

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 29th day of **OCTOBER, 1996**, there was conducted a **REGULAR Public Meeting 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, C.P.A.**  
**COMMISSIONER, PRECINCT NO. 2**

**JAMES R. MATZ**  
**COMMISSIONER, PRECINCT NO. 3**

**HECTOR PEÑA**  
**COMMISSIONER, PRECINCT NO. 4**

**Hilda V. Treviño**                                 **Deputy**  
**COUNTY CLERK**

**ABSENT:**



The meeting was called to order by Judge Pro-tem Carlos H. Cascos, C.P.A.

At this time, upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Special Meeting was reconvened.

Judge Pro-tem Cascos then asked Pastor Gayle Gardner, Good Shepherd Church, for the invocation and Mr. David Allex, Harlingen, Texas, to lead the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on October 25, 1996, at 3:41 P.M.:

**(1) APPROVAL OF COUNTY CLAIMS**

At this time, Ms. Lynda Irvine, First Assistant County Auditor, presented an additional late claim as to the Criminal Justice Division, Warrant No. 23095, in the amount of \$10,092.83, for approval.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the additional late claim as to the Criminal Justice Division, Warrant No. 23095, in the amount of \$10,092.83.

**(2) IN THE MATTER OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES (NO ACTION TAKEN)**

At this time, Ms. Lynda Irvine, First Assistant County Auditor, reported that there were no Budget Amendments and/or Salary Schedules for approval.

**(3) APPROVAL OF THE MINUTES OF OCTOBER 8, 1996, AND OCTOBER 15, 1996**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held October 8, 1996, at 1:30 P.M., and the Regular Meeting held October 15, 1996, at 1:30 P.M., were approved, subject to the correction noted on the Minutes of October 15, 1996, Item No. 12.

**(5) ACTION REGARDING AN ORDER/RESOLUTION FOR THE ADOPTION OF THE ANNUALLY DETERMINED CONTRIBUTION RATE PLAN (ADCR) AND/OR FOR THE ADOPTION OF THE OPTIONAL RIGHTS, CREDITS AND BENEFITS UNDER AN ADCR PLAN**

At this time, Ms. Lynda Irvine, First Assistant County Auditor, clarified that the Service Credit Percent Ratio would be the amount of \$2.00, for the County and \$1.00, for the employee, that being a County contribution of eight point two percent (8.2%), and the employee contribution of seven percent (7%), and noted that the fund would be allocated from the Employment Benefit Fund.

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the Order regarding the adoption of the Annually Determined Contribution Rate Plan (ADCR) and the Optional Rights, Credits and Benefits under an ADCR Plan was adopted.

**The Order is as follows:**

**(6) AUTHORIZATION TO PURCHASE POLICE EQUIPMENT FOR THE DEPUTY SHERIFFS AND DEPUTY CONSTABLES**

Commissioner Peña moved that Police Equipment be purchased for the Deputy Sheriffs and Deputy Constables.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

**(7) APPOINTMENT OF A MEMBER AND AN ALTERNATE TO THE AMIGOS DEL VALLE, INCORPORATED BOARD OF DIRECTORS**

Commissioner Rosenbaum moved that Commissioner Peña be appointed as a member of the Amigos Del Valle, Incorporated Board of Directors, and Commissioner Rosenbaum as an alternate.

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

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

**NAY:** None

**ABSTAINED:** Commissioner Cascos.

**(8) APPOINTMENT TO THE CAMERON COUNTY 9-1-1 BOARD**

Commissioner Matz moved that Mr. Jim Shepherd, Harlingen Chief of Police, and Mr. Jim Hand, Harlingen, Texas, be appointed to the Cameron County 9-1-1 Board.

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

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

**NAY:** None

**ABSTAINED:** Commissioner Rosenbaum.

**NOTE: COMMISSIONER MATZ LEFT THE COURT ROOM AT THIS TIME.**

**(9) AUTHORIZATION TO OPEN ACCOUNTS WITH THE INTERNATIONAL BANK OF COMMERCE**

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the following accounts were opened with the International Bank of Commerce:

- a) Cameron County Treasurer South Texas Boot Camp and Education Center - Fund No. 13; and
- b) Cameron County Treasurer Olmito Water Facilities Distribution - Fund No. 29.

