

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 30th day of **SEPTEMBER, 1997**, 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:

9:30 P. M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
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 Gilberto Hinojosa. He then asked Mr. Bill Hughes, Good Shepherd Church, for the invocation and Commissioner Cascos 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 September 26, 1997, at 10:16 A.M., and the Supplemental Agenda filed on September 26, 1997, at 11:05 A.M.

(1) AUTHORIZATION TO OPEN BIDS

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the following Bids were authorized to be opened at 4:00 P.M.:

- a) Parking lot County Courthouse S.E. improvements; and
- b) Disaster Relief Road Repairs - Precinct No. 2.

The Bids received and opened are as follow:

(10) AUTHORIZATION TO PROVIDE INFORMATION SERVICES TO ENTITIES THROUGH THE CAMERON COUNTY INFORMATION SYSTEM

At this time, Ms. Aurora de la Garza, District Clerk, explained that the Information System would provide public information regarding criminal and civil cases geared for the businessmen and attorneys and stated that the System would decrease the number of incoming phone calls which would increase the Department's productivity. She stated that the Project would increase in revenues the amount of \$25,000.00 to \$30,000.00, in the first year and noted that two (2) lines were necessary to begin the Project.

Mr. Eric Garza, Deputy Clerk, explained the process to access and retrieve the information from the System and stated that the System displayed Aview only® files, which could not be modified or printed by the viewer. He confirmed that the confidential information would not be downloaded into the System and would not be available to be viewed and explained that the confidential information was flagged by County personnel.

Commissioner Cascos expressed concern as to the flagged confidential information and added that the process was subject to human error. He stated that the budgetary issues had not been addressed and that the Contract needed to be reviewed regarding the billing process. Commissioner Cascos expressed concern as to additional staff being needed to input the data on a daily basis.

Mr. Garza stated that the information would be downloaded overnight on a daily basis and would take fifteen (15) minutes a day to process and noted that the human errors could also be retrieved by the individuals physically utilizing the System in the District Clerk's Office.

There was some discussion regarding the access of the Adult Probation Information System and Mr. Garza confirmed that the only information provided by the System would be the information inputted by County Staff.

Mr. Mark Yates, County Auditor, recommended that the System begin with a limited number of subscribers and that an oath should be taken as Officers of the Court to limit the System to Attorneys and to report any information that they deem confidential or questionable.

Commissioner Matz expressed concern as to the Budget issues regarding the implementation of the two (2) Harlingen lines in addition to the (2) two dedicated Brownsville lines.

Mr. Garza stated that the two (2) unused existing Brownsville lines would be utilized for the initial stage of the Project and were allocated in the existing Budget and noted that the only cost would be for the initial software, in the amount of \$365.00.

At this time, Mr. Yates suggested that the Fees should be billed on a six (6) months basis, in the amount of \$30.00, per month, in advance of the Service.

Commissioner Cascos stated that additional information should be provided in the Contract regarding billing issues and disconnection of the Service and added that additional funding would be an issue in the future.

Mr. Yates guaranteed that the cost of the Project would not exceed the Project's revenues and clarified that the matter had been presented for approval of the concept and authorization for the District Clerk's Office to proceed and to perfect the final document to be submitted to the Court for a final approval.

Commissioner Cascos expressed his support regarding the Project, but noted that the Budgetary issues were not presented to the Court.

Commissioner Matz noted that there were several Items on the Agenda that had not gone through the Budget and/or the Legal Process.

Ms. de la Garza noted that a target date for the implementation of the Project had be set for November 1, 1997, and reiterated that the System would eliminate the number of phone calls and the workload.

Commissioner Cascos moved that the District Clerk's Office be authorized to proceed with the Information Services Project, subject to approval of the Budget and the Contract.

The motion was seconded by Commissioner Peña and carried unanimously.

At this time, Mr. Garza displayed and highlighted the process of accessing the public information through the Information Services System.



(11) **APPROVAL OF THE AMENDMENT TO THE CAMERON COUNTY ROAD POLICY REPLACING THE CURRENT ROAD ASSESSMENT POLICY WITH THE ADOPTED CAMERON COUNTY SPECIAL ROAD ASSESSMENT POLICY**

At this time, Ms. Dylbia Jefferies Vega, County Attorney, stated that Cameron County contained a Special Legislation for a Special Assessment Policy and added that the General Assessment Policy adopted in the County Road System was being replaced with the Special Assessment Policy given by statute for Cameron County.

