

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 1st day of JUNE, 1999, 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 A.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

NATIVIDAD "TIVIE" VALENCIA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Gilberto Hinojosa at 9:45 A.M. He then asked Mr. Bob Clark, Brownsville resident, 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 May 28, 1999, at 11:48 A.M., and the Supplemental Agenda posted and filed on May 28, 1999, at 2:59 P.M.;

NOTE: JUDGE HINOJOSA LEFT THE COURTROOM.

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented the Cameron County Income Statement and the Lapsed Salaries Report.

Commissioner Cascos expressed concern as to Warrant No. 013966, payable to Haynes and Boone, for Professional Services, Warrant No. 014028, as to Public Utilities Board, in the amount of \$4,200.00, and as to Warrant No. 013988, payable to Michaels.

Mr. Yates explained that Haynes and Boone were providing legal services for County employment matters and that decorations had been purchased from Michaels through the Los Tomates Bridge Operating Fund for the Grand Opening of the Veterans International Bridge at Los Tomates. He noted that Warrant No. 014028, payable to Public Utilities Board would be reviewed and submitted back to the Court.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the County Claims were approved, as presented by the County Auditor.

The Report is as follows:

NOTE: JUDGE HINOJOSA RETURNED TO THE COURTROOM.

**(2) APPROVAL OF THE BUDGET AMENDMENTS
AND/OR SALARY SCHEDULES**

Commissioner Matz moved that the 1999 Fiscal Year Budget Amendment No. 99-32-B be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Budget Amendments are as follow:

**(3) APPROVAL OF MINUTES OF MAY 14, 1999,
SPECIAL MEETING, AND MAY 18, 1999,
REGULAR**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Minutes of the Special Meeting held May 14, 1999, at 2:00 P.M., and the Regular Meeting held May 18, 1999, at 9:30 A.M., were approved, subject to the correction noted on the Minutes of May 14, 1999.

**(10) APPROVAL OF MARKET ANALYSIS STUDY COST
SHARE BETWEEN CAMERON COUNTY,
HIDALGO COUNTY AND THE RIO GRANDE
VALLEY SPORTS AUTHORITY**

At this time, Mr. Randy Whittington, Attorney at Law, stated AGood morning, Judge and Commissioners. My name is Randy Whittington. In January of last year, this Court along with the Hidalgo Commissioners=Court created the Rio Grande Valley Regional Sports Authority. Four to ten people, five from each County and two County Judges were fortunate to serve as chairmen of that organization in the last year and a half. We have been involved, in what I think are very exciting and different kinds of projects for the Rio Grande Valley. One of the primary and part of the reasons why we created it, was to work out a project to bring Major League Baseball, specifically Spring Training and their Minor League facilities to the Rio Grande Valley. We have been on this project even before the Sports Authority was created for two or three years now. I have been working very closely with the Houston Astros and the Texas Rangers, both of which have expressed an interest in relocating their facilities from Florida to the Rio Grande Valley. Basically this project would involve, so that you have an understanding, if we were successful, we could involve six Major League teams and their Spring Training in February and March each year to the Rio Grande Valley, along with a Class A Minor League, a year round use of facilities in the Rio Grande Valley. There would be three facilities shared by two teams each. And one of the nice things is that you get away from the mentality and the competitive mentality of the RAHC and the World Birding Center because there is plenty of it to go around. Logically, I think one of the facilities would be located in the McAllen-Edinburg-Mission-Pharr area. One somewhere in the mid Valley area, Weslaco-Harlingen-San Benito area and one located in this area, in Brownsville. We are at a point now, we have met, we have been meeting with both of the teams and President of the Texas Rangers, the former President now, Tom Schaeffer, who has been designated by the owner of the Rangers to work specifically on this project, along with the Vice President of Operations of the Houston Astros. We have been working with them the last couple of months and they are at a point where they have to make a decision because of their lease arrangements in Florida. They have to make a decision in September, October or November of this year. If they decide they would be essentially in partnership with us in the Valley to attract four other