**The Resolution is as follows:**

**NOTE: JUDGE HINOJOSA JOINED THE MEETING AND COMMISSIONER MATZ RETURNED**

**TO THE COURT ROOM.**

**(8) APPOINTMENT TO THE CAMERON COUNTY 9-1-1 BOARD**

At this time, Judge Hinojosa moved that the appointment of Mr. Jim Shepherd, Harlingen Chief of Police, and Mr. Jim Hahn, be reconsidered.

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

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

**NAY:** Commissioner Matz.

Upon motion by Judge Hinojosa, seconded by Commissioner Rosenbaum and carried unanimously, Mr. Tony Lopez, Los Fresnos Chief of Police, and Mr. Jim Shepherd, Harlingen Chief of Police, were appointed to the Cameron County 9-1-1 Board.

**(10) APPROVAL OF THE PURCHASES WITHOUT PURCHASE ORDERS FOR PRECINCT NO. 1**

Commissioner Rosenbaum moved that the following Purchases without Purchase Orders be approved:

- a) Ace Bolt and Screw Company - \$4.77;
- b) Ybarra's Tire Shop - \$10.00;
- c) Burton Company - \$80.50;
- d) Burton Company - \$184.64;
- e) Burton Company - \$24.99; and
- f) Burton Company - \$13.54.

The motion was seconded by Commissioner Peña and carried unanimously.

**(11) IN THE MATTER OF A TEN (10) YEAR TAX PHASE-IN OF LAND, BUILDING AND EQUIPMENT FOR TITAN WHEEL INTERNATIONAL, INCORPORATED (TABLED)**

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

**(12) APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ROBERT J. RUIZ, ARCHITECT, INCORPORATED, PURSUANT TO THE DANCY BUILDING EXTERIOR RESTORATION**

Commissioner Matz moved that the Professional Services Agreement with Robert J. Ruiz, Architect, Incorporated, be approved pursuant to the Dancy Building Exterior Restoration, subject to Legal review.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Agreement is as follows:**

**(13) AUTHORIZATION TO CONTRACT WITH WACKENHUT SECURITY FOR THREE (3) SECURITY GUARDS FOR TWO (2) HOURS, TO PROVIDE SECURITY AT THE CAMERON COUNTY JURY ROOM ON OCTOBER 31, 1996, DURING THE "OPERATION KICK IT" PRESENTATION FOR JUVENILES AND THEIR PARENTS**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Contract with Wackenhut Security, Harlingen, Texas, was approved for three (3) Security Guards, for two (2) hours, to provide security at the Cameron County Jury Room on October 31, 1996, during the "Operation Kick It" Presentation for Juveniles and their parents.

**The Contract is as follows:**

**(14) AUTHORIZATION OF CHANGE ORDER NO. 3,  
BETWEEN CAMERON COUNTY PARKS  
SYSTEM AND PEACOCK CONSTRUCTION  
COMPANY, UTILIZING E. K. ATWOOD  
CONTRACT CONTINGENCY ALLOWANCE IN  
THE AMOUNT OF \$1,231.00, OF \$1,500.00**

Commissioner Matz moved that Change Order No. 3, be approved between Cameron County Parks System and Peacock Construction Company, utilizing E.K. Atwood Contract Contingency Allowance in the amount of \$1,231.00, of \$1,500.00.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Order is as follows:**

**(15) APPROVAL TO SELL THREE (3) VEHICLES WHICH BELONG TO THE UNIFIED NARCOTICS INTELLIGENCE TASK-FORCE**

Upon motion by Commissioner Peña, seconded by Commissioner Rosenbaum and carried unanimously, the selling of three (3) Unified Narcotics Intelligence Task-Force vehicles was approved.



**(16) APPROVAL OF THE PURCHASE WITHOUT THE PURCHASE ORDER FROM STEVENSON'S APPLIANCES, IN THE AMOUNT OF \$52.51**

At this time, Ms. Maria San Pedro, Director of Nursing Services, presented a plaque that was awarded by the Texas Department of Health to the Brownsville Health Clinic for achieving ninety percent (90%) immunization coverage for children under the age of two (2).

Commissioner Cascos moved that the Purchase without the Purchase Order from Stevenson's Appliances, Brownsville, Texas, in the amount of \$52.51, be approved.

The motion was seconded by Commissioner Matz and carried unanimously.



**(17) APPROVAL TO LOAN OUT TWO (2) VOTING MACHINES TO HOMER HANNA HIGH SCHOOL, FOR A MOCK ELECTION TO BE HELD ON OCTOBER 30, 1996**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, two (2) Voting Machines were approved to be loaned out to Homer Hanna High School, for a Mock Election to be held on October 30, 1996.