Mr. Doug Wright, Cameron County Counsel, clarified that there was a Special Legislation which applied only to Cameron and Galveston County and explained that if the Court elected to perform an Assessment on road, the Court would need to follow said Policy, noting that the Court could also vote not to follow the Policy.

Commissioner Cascos expressed concern as to whether the language of the Policy should reflect each Commissioner's Precinct contribution of twenty-five percent (35%), as opposed to Cameron County's contribution, due to the Road Consolidation.

Commissioner Peña questioned how the Court would handle situations with hardship cases and Mr. Wright responded that the Court had the option to follow the guidelines outlined in the Policy.

Commissioner Matz moved that the Amendment to the Cameron County Road Policy be approved replacing the current Road Assessment Policy with the adopted Cameron County Special Road Assessment Policy, subject to the language modification from Precinct to County regarding the twenty-five percent (25%) contribution.

At this time, there was some discussion regarding the Labor Cost being part of the Project Cost of the twenty-five percent (25%), in which the majority of the cost would consist of labor and Commissioner Peña expressed concern as to the roads in the Anaquitos Estates.

Commissioner Matz explained that the road in the Anaquitos Estate was a private road in which the residents requested that the road be accepted into the County Road System as a County Road and he added that a Special Assessment Policy was created to address the cases which would involve cost participation by the property owners and the County. He stated that there was a process to follow, in order to accept the road into the System contingent upon the improvements being made based on the adopted Resolutions.

Commissioner Peña questioned whether a Public Hearing would need to be scheduled to determine whether the road was a public road and Mr. Wright responded that the matter would apply to a prescriptive road easement, noting that said road evolved from a subdivision situation and was dedicated as a public road.

Commissioner Matz stated that the property owners donated and recorded the necessary Right-of-Way to complete the required sixty feet (60') of Right-of-Way.

Upon motion duly made, Commissioner Matz moved that the Amendment to the Cameron County Road Policy be approved replacing the current Road Assessment Policy with the adopted Cameron County Special Road Assessment Policy, subject to the language modification from Precinct to County regarding the twenty-five percent (25%) contribution.

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

AYE: Commissioner Benavides, Cascos and Matz

NAY: Commissioner Peña.

The Policy is as follows:

(12) APPROVAL OF A RESOLUTION DECLARING THAT IMPROVEMENTS TO THE ROADS IN ANAQUITOS ESTATES I AND II ARE NECESSARY

At this time, Commissioner Matz stated that there were cost estimates for two (2) options and added that the cost would vary based on the option selected by the property owners. He suggested that the County Engineer should revise the cost estimates and recommend a cost by eliminating the profit and indirect aspect. He added that the recommendations be presented to the property owners for the selection of the options and that upon acceptance of a letter with the selected option by the property owners, the Resolution would be completed, in order to proceed with the Project.

Commissioner Cascos expressed concern as to the cost of the hot mix for the road and the amount to be assessed and as to whether the funds were set aside in the Road and Bridge Budget for the up front costs.

Mr. Mark Yates, County Auditor, stated that the issue would be a manual ledger process and recommended that the costs should be billed through the Tax Office based on the completed Project.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Resolution declaring that improvements to the roads in Anaquitos Estates I and II are necessary, was adopted.



(18) ACTION TO REJECT ALL BIDS RECEIVED FOR THE CAMERON PARK RECREATION PROJECT AND TO AUTHORIZE THE PROJECT ENGINEER TO REDESIGN AND REBID

Commissioner Matz moved that the Bids received for the Cameron Park Recreation Project be rejected and that the Project Engineer be authorized to redesign and rebid.

The motion was seconded by Commissioner Cascos and carried unanimously.



(20) AUTHORIZATION FOR THE ARCHITECT TO REDESIGN AND REBID RENOVATION OF CAMERON COUNTY-S COMMUNITY PARKS (JOSE ESPARZA, SANTA ROSA AND SANTA MARIA)

At this time, Mr. Kenneth Conway, Parks System Director, stated that the Bid received was over the Project Budget and added that the recommendation was made to perform a minor redesign of the Project, noting that there were three (3) potential vendors interested to Bid on the Project.

Commissioner Peña moved that the Architect be authorized to redesign and rebid the renovation of Cameron County-s Community Parks (Jose Esparza, Santa Rosa and Santa Maria).