teams. And we have a long list of possible prospects that are either not happy where they are in Florida and some, their leases are coming up for renewal. We had a meeting in Dallas with both of these teams about a month and a half ago. There is some very specific information that we need to develop, in order to convince these two teams into the Rio Grande Valley. And you have in your Agenda backup, the copy of the Draft Work Plan that sort of lists the market analysis phase that we need to address. Since we have met with the two teams, we have been working at the Sports Authority to put together a team of folks with the experience and expertise to help us develop this information to present to these two teams in early September of this year. A lot of folks have volunteered to do work for us for free including the financial advisors for both Counties and Estrada and Hinojosa, Public Strategies out of Austin; Henry Muñoz's Architectural Firm has agreed to do some work for us for free. John Hockenyoys out of Austin has offered to perform some data gathering for us. We need the expertise of someone who really knows how to do the market analysis itself, particularly with the expertise in sports, in the Major League sports area. We have taken proposals from a number of different entities. The Sports Authority selected Deloitte Touche out of five accounting firms and their sports division to negotiate a Contract. We have also asked Olivarri and Associates, who have worked on a number of projects here in the Rio Grande Valley to sort of coordinate this team or put it together for us, since we do not have a staff. The Sports Authority met two weeks ago and authorized me and our committee which consists of representatives from both Counties to negotiate the Contract with Deloitte Touche and Olivarri and Associates, subject to participation by the two Counties. Our situation, we have been operating in the last year and half on funds we have raised from private sources. We have got about roughly, we don't have exact numbers to give you this morning, but roughly twenty-four to twenty-five thousand dollars in the bank from private sources. And the Sports Authority committed those funds for this project and we have a tentative budget of approximately sixty to sixty-two thousand dollars to accomplish this study. We are asking the two Counties to participate with us in the preparation and funding of this study through Interlocal Contracts. We are a public body created by these two Commissioners=Courts, pursuant to State Statutes and have an Interlocal Contract. We have presented to the Hidalgo County Commissioners last Tuesday and they unanimously approved it. Their participation, the way we have set it up, it will be approved by Commissioners= Court to negotiate the Contract, have a Contract with the two Counties and the Sports Authority. Each of the Counties potential contribution is limited to twenty thousand dollars each. The Sports Authority will pick up the balance after the funds that we have and if we need to raise some more funds we can do so. Although, I think we have a fairly good budget on doing this if we negotiate a better price, although we have got it pretty well down to the bare bones, I think.®

Judge Hinojosa stated AThe additional help that you mentioned that has been offered by Estrada and Associates and the other entities that you mentioned, we are still going to accept that help. That is part of what we are going to be

doing in terms of putting together our analysis as to the feasibility of this project. Not only in respect to the feasibility for us, but also to the feasibility for the different teams that may be interested. Right?@

Mr. Whittington replied AThat is correct.@

Judge Hinojosa stated AWe are not saying, we are not going to take their help, we are just going to this. We need this in addition to the other assistance that they are going to be providing us for that.@

Mr. Whittington stated AAbsolutely. We can present a market analysis to the two teams which is persuasive to them that this is a decision that they should make. There is no doubt that we need to do this phase. The work has to be done in order to present it to other Major League teams. Because I think it is fairly clear that the economics in doing this for the Houston Astros and the Texas Rangers are far different than it would be for a team that is located somewhere in the Midwest or in Canada or on the East Coast or somewhere else. And so we would need to do an additional analysis. At that point in time, the largest part to be done by the Astros and the Rangers themselves, they have much better contact with the other teams. Tom Schaeffer is the president of the Rangers, or was until about three weeks ago. He has been the point man for Major League Baseball Spring Training for about four years now. He has dealt with a number of the other owners on this project.@