## **CONSENT AGENDA ITEM**

**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 and Item No. 19 "a" was **TABLED**:

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

- a) County Clerk to attend the "Texas Association of Counties 1996 Pre-Legislative Conference" in Austin, Texas, on October 29-30, 1996;
- b) Unified Narcotics Intelligence Task-Force and Tactical Intelligence Agent to attend the "Crime Conference" in San Diego, California, on November 18-22, 1996;
- c) Adjudication of Drug Offenders Court Chair Prosecutor to attend the "Trial Advocacy Seminar" in San Francisco, California, on November 8-14, 1996;
- d) Two (2) Health Department employees to attend the "Key to Tuberculosis Control in the 90's Meeting" in Dallas, Texas, on November 5-8, 1996;
- e) Health Department employee to attend the "Welfare Reform in the Rio Grande Valley" in McAllen, Texas, on October 28, 1996;
- f) Health Department employee to make a Presentation for "Perinatal Nurse Practitioner Students" in Weslaco, Texas, on October 29, 1996;
- g) Two (2) County Clerk Deputies to attend the "Meeting on Performance Counseling - Helping Your Employees Succeed" in Brownsville, Texas, on November 7, 1996;
- h) County Court at Law No. 2 Judge and Court Administrator to attend the "Meeting on Performance Counseling - Helping Your Employees Succeed" in Brownsville, Texas, on November 7, 1996;
- I) Two (2) Park Rangers to attend "Mandatory In-Service Training in the Lower Rio Grande Valley Development Center" in Raymondville, Texas, on October 22-23, 1996;
- j) Justice of the Peace Precinct No. 6, Place 1 to attend the "Records Management Classes" in McAllen, Texas, on October 23-24, 1996;

- k) Parks System Director and Acting Maintenance Foreman to view "Operation of a Loader (PUP) Compactor" in Fritch, Texas, on November 3-4, 1996;
- l) Planning, Development and Management to attend the "National Highway Traffic Safety Administration Project Management Course" in Corpus Christi, Texas, on November 19-22, 1996; and
- m) Two (2) Justice of the Peace Precinct No. 1 clerks to attend the "1996 Fourteen Hour Court Personnel Seminar School" in Corpus Christi, Texas, on November 18-20, 1996.



**(19) PRELIMINARY AND FINAL APPROVAL**

**a) In the matter of Precinct No. 3 (TABLED)**

In the matter of Olvera Subdivision - being an 8.391 acre of land, out of Block No. 15, of San Benito Land and Water Company Subdivision; (TABLED) and

**b) Precinct No. 3**

Resaca Gardens Subdivision - being 4.41 acres out of 10.657 acre tract, described in Deed dated March 14, 1977, and recorded in Volume 1077, Pages 253 through 257, of the Deed Records of Cameron County, Texas; and further being out of Block Nos. 15 and 16, of the Cole tract, Share No. 19, Espiritu Santo Grant.

**(20) AUTHORIZATION TO RENEW THE AWARDS OF BIDS, ONE (1) ADDITIONAL YEAR**

**a) ANNUAL BID - LIGHT BULBS (FROM JANUARY 1, 1997, TO DECEMBER 31, 1997)**

**ELECTRIC FIXTURE - Brownsville, Texas**  
\$42.34

**b) ANNUAL BID - JANITORIAL SUPPLIES - LINERS AND PAPER PRODUCTS (FROM DECEMBER 2, 1996, TO DECEMBER 1, 1997)**

**ASTRO - McAllen, Texas**  
\$94,990.31

**CENTURY PAPERS - McAllen, Texas**  
\$5,811.75

**c) ANNUAL BID - COMPUTER PRINTER RIBBONS (FROM NOVEMBER 22, 1996, TO NOVEMBER 21, 1997)**

**JONES AND COOK - Harlingen, Texas**

**\$86.83**

**HARDGROVES - Brownsville, Texas**

**\$11.30**

- (21) **AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 96-10-02, FOR DISPATCHER RADIO CONSOLES, INCLUDING APPROVAL OF THE FOLLOWING EVALUATION COMMITTEE AND AUTHORIZATION TO NEGOTIATE TOWARDS FINAL RECOMMENDATION:**