The motion was seconded by Commissioner Matz and carried unanimously.



(5) APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES

Commissioner Matz moved that the Fiscal Year 1997 Budget Amendment No. 97-23 be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendment is as follows:

(6) APPROVAL OF THE MINUTES OF SEPTEMBER 9, 1997, REGULAR MEETING, SEPTEMBER 9, 1997, SPECIAL MEETING, AND SEPTEMBER 10, 1997, SPECIAL MEETING

Commissioner Cascos moved that the Minutes of the Regular Meeting held September 9, 1997, at 4:00 P.M., the Special Meeting held September 9, 1997, at 6:30 P.M., and the Special Meeting held September 10, 1997, at 6:30 P.M., be approved.

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

AYE: Commissioners Benavides, Cascos and Peña

NAY: None

ABSTAINED: Commissioner Matz.

(7) IN THE MATTER OF A PROCLAMATION DECLARING OCTOBER 17, 1997, AS AKURV DAY® IN CAMERON COUNTY ON THE OCCASION OF ITS 50TH ANNIVERSARY (TABLED)

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

(8) APPROVAL OF TAX REFUNDS

Commissioner Matz moved that the following Tax refunds be approved:

- a) Joinville Finance, in the amount of \$2,747.54, Change Value per Appraisal Board; and
- b) Valley Regional Hospital, in the amount of \$7,854.14, Agreed Judgement No. 96-08-04056-B.

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

AYE: Commissioners Benavides, Cascos and Matz

NAY: None

ABSTAINED: Commissioner Peña as to Item 8 Ab®.

(9) APPROVAL OF THE COUNTY CLERK-S OFFICE FEE SCHEDULE EFFECTIVE OCTOBER 1, 1997

At this time, Ms. Inelda T. Garcia, Chief Administrator, presented the Civil, Probate and Criminal Fee Schedules and highlighted the increases and decreases in the fees, noting that a Time Payment Fee was being added to the Fee Schedule.

Judge Hinojosa expressed concern as to whether the Time Payment Fee was part of a Court Order by the County Court at Law Judges and whether the administrative fee was currently a part of the judgements, noting that the issue should be reviewed by Legal Counsel, in order to be in compliance with State Laws.

Ms. Garcia stated that the Fee was implemented based on State Statutes and explained that the fees were assessed on the individuals who could not pay the court costs in a timely manner, noting that the Fee had been confirmed by the State Comptroller's Office.

Commissioner Matz expressed concern as to the Graffiti Eradication and Ms. Garcia responded that the fee was a new section on the Criminal codes for defacing property offenses.

Commissioner Matz moved that the County Clerk's Office Fee Schedule be approved, to be effective October 1, 1997.

The motion was seconded by Commissioner Peña and carried unanimously.

The Order and the Fee Schedule are as follow:

(13) APPROVAL OF THE FUNDING AND AUTHORIZATION FOR THE COUNTY STAFF AND THE CSCD DIRECTOR TO OBTAIN A PROPOSAL FROM THE TEXAS CORRECTIONAL INDUSTRIAL INDUSTRIES TO BUILD WORKSTATIONS AND FURNITURE NEEDED FOR THE ADULT PROBATION OFFICE PROJECT

At this time, Judge Hinojosa stated that once the Road Consolidation began there would be construction to be performed in Precinct No. 3 for additional space and added that the possibility of hiring carpenters had been discussed with the Maintenance Superintendent to work on the proposed buildings in-house funded through the Road and Bridge System. He stated that if outside carpenters were to be hired on a temporary basis, carpenters should be hired for the County to work on the Adult Probation Office Project at about the same or less cost. Judge Hinojosa noted that a carpenter could work on said Project and move directly into the Road Consolidation Construction Projects, noting that the Precinct No. 1 and 2 warehouses were in need of major repairs. He suggested that the Proposal should be advertised, but that the alternative suggestion should be discussed and reviewed.

Commissioner Peña moved that the funding be approved and that the County Staff and the Community Supervision and Corrections Department (CSCD) Director be authorized to obtain a Proposal from the Texas Correctional Industrial Industries to build workstations and furniture needed for the Adult Probation Office Project.

The motion was seconded by Commissioner Matz and carried unanimously.