Judge Hinojosa questioned AHe is no longer the president. What is he now?@

Mr. Whittington responded AHe is working specifically for the owner of the Rangers. He has been given three specific projects by Mr. Hicks to work on, one of these is Spring Training. By stepping down as president, one thing is that we get more of his time and attention than we had before. So that is a positive move for us. The teams indicated that we get to that point and they make their decision to go. Obviously, one of the questions that has to be answered is AAre there four other teams that would come with them?@ That would be a large part of their responsibility and I will certainly work with them to do that in the additional studies that are involved, in order to present that. The teams have indicated that they are willing to participate with us in that regard. Looking at the questions again, and the answers have to do with attendance both in the Major League Baseball Spring Training Games and Minor League Games. Infrastructure type questions, we have housing here, we have hotels and condominiums to influx the visitors particularly during the Spring Training. Questions about potential revenues that might help finance the facilities. I focused on day one, we will concentrate on trying to identify private sources of financing for the facility infrastructure as much as we possibly can. Most of you all know, traditionally because there are so many locations who want a professional sports franchise and there are so few of them, these facilities are built almost exclusively from public funds, sales tax. The trend now seems to be that the last couple of facilities that utilized private financing, it is our hope to take advantage of that. That would be a large part of what Estrada and Hinojosa would do as soon as we can get to that particular question in the study. We are

just frankly at a point now where we have a very short window of opportunities and we need to start having opportunities to go out and launch another fund raiser. At this point we need to time schedule it. And we are on Chambers of Commerce across the Valley who participated early on in financing through financial contributions to this project.®

Judge Hinojosa stated ALet me just add to what Randy has mentioned just a little bit. In terms of the interest we have seen in discussions with the Texas Rangers and the Houston Astros, we had an opportunity to visit with them about a month or six weeks ago or something like that, in Dallas, and met with Mr. Hicks, which is the owner, the CEO of the Texas Rangers, and one of the Vice Presidents for the Texas Rangers. I think that one of the things that was made or some of the things that were made quite clear to us, were these, that they are not happy with being in Florida right now, that they don't like the situation that exists there today, that the existence of two Major League teams within a very short distance from where their Spring Training Camps are located has decreased the attendance at their Spring Training Camps significantly and that they are looking for somewhere else to go. The second thing that was quite clear is that they were genuinely surprised by the size and growth of the Rio Grande Valley. This is something that was not very familiar with until we were able to present to them the numbers that we have today and the projections. And not only in terms of the immediate population base that involves the Rio Grande Valley, but the population base that stems from about a two and a half driving distance radius from the Rio Grande Valley. The Valley, being about a million people, northern Mexico adjacent to the Valley which is Reynosa and Matamoros, and the surrounding communities, about another million and a half. And then Monterrey, two and a half hours away. Who knows anywhere between four to six million people. And even Corpus Christi, which is another two and a half hours away, having an additional population of about four hundred thousand people, plus the communities in between. Bring together a population from anywhere between six and a half million to eight million people within a two and a half hour radius. And a population, particularly on the southern side of the border, that is rabid about baseball. They were very impressed with those numbers. They were very impressed with the economic possibilities for them. That is one of the three or four major factors that they looked at. The second major factor is the existence of a large Winter Visitor population. And the third major factor is the weather. The fact that they can play baseball, basically eleven out of twelve months of the year. And they even talked about the fact that they like it here better than they do in Arizona, because it is more humid. Because the ball does a different thing with the humidity than what it does in dry weather. Which I thought was interesting. And they also like it because it is becoming, and this is kind of a fourth factor that they are beginning to see as a distinct possibility, particularly in light of something we are going to do in just a few minutes here. This area is becoming not as a primarily agriculturally based area, but a tourist area. And with what is going on at the Island and that fact of its proximity to Mexico and the fact that it