**CAPTAIN RONNIE SAENZ, SHERIFF'S DEPARTMENT;  
MR. RENE BORREGO, SHERRIFF'S DEPARTMENT DISPATCHER; AND  
MR. MIKE FORBES, PURCHASING AGENT.**

**The Request for Proposal follows:**

**(22) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS**

- a) **BIDS FOR PATROL CARS**
- b) **REQUEST FOR PROPOSAL NO. 96-10-04, FOR PROFESSIONAL ENGINEERING AND MANAGEMENT SERVICES FOR THE TRANSITION AND OPERATION PLAN FOR THE PROPOSED CONSOLIDATED COUNTY ROAD DEPARTMENT; AND**
- c) **REQUEST FOR PROPOSAL NO. 96-10-06, FOR ENGINEERING AND/OR ARCHITECTURAL SERVICES - CAMERON PARK RECREATION PROJECT.**

**(23) AUTHORIZATION TO AWARD BID FOR TRACTOR - FOUR WHEEL DRIVE WITH LOADER AND CUTTER - PRECINCT NO. 1**

**HARLINGEN IMPLEMENT - Harlingen, Texas**

**Tractor, without trade, with shredder and cutter - \$38,990.00**



- (21) **AUTHORIZATION TO OPEN REQUEST FOR PROPOSAL NO. 96-10-02, FOR DISPATCHER RADIO CONSOLES**

**The Request for Proposals are as follow:**

**(22) AUTHORIZATION TO OPENED BIDS/REQUEST FOR PROPOSALS**

**a) BIDS FOR PATROL CARS**

**The Bids received and opened are as follow:**

**(22) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS**

- b) REQUEST FOR PROPOSAL NO. 96-10-04, FOR PROFESSIONAL ENGINEERING AND MANAGEMENT SERVICES FOR THE TRANSITION AND OPERATION PLAN FOR THE PROPOSED CONSOLIDATED COUNTY ROAD DEPARTMENT**

**The Request for Proposals are as follow:**

**(22) AUTHORIZATION TO OPEN BIDS/REQUEST FOR PROPOSALS**

- c) REQUEST FOR PROPOSAL NO. 96-10-06, FOR ENGINEERING AND/OR ARCHITECTURAL SERVICES - CAMERON PARK RECREATION PROJECT**

**The Request for Proposals are as follow:**



**(4) ADOPTION OF A RESOLUTION HONORING  
MR. DAVID ALLEX**

At this time, Judge Hinojosa presented the Resolution to Mr. David Allex, Harlingen, Texas, and highlighted his accomplishments and contributions to the County during his thirty-four (34) years with the Harlingen Chamber of Commerce.

Mr. David Allex, Harlingen, Texas, expressed his gratitude to the Court and briefly highlighted several memorable events during his tenure with the Harlingen Chamber of Commerce.

Commissioner Peña moved that the Resolution honoring Mr. David Allex, Harlingen, Texas, be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

**The Resolution is as follows:**

## **EMERGENCY ITEMS**

- (1) **ADOPTION OF THE ORDER AUTHORIZING THE ISSUANCE OF \$1,340,000.00, CAMERON COUNTY, TEXAS PARK SYSTEM COMBINATION TAX AND REVENUE REFUNDING BONDS, SERIES 1996C, AND MAKING PROVISIONS FOR THE SECURITY THEREOF; APPROVING THE PURCHASE CONTRACT, THE OFFICIAL STATEMENT, AND THE ESCROW AGREEMENT, AND APPROVING OTHER MATTERS RELATING THERETO**
  
- (2) **ADOPTION OF THE ORDER AUTHORIZING THE ISSUANCE OF \$2,385,000.00, CAMERON COUNTY, TEXAS PARK SYSTEM COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996D, AND MAKING PROVISION FOR THE SECURITY THEREOF; APPROVING THE PURCHASE CONTRACT AND THE OFFICIAL STATEMENT, AND APPROVING OTHER MATTERS RELATING THERETO**

At this time, Mr. Noe Hinojosa, Estrada-Hinojosa and Company, Incorporated, explained and highlighted the intent of said Orders and added that the County would save the amount of \$115,000.00, noting that if the Issuance was delayed, the County would lose Taxpayers' money that was involved, thus the need for the "emergency".