(14) APPROVAL OF THE FUNDING AND AUTHORIZATION FOR COUNTY STAFF AND THE CSCD DIRECTOR TO OBTAIN COST ESTIMATES OR PROPOSALS FOR THE PURCHASE AND INSTALLATION OF TWINAX CABLES (FOR WORKSTATIONS) AND CATEGORY - 5 TWISTED PAIR CABLES (FOR PC-S) FOR THE ADULT PROBATION OFFICE PROJECT

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, County Staff and the CSCD Director were authorized to obtain cost estimates or proposals for the purchase and installation of twinax cables (for workstations) and Category - 5 twisted pair cables (for PC-s) for the Adult Probation Office Project, said funding to be allocated from the 1994/1995 Construction of the Courthouse Renovation Fund.



(15) RE-APPOINTMENT OF CHIEF JIM SCHOEPNER TO THE CAMERON COUNTY EMERGENCY COMMUNICATION DISTRICT BOARD

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, Chief Jim Schoepner was re-appointed to the Cameron County Emergency Communication District Board.

(16) AUTHORIZATION TO SUBMIT THE STATE AND LOCAL ASSISTANCE-50 (EMA) PROGRAM APPLICATION FOR CAMERON COUNTY-S CONTINUING PARTICIPATION FOR FIFTY PERCENT (50%) OF REIMBURSEMENT

Commissioner Peña moved that the State and Local Assistance-50 (EMA) Program Application be submitted for Cameron County-s continuing participation for fifty percent (50%) of reimbursement.

The motion was seconded by Commissioner Benavides and carried unanimously.

(17) APPROVAL OF AMENDMENT NO. 1 TO THE SELF-HELP CONTRACT BETWEEN CAMERON COUNTY, WILLACY COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 716003)

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, Amendment No. 1 to the Self-Help Contract between Cameron County, Willacy County and the Texas Department of Housing and Community Affairs (Texas Community Development Program Contract No. 716003), was approved.

The Amendment is as follows:

(19) AUTHORIZATION FOR THE PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO REQUEST PROPOSALS FOR ENGINEERING SERVICES FOR THE VALLE ESCONDIDO AND VALLE HERMOSO DRAINAGE IMPROVEMENT PROJECT (1997 TCDP AWARD)

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Program Development and Management Department was authorized to request Proposals for Engineering Services for the Valle Escondido and Valle Hermoso Drainage Improvement Project (1997 Texas Community Development Project Award).



(21) APPROVAL OF THE CONTRACT EXTENSION WITH THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR THE STRATEGIC ECONOMIC PLANNING GRANT FOR THE FREE TRADE BRIDGE

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Contract extension with the United States Department of Commerce Economic Development Administration (EDA) for the Strategic Economic Planning Grant for the Free Trade Bridge was approved.

The Agreement is as follows:

(23) AUTHORIZATION TO PURCHASE ONE (1) PICK-UP TRUCK PER THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS INTERLOCAL PURCHASING AGREEMENTS

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, one (1) pick-up truck was purchased per the Houston-Galveston Area Council of Governments Interlocal Purchasing Agreements.

(24) AUTHORIZATION TO ACCEPT TROYWOOD CIRCLE INTO THE COUNTY ROAD SYSTEM, WITHIN PRECINCT NO. 3

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, Troywood Circle was accepted into the County Road System, within Precinct No. 3.

(25) AUTHORIZATION TO ACCEPT HEATHER ROAD INTO THE COUNTY ROAD SYSTEM, WITHIN PRECINCT NO. 4

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, Heather Road was accepted into the County Road System, within Precinct No. 4.

(22) AUTHORIZATION TO ENTER INTO A MONTH TO MONTH LEASE AGREEMENT WITH GE CAPITAL MODULAR SPACE FOR THE PORTABLE TRAILER FOR JUVENILE PROBATION

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the month-to-month Lease Agreement with GE Capital Modular Space was approved for the portable trailer for Juvenile Probation, as recommended by the Property Management Coordinator, said funding to be allocated from the Adult Probation Project Budget, subject to Legal Review.

