 3** - David Fuentes Subdivision - being 5.0 acres out of a 6.0 acre tract out of Block Nos.14 and 17, Harris-Gentry Subdivision, Section No. 2, Share No. 28, Espritue Santo Grant; and
- c) **Precinct No. 2** - Lina Flor Subdivision - being a 3.002 acre tract of land, more or less, and being a resubdivision of Lots Nos. 18 and 19, Cuellar Subdivision.

(21) PRELIMINARY APPROVAL:

- a) **Precinct No. 3** - Mayerwood Subdivision - being 9.65 acres out of the North 20 acres of Block No. 14, Harlingen Land and Water Company Subdivision "C";
- b) **Precinct No. 4** - White Wings Subdivision - being a 24.29 acre Subdivision comprised on the South 10 acres of Block No.18, the South 10.14 acres of Block No. 19, and the North 4.15 acres of Block No. 20, of the Dougherty and Paillet Subdivision; and
- c) **Precinct No. 3** - Weathersby Estates - being a 4.35 acre resubdivision of Lot No. 12, Block No. 2, of the Amended Plat of Arroyo Bend No. II.

(22) FINAL APPROVAL :

- a) **Precinct No. 4**- Pure Canela Subdivision - being a 2.0116 acre subdivision out of Lot No. 5, Block No. 2, Sayanora Subdivision No. 2.

(23) AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:

- a) One (1) Health Department employee to attend the "Tuberculosis (TB) Program Managers Meeting" in Austin, Texas, on August 23-25, 1995;
- b) Women Infant and Children (WIC) Director to attend the "Interagency Task Force on Colonias Follow-Up Meeting" in Weslaco, Texas, on August 23, 1995;
- c) One (1) Health Department employee to attend "Interagency Task Force on Colonias Follow-Up Meeting" in Weslaco, Texas, on August 23, 1995;
- d) One (1) Health Department employee to attend the "Title V Contractor's Training Workshop" in Austin, Texas, on August 14 - 15, 1995;
- e) Constable Precinct No. 8 and Deputy to attend the "Under Cover Operations for Narcotics Enforcement Conference" in College Station, Texas, on September 25-28, 1995;
- f) Parks Director to attend the "Next Hurricane Landfall Location in the Continental United States for Observation of Local Government Response/Recovery During and Immediately after Landfall", (4 days maximum, to be determined later); and
- g) Right-of-Way Agent and Survey Crew Chief to attend a "Course in Boundary Surveying Using Advanced Global Positioning System (GPS) Techniques" in South Padre Island, Texas, on August 22, 1995.



(21) EXECUTIVE SESSION:

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the

Court met in Executive Session at 3:15 P. M. to discuss the following matters:

- a) To confer with Legal Counsel and take action on Contract for Delinquent Tax Collection; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(2);
- b) To request additional Right-of-Way Acquisition on FM/509 for Parcel Nos. 21-A and 21-B; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) To request Right-of-Way Acquisition on FM/1419 for Parcel Nos. 062, 063, 065, and 070; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;

- d) To discuss settlement offer on the case styled Charles F. Weekley vs. County, Cause No. 95-01-1303-D, 103rd Judicial District Court, Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(B); and
- e) To consult with County Attorney concerning rental of County property at the corner of Garcia Street and South Shore Drive, Port Isabel, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 3:50 P. M.



(22) ACTION RELATIVE TO EXECUTIVE SESSION:

- a) To confer with Legal Counsel and take action on Contract for Delinquent Tax Collection;
- d) To discuss settlement offer on the case styled Charles F. Weekley vs. County, Cause No. 95-01-1303-D, in the 103rd Judicial District Court, Cameron County; and
- e) To consult with County Attorney concerning rental of County property at the corner of Garcia Street and South Shore Drive, Port Isabel, Texas.

Commissioner Matz 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 discussed in Executive Session regarding said matters.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, County Counsel was directed to proceed along the terms and conditions as discussed in Executive Session regarding: a) the Contract for Delinquent Tax Collection; d) the settlement offer in the case styled Charles F. Weekley vs. Cameron County, Cause No. 95-01-1303-D, in the 103rd Judicial District Court; and e) the rental of the County Property at the corner of Garcia Street and South Shore Drive in Port Isabel, Texas.

- b) To request additional Right-of-Way Acquisition on FM/509 for Parcel Nos. 21-A and 21-B; and
- c) To request Right-of-Way Acquisition on FM/1419 for Parcel Nos. 062, 063, 065, and 070.

Commissioner Matz reported that after some discussion, it was the consensus of the Court as determined by polling, that the recommendations presented by the County Engineer be accepted regarding said matters.

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the County Engineer's recommendations were accepted regarding: b) the additional Right-of-Way Acquisition on FM/509 for Parcel Nos. 21-A and 21-B and c) the Right-of-Way Acquisition on FM/1419 for Parcel Nos. 062, 063, 065, and 070.



(1) APPROVAL OF COUNTY CLAIMS

At this time, Mark Yates, County Auditor, explained that Warrant No. 123892, in the amount of \$25,948.29, was excluded from the Claims, but after researching the matter he recommended approval.



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



APPROVED this 12th day of **September**, 1995.

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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