is an area that is looked at very positively by Winter Visitors, the fact that we are bringing in an organization like Schlitterbahn soon and all the other factors that have gone into the development of the Rio Grande Valley as a tourist trade area. They like that environment that exists down here. They made no commitments but they spent a whole bunch of time with us and were very, very interested in the possibility of coming down to the Rio Grande Valley. It is a commitment that we would have to make at some point, explore that would require some public money probably, but it is a one shot deal. Which is something again that is attractive. We are talking about spending eighteen million dollars or sixteen million dollars to build a jail, which brings very little return to us other than locking people up and making sure that they are not out there committing crimes. But they are going to be locked up regardless of whether they are in that jail or some other jail that we are paying sixty dollars a day somewhere else if we contracted out. The problem with building a jail is that the cheapest price in the price tag is the actual construction cost. The operation cost is what really hurts us and hits us hard over a long term period. When you get involved in this kind of a project and you actually construct these playing fields and practice fields with public and private money for baseball. It is a one time investment. Once you build it, you turn it over to the leagues and they then operate it and they pay for the operations. We don't make immediately enough money to be able to pay for the construction, but the economic returns to the economy are significant. Just look at what happened to Florida when Spring Training came in. Spring Training came in before Disney World came in, before all these other big developments that you have in Florida, has made probably made it the number one tourist area in the entire United States. Spring Training kind of created the base for the environment that fostered the tourist trade in that community. I think that Cameron County has the potential of doing that. But in order to bake a cake, you have to break some eggs and breaking the eggs here is investing some money to doing a study. It is a very similar project, remember and we talked a lot about it over the last few months. When we were building the Los Tomates Bridge, we did some things that were scary. We went and built a levee and moved it for the cost of close to two million dollars without having a diplomatic note signed. And we went ahead and did it anyway with the hope that it was going to push us in the direction of getting this Bridge built. Knowing, in the whole scheme of things when we made that decision, out of all the International Bridge Projects that were in the hopper, we were the lowest ones in terms of priorities. We went at the same time and spent eight hundred thousand dollars and hired a set of structural engineers, S & B Infrastructure, to do the design, when it wasn't even our turn to do it. It was Mexico's turn, but they did not have any money. And we went and made the investment. And it was a risk. In other words, we risked over 2.3 million dollars at that point in what might have been perceived to be a long shot. We did not see it as a long shot, but we thought it could be perceived as a long shot. And we took the risk and it paid off. It paid off big time. We have built that bridge and we have got higher traffic projection counts on that bridge than we ever anticipated. That Bridge is going to be earning a hundred percent profit at

the time of the construction of the overpass which is way beyond our expectations and the revenues and returns that are going to come back as a result of that, have much more, you will see the numbers, pay back for the investment and the risk. So this is the risk that we need to take. It is not a lot of money, but it is a lot of money obviously, when it comes to the taxpayers. But it is something, I think, again it is something like what I talked about earlier when we were talking about the Challenger. We really need to change the way we think here. We really need to become more aggressive in terms of attracting different economic entities to our community to change the focus of our economy, to pull it away from an agricultural based economy, to pull it away from a retail based economy, to make it more of an economy that is diversified and one of the ways I think that we can do it is to bring in professional sports. There is other areas that we are looking at in terms of professional sports, that I really can't talk about. But this is one area that it maybe a long shot. But if it hits, it is not a home run, it is a grand slam.®

Commissioner Cascos stated AI have a couple of comments and Randy, thank you for all the work that you have done. I am going to support funding this. But before I do that, I have got a couple of comments. The feasibility study, that is going to tell us exactly what this study says, whether it is feasible. Can we attract 1.2 million people? I saw the six hundred thousand twice somewhere, to this. My concern has always been the construction costs of this that we are going to essentially fund.®

Judge Hinojosa stated AMaybe. Part of it or that is what he is looking at.®

Commissioner Cascos stated ARight. But worst case scenario, we end up funding a good chunk of it. On Item No. 7 on page three where it says Aonce constructed, the facility will be operated and maintained by the teams at no cost or minimal cost to the authority or other local®, so there is still a door there saying that if it is not self-sustaining, then we may have to kick in some money to keep it up, according to this.®

Judge Hinojosa replied ANo.®

Mr. Whittington responded AI think that was the consultant's language there and I think that was unfortunate choice of terms, but the lease arrangements that the Astros and the Rangers have now, they assume all. It is a turn key.®