The Agreement is as follows:

CONSENT AGENDA ITEM

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

At this time, there was some discussion regarding the continued success of the Beach Clean up and as to the abandoned vehicles in Precinct No. 1.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the AConsent® Agenda Items were approved as follow:

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

- a) Community Development Coordinator to attend AAward Meeting of the Texas Coastal Management Program® in Galveston, Texas, on September 24-25, 1997;
- b) Two (2) Assistant District Attorneys to attend the A23rd Annual Advanced Criminal Law Course® in McAllen, Texas, on October 6-9, 1997;
- c) Tax Assessor-Collector and Chief Deputy to attend the A39th Institute on Property Taxation and Comptroller-s Property Tax Division 19th Annual Conference® in Austin, Texas, on October 5-8, 1997;
- d) Tax Assessor-Collector to attend the A15th Annual County Tax Assessor-Collectors- Continuing Education Seminar® in College Station, Texas, on November 15-20, 1997;
- e) Parks System Director to attend a ATexas Parks and Wildlife Department Legislative Strategy Meeting® in Austin, Texas, on October 2-4, 1997;
- f) Health Administrator to attend the ASecond Annual Texas Immunization Conference® in San Antonio, Texas, on October 15-17, 1997;
- g) Health Department employee to attend the ASpecial Needs Committee Member Meeting® in Austin, Texas, on September 29-30, 1997; and
- h) Justice of the Peace Precinct No. 3-1 to attend the ATwenty Hour Justice of the Peace Seminar® in South Padre Island, Texas, on September 30, 1997, through October 3, 1997.

(27) **FINAL APPROVAL**

a) **Precinct No. 3**

Hi-land Subdivision - being a resubdivision of a 47.60 acre tract of land, out of the Southeast Corner of a 1590.14 acre tract of Share No. 12, Espiritu Santo Grant.

SUPPLEMENTAL AGENDA

- (3) **APPROVAL OF THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM FISCAL YEAR 1997/1998 MEMORANDUM OF UNDERSTANDING EFFECTIVE AS OF SEPTEMBER 1, 1997, BETWEEN CAMERON COUNTY AND THE FOLLOWING SCHOOL DISTRICTS: SANTA MARIA, LA FERIA, SANTA ROSA, HARLINGEN, SAN BENITO, SOUTH TEXAS, RIO HONDO, LOS FRESNOS, POINT ISABEL AND BROWNSVILLE**
- (4) **AUTHORIZATION OF THE AMOUNT OF \$15,210.00, IN START UP COST ALLOCATION FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM TO BE USED FOR STAFFING AND EDUCATIONAL NEEDS OF STUDENTS IN THE PROGRAMS FISCAL YEAR 1997/1998**

At this time, Mr. Homer Saenz, Juvenile Probation Office, stated that the Program would be serving more discretionary and mandated children and noted that the reimbursement from the Average Daily Attendance (ADA) would be the amount of \$53.00, per day, as opposed to the past reimbursement amount of \$33.00.

Judge Hinojosa stated that the School District requested security measures be taken by the County for the transportation of the students and added that a half time Reserve Deputy Constable would be hired to provide security in the buses and would pick up the students from their residents.

Mr. Mark Yates, County Auditor, noted that the original Agreement reflected that all start up costs would be included and recommended that the equipment purchased for the Program be transferred to the Armory and made property of Cameron County.

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Juvenile Justice Alternative Education Program Fiscal Year 1997/1998 Memorandum of Understanding was approved, effective September 1, 1997, between Cameron County and the following School Districts: Santa Maria, La Feria,

Santa Rosa, Harlingen, San Benito, South Texas, Rio Hondo, Los Fresnos, Point Isabel and Brownsville, and the amount of \$15,210.00, in start up cost allocation for the Juvenile Justice Alternative Education Program was authorized to be used for staffing and educational needs of students in the Program-s Fiscal Year 1997/1998, subject to Legal review.

The Agreements are as follow:

At this time, Mr. Francisco Sinfuentes, Brownsville resident, expressed his opposition as to the change of time for the Commissioners= Court Meetings from 4:00 P.M. to 9:30 A.M.

Judge Hinojosa stated that the County Judge=s staff was having a difficult time determining and keeping up with the requests by the Commissioners regarding the Agenda Items going through the Budget and Legal process.

Commissioner Cascos stated that the Elected Officials and Department Heads were responsible in obtaining the required information and added that the backup information was being submitted right before the Meeting which did not leave enough time for the information to be reviewed.

There was a lengthy discussion regarding the Agenda System to follow, in order to control the Items being reviewed and the suggestion was made to Table the Items that did not include the necessary backup information.



