

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 29th day of November, 1995, there was conducted a SPECIAL PUBLIC Session of the Honorable Commissioners' Court of Cameron County, Texas, at the South Padre Island City Hall, in South Padre Island, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

6:30 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:  
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The meeting was called to order by Judge Gilberto Hinojosa. The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on November 24, 1995, at 4:00 P. M. and the Supplemental Agenda filed on November 29, 1995, at 2:21 P. M.

**(4) APPROVAL TO PURCHASE EQUIPMENT AND CHEMICALS TO FIGHT THE MOSQUITO PROBLEMS IN CAMERON COUNTY**

At this time, Judge Hinojosa stated that he had received a memorandum dated November 29, 1995, from the Cameron County Health Department reporting that a case of Dengue Fever had been confirmed in Cameron County, and added that an Emergency Meeting was necessary, in order to approve the purchase of equipment and chemicals to fight the mosquito problems in the County without going through the bidding process, as recommended by the County Auditor's Office.

Mr. Ray Rodriguez, Chief Sanitarian, stated that there were two (2) confirmed cases of Dengue Fever in the Brownsville area and that the Health Department was requesting immediate authorization to purchase the equipment and chemicals to fight the mosquito problem for the public's health and safety.

At this time, Mr. Richard Burst, County Counsel, stated that the issue had been reviewed and recommended approval.

**NOTE: COMMISSIONER PEÑA JOINED THE MEETING AT THIS TIME.**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Resolution to purchase equipment and chemicals to fight the mosquito problems in Cameron County was adopted.

**The Resolution is as follows:**

(1) **DISCUSSION OF PADRE SHORES, LTD.  
DEVELOPMENT PROJECT LOCATED ON  
SOUTH PADRE ISLAND, TEXAS**

**NOTE: COMMISSIONER CASCOS JOINED THE MEETING**

At this time, Mr. Richard Frankie, Developer, outlined the design and location of the Proposed Development, the limited public access to the beach, and the concept of the Proposed structures erected in the sand dunes surrounded by natural vegetation. A lengthy discussion followed concerning the public access to the Beach, the donated land for the development of Atwood Park and the concerns expressed by written communication by the Attorney General's Office and the General Land Office.

The following individuals supported the approval of the Project, citing the Developers' commitments to comply with all the Statutes and to address all the issues in question:

Mr. Michael Martin, County Engineer;

Javier Mendez, Building Official; and

Mr. Kenneth Conway, Parks System Director.

**The Documentation are as follows:**

At this time, Mr. Peter Ravella, Coastal Division of General Land Office (GLO), stated that the Letter to the Court dated November 22, 1995, expressed the concerns of the GLO which "may or may not be relevant" because of the additional issues raised by the Attorney General's (AG) Office regarding the "vegetation line" and added that those issues would have to be resolved before GLO would consider approval.

**The Letter is as follows:**

At this time, Mr. Grant Gurley, Office of the Attorney General, explained the conflict of the Proposed Project with the Statutes concerning the "vegetation line," the boundaries involved and the enforcement issues and added that the continuation of the Project could not be approved until it complied with the Statutes. A discussion followed regarding the location of the "vegetation line" and the interpretation of the Statutes, concerning the Proposed Project.

**The Statutes are as follows:**

At this time, Judge Hinojosa solicited public comments and the following individuals expressed their concerns regarding compliance with the Subdivision Ordinance and the interpretation of the Statutes as presented by the Attorney General's Office concerning the "vegetation line".

Ms. Mary Lou Campbell, Port Isabel resident,

Ms. Lynn Tate, South Padre Island resident, and

Mr. John Thobe, Port Isabel resident.

At this time, upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court recessed at 7:50 P. M.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 8:05 P. M.

Commissioner Rosenbaum moved that Items No. 2 and No. 3 be tabled.

The motion died for lack of second.

At this time, Mr. Doug Wright, Cameron County Counsel, recommended that the Permit and the Application be approved, subject to the review and approval by the Attorney General's Office and the Texas General Land Office.

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**(2) AUTHORIZATION FOR THE APPROVAL AND ISSUANCE OF A DUNE PROTECTION PERMIT FOR THE PADRE SHORES LTD. MASTER PLAN**

Commissioner Matz moved that the Dune Protection Permit for the Padre Shores LTD. Master Plan be approved, subject to the review and approval by the Attorney General's Office and the Texas General Land Office.

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

**AYE:** Commissioners Cascos, Matz, and Peña

**NAY:** Commissioner Rosenbaum and Judge Hinojosa.

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**(3) ACTION ON APPLICATION FOR BEACHFRONT CONSTRUCTION CERTIFICATE FOR PADRE SHORES, LTD., DEVELOPMENT ON SOUTH PADRE ISLAND, TEXAS**

Commissioner Matz moved that the Application for a Beachfront Construction Certificate for Padre Shores, LTD., Development on South Padre Island, Texas, be approved, subject to the review and approval by the Attorney General's Office and the Texas General Land Office.

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

**AYE:** Commissioners Cascos, Matz, and Peña

**NAY:** Commissioner Rosenbaum and Judge Hinojosa.

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



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

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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