Upon motion by Commissioner Rosenbaum, seconded by Judge Hinojosa and carried unanimously, the Orders authorizing the Issuance, in the amount of \$1,340,000.00, Cameron County, Texas Parks System Combination Tax and Revenue Refunding Bonds, Series 1996C, and the Issuance, in the amount of \$2,385,000.00, Cameron County, Texas Parks System Combination Tax and Revenue Certificates of Obligation, Series 1996D, was adopted and the Provisions for the Security thereof; the Purchase Contracts, the Official Statements, the Escrow Agreement and other matters relating thereto, were approved.

At this time, Commissioner Matz questioned whether the Meeting posted for Friday, November 1, 1996, was still going to be held and Judge Hinojosa responded that the Court would meet to ratify and clarify as to the actions taken regarding said Items.

**The Documents are as follow:**

**(24) EXECUTIVE SESSION**

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

- a) Confer with County Counsel to hire the Cameron County Health Administrator; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(1);
- b) Confer with County Counsel pertaining to payment of surveying for the West Retention Basin Los Tomates Bridge Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with County Counsel to request Right-of-Way acquisition on FM/1419, for Parcel No. 077; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Confer with County Counsel to request authorization for additional expenses for FM/1419 Project, on Document Preparation for Parcel No. 69; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Confer with County Counsel pertaining to financial matters on Mr. Richard Ellis Roby, Sr., doing business as Suncatchers, lessee in Andy Bowie County Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- f) Confer with County Counsel pertaining to possible purchase of building located in La Feria, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- g) Discuss with County Counsel the Parks Advisory Board's recommendation regarding Lease Term for Small Business Concessions in the County Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- h) Discuss with County Counsel the matters pertaining to lease park land in the Isla Blanca Park, as recommended by the Parks Advisory Board, in reference to a Proposal submitted responding to Request for Proposal No. 96-07-08; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- i) Discuss with County Counsel concerning the potential litigation regarding the Adult Probation Office Project, pertaining to the termination of the Contract with Mr. Richard Mycue, Architect, and discuss authority to settle the dispute with Mr. Mycue and to bring suit if settlement cannot be effected; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B); and
- j) Discuss with County Counsel pertaining to the potential litigation regarding the Dancy Building concerning the termination of Contract with Mr. Richard Mycue, Architect, and discuss the authority to bring suit if settlement cannot be effected; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A&B).

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

At this time, upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Court recessed at 2:25 P.M., until 3:00 P.M.

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

[REDACTED]

Upon motion by Commissioner Peña, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 3:00 P.M.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 5:05 P.M.

[REDACTED]

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

- a) Confer with County Counsel to hire the Cameron County Health Administrator; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(1);

Judge Hinojosa recommended that the position of the Cameron County Health Administrator should be offered to Ms. Tina Fields, Brownsville, Texas.

Commissioner Cascos moved that the position of the Cameron County Health Administrator be offered to Ms. Tina Fields, Brownsville, Texas.

The motion was seconded by Commissioner Peña and carried unanimously.

- b) Confer with County Counsel pertaining to the payment of surveying for the West Retention Basin Los Tomates Bridge Project;
- c) Confer with County Counsel to request Right-of-Way acquisition on FM/1419 Project, for Parcel No. 077; and
- d) Confer with County Counsel to request authorization for additional expenses for FM/1419 Project, on Document Preparation for Parcel No. 69.

Mr. Doug Wright, Cameron County Counsel, recommended that the payment for the survey performed by the Orive Surveying Company, in the amount \$2,257.50, and the final payments for Right-of-Way acquisitions on FM/1419 Project, Parcel No. 077, in the amount of \$737.84, and Parcel No. 69, in the amount of \$505.00, should be approved.

Commissioner Rosenbaum moved that the payment for the survey performed by the Orive Surveying Company, in the amount \$2,257.50, and the final payments for Right-of-Way acquisitions on FM/1419 Project, Parcel No. 077, in the amount of \$737.84, and Parcel No. 69, in the amount of \$505.00, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Confer with County Counsel pertaining to financial matters on Mr. Richard Ellis Roby, Sr., doing business as Suncatchers, Lessee in Andy Bowie County Park.

Mr. Doug Wright, Cameron County Counsel, recommended that the Parks System Director should be authorized to terminate the Lease, upon compliance of the fifteen (15) day notice, with Mr. Richard Ellis Roby, Sr., doing business as Suncatchers, Lessee in Andy Bowie County Park.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the Parks System Director was authorized to terminate the Lease, upon compliance of the fifteen (15) day notice, with Mr. Richard Ellis Roby, Sr., doing business as Suncatchers, Lessee in Andy Bowie County Park.