(4) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, reported the following additional late claims for approval:

Warrant No. 44206, as to Atwood Park Construction Fund No. 72, in the amount of \$400.00; and

Warrant No. 44207, as to Olmito Water Supply Fund No. 36, in the amount of \$200.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the following late claims:

Warrant No. 44206, in the amount of \$400.00; and

Warrant No. 44207, in the amount of \$200.

The Budget Officer=s Comments Report is as follows:

(2) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 11:20 A.M. to discuss the following matters:

- a) Confer with County Counsel to discuss the status and authority to amend the Temporary Order on the case styled Jose Raul Castillo, et. al. vs. Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- b) Confer with County Counsel to discuss and authorize representation of the case styled Isaac Pasol vs. Ed Mann, et. al., Cause No. 97-09-5802-A; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- c) Confer with County Counsel to discuss the status and authorize representation of County Defendants, for the case styled Isaac Pasol vs. Peter Gilman, et. al., Cause No. 97-09-5895-B; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- d) Deliberation regarding the Real Property concerning Charlie's Paradise Bar Concessionaire Agreement and possible approval of the Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Deliberation regarding the Real Property concerning the possible sale of Cameron County Trustee Property known as Port Isabel-Unsubdivided Point Part 1, Tract D, 4.41 acres, also known as, Old Marchan Restaurant; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- f) Confer with County Counsel regarding Bexco Operating, Incorporated, vs. Commissioners= Court of Cameron County, Texas, et. al., Cause No. 97-09-5849-C, to discuss the status and authorize representation of County Defendants; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A).

SUPPLEMENTAL AGENDA

(1) EXECUTIVE SESSION

- a) Deliberation regarding the Real Property concerning the possible Lease of Cameron County land located at the Los Indios Free Trade Bridge; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:52 A.M.



(2) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Deliberation regarding the Real Property concerning the possible Lease of Cameron County land located at the Los Indios Free Trade Bridge.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator was authorized to prepare and issue a Request for Proposal for the Cameron County land located at the Los Indios Free Trade Bridge.



(3) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with County Counsel to discuss the status and authority to amend the Temporary Order on the case styled Jose Raul Castillo, et. al. vs. Cameron County.

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged regarding the authority to amend the Temporary Order on the case styled Jose Raul Castillo, et. al. vs. Cameron County.

- b) Confer with County Counsel to discuss and authorize representation of the case styled Isaac Pasol vs. Ed Mann, et. al., Cause No. 97-09-5802-A; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- c) Confer with County Counsel to discuss the status and authorize representation of County Defendants, for the case styled Isaac Pasol vs. Peter Gilman, et. al., Cause No. 97-09-5895-B.

Commissioner Benavides moved that County Counsel be authorized to represent the County concerning the litigations on the cases styled Isaac Pasol vs. Ed Mann, et. al., Cause No. 97-09-5802-A, and Isaac Pasol vs. Peter Gilman, et. al., Cause No. 97-09-5895-B.

The motion was seconded by Commissioner Peña and carried unanimously.

- d) Deliberation regarding the Real Property concerning Charlie-s Paradise Bar Concessionaire Agreement and possible approval of the Agreement.

Commissioner Benavides moved that County Counsel be authorized to re-negotiate the Concession Agreement with Charlie-s Paradise Bar.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Deliberation regarding the Real Property concerning the possible sale of the Cameron County Trustee Property known as Port Isabel-Unsubdivided Point, Part 1, Tract D. 4.41 acres, also known as, Old Marchan Restaurant.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Property Management Coordinator was authorized to negotiate with prior bidders regarding the purchase of the Cameron

County Trustee Property known as Port Isabel-Unsubdivided Point, Part 1, Tract D. 4.41 acres, also known as, Old Marchan Restaurant.

- f) Confer with County Counsel regarding Bexco Operating, Incorporated, vs. Commissioners= Court of Cameron County, Texas, et. al., Cause No. 97-09-5849-C, to discuss the status and authorized representation of County Defendants.

Commissioner Benavides moved that the Status Report by County Counsel be acknowledged regarding Bexco Operating, Incorporated, vs. Commissioners= Court of Cameron County, Texas, et. al., Cause No. 97-09-5849-C, to discuss the status and authorized representation of County Defendants.

The motion was seconded by Commissioner Peña and carried unanimously.

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**.

APPROVED this 14th day of **October, 1997**

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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