- f) Confer with County Counsel pertaining to the possible purchase of the Building located in La Feria, Cameron County, Texas.

Mr. Doug Wright, Cameron County Counsel, recommended that the Property Management Coordinator should perform an analysis regarding said property and to submit a report to the Court on possible alternatives regarding said matter.

Commissioner Peña moved that the Property Management Coordinator be directed to perform an analysis on the Building located in La Feria, Cameron County, Texas, and to submit a report to the Court on possible alternatives.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

- g) Discuss with the Parks Advisory Board's recommendation regarding the Lease Term for Small Business Concessions in the County Park.

Mr. Doug Wright, Cameron County Counsel, recommended that the Parks Advisory Board's recommendation on the Small Business Concessions Lease Policy to Lease up to three (3) years to concessionaires who generate no more that the amount of \$200,000.00, in gross sales revenue, should be acknowledged, subject to Court approval.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Parks Advisory Board's recommendation on the Lease Term Policy for Small Business Concessions be a term of up to three (3) years to concessionaires who generate no more that the amount of \$200,000.00, in gross sales revenue, should be acknowledged, subject to Court approval.

- h) Discuss with County Counsel matters pertaining to lease of park land in the Isla Blanca Park as recommended by the Parks Advisory Board in reference to a Proposal submitted responding to the Request for Proposal No. 96-07-08.

The County Attorney recommended that the Lease should be negotiated in order to hire Mr. Steve Robinson, Moore and Robinson Appraisal Services, to perform the appraisal of the Isla Blanca Park, Cameron County, Texas, and that the Court should express interest regarding the Schlitterbaum Project, upon the appraisal figures, regarding said matter.

Commissioner Peña moved that the Lease be negotiated to hire Mr. Steve Robinson, Moore and Robinson Appraisal Services, to perform and appraisal of the Isla Blanca Park, Cameron County, Texas, and that the Court express interest regarding the Schlitterbaum Project, upon the appraisal figures, pertaining to lease of park land in the Isla Blanca Park as recommended by the Parks Advisory Board, in reference to a Proposal submitted responding to the Request for Proposal No. 96-07-08.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

- I) Confer with County Counsel pertaining to the potential litigation regarding the Adult Probation Office Project concerning the termination of the Contract with Mr. Richard Mycue, Architect and discuss the authority to settle the dispute with Mr. Mycue and bring suit if settlement cannot be effected; and
- j) Confer with County Counsel pertaining to the potential litigation regarding the Dancy Building concerning the termination of the Contract with Mr. Richard Mycue and the authority to bring suit if settlement cannot be effected.

Mr. Doug Wright, Cameron County Counsel, recommended that the District Attorney's Office should submit a letter of termination regarding said matters.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Peña and carried unanimously, the District Attorney's Office was authorized to submit a letter of termination regarding the potential litigation pertaining to the Adult Probation Office Project and the Dancy Building concerning the termination of the Contract with Mr. Richard Mycue, Architect and discuss the authority to settle the dispute with Mr. Mycue and bring suit if settlement cannot be effected.

## **SPECIAL MEETING**

### **(2) ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Confer with County Counsel regarding the evaluation of Ms. Alicia Guerrero, in the capacity of Law Librarian; pursuant to Vernon Texas Annotated (V.T.C.A), Government Code, Section 551.074(A)(1);
- b) Confer with County Counsel regarding the evaluation of Mr. Leo Pompa, in the capacity of Reproduction Supervisor; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(1);

- c) Confer with county Counsel regarding the evaluation of Mr. Salvador Salinas, in the capacity of Veterans Service Officer; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(1);
- d) Confer with County Counsel regarding the evaluation of Mr. Ken Conway, in the capacity of Parks System Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(1); and
- e) Confer with County Counsel regarding the evaluation of Ms. Amalia Cano, in the capacity of Elections Administrator; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074 (A)(1).

Judge Hinojosa recommended that the Evaluations should be acknowledged favorably regarding said matters.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Evaluations

were acknowledged favorably regarding Ms. Alicia Guerrero, in the capacity of Law Librarian, Mr. Leo Pompa, in the capacity of Reproduction Supervisor, Mr. Salvador Salinas, in the capacity of Veterans Service Officer, Mr. Ken Conway, in the capacity of Parks System Director, and Ms. Amalia Cano, in the capacity of Elections Administrator.

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

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**APPROVED** this **26th** day of **November, 1996**.

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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**