Commissioner Cascos stated AWe build it. They come. They basically take care of it.®

Mr. Whittington stated AThey basically take the revenues off of it, too. One thing that may be different here is whether we have in place negotiations for some of the private things like corporate sponsorships, like luxury box sales and things like that. And whether we can have some of those funds dedicated to construction costs. What we have been told is that those are things that these two teams are willing to talk about because of the economics and being here is so much different.®

Commissioner Cascos stated "We have a good opportunity in giving potential tourists and the residents another reason to come down to the Valley. So to me, that is a good idea. My concern is that we live in a very poor, probably one of the poorest areas. Florida doesn't have, to my knowledge, double digit unemployment way below the poverty level. And my concern is if we don't, and they are relying on tourism to keep their Spring facilities in business, but also some of the local population. I have a concern that if we don't, if we are not able to attract six hundred thousand or 1.2 million people down to look at this, I don't know if we have the economic base to support this. But I guess the only way you are going to find out is to go through this. And that is why I am going to support it, because we need to do that before we say Aye or Nay. We need to find out if in fact we do have, I hope that the consultants look at that as well. In the worst case scenario, what is it that, if it doesn't survive, how much do the participating entities have to kick in?"

Mr. Whittington stated "You don't build these things, one thing you don't do is you don't build these things without a long term commitment. They have made that mistake in Florida."

Judge Hinojosa stated "We are not going to do that."

Commissioner Cascos questioned "Lease terms, are we talking twenty year lease or thirty year lease or ten year lease?"

Mr. Whittington responded "We are talking a minimum of ten and I would hope that we could work out for longer term leases. In some of my discussions with the Rangers and the Astros, we had some pretty candid discussions about the variations and there is no doubt, we can go out and hire some consultants that will tell us what we want to hear. And I think we know what the answer is to whether we can attract an average of seven thousand people. A Major League Baseball Game has an average of two thousand. We don't want to go out and fool ourselves and neither do these two teams. And we are talking about some very sophisticated folks, they have been down this road before. And one of the things that we agreed on before is that we are going to get somebody to help us to believe in this. And if it doesn't work, we will know early on. We will spend money to find out, but we won't spend a whole lot of money."

Judge Hinojosa asked "How much are the tickets to a Minor League game?"

Mr. Whittington replied "They average in the range depending on where they are, anywhere from four to six bucks. The Spring Training Baseball Major League Games in Florida ranged from a low five to a high eight or nine dollars."

Commissioner Cascos questioned "What kind of impact is it going to have on the WhiteWings?"

Mr. Whittington replied "We don't know the answer to that question. I have had a number of conversations with them and we have talked about the possibility of affiliations between that League and the Major League teams. I don't know whether that would work or not."

Commissioner Cascos questioned AAnd do they pretty much attract four thousand, five thousand per game.®

Mr. Whittington responded AThe Whitewings, this last season averaged just under two thousand per game.®

Commissioner Cascos questioned ASo, if we are averaging two thousand for an established entity, maybe the consultants will tell us this.®

Judge Hinojosa stated ATriple A.®

Commissioner Cascos stated ABut still, baseball is baseball. If we are only attracting two thousand people to a professional, even though it is just Minor Leagues or whatever it is, can the consultants convince this Court and Hidalgo that we can attract seven thousand per game?®

Mr. Whittington replied AWell, that is for Major League games.®

Commissioner Cascos stated AI understand, but I am going by what I am reading here.®

Mr. Whittington stated AThere are two tiers to study here. One is, can they attract six hundred thousand fans in basically to the Major League Baseball, not Minor Leagues. That is an average of about seven thousand per game, six to seven thousand. Ask yourself if we have the Texas Rangers= Juan Gonzalez and Bud Rodriguez, and the Astros. And I am a baseball fan. I am not very objective about this, but I think we would know that the answer to the first question ACan we attract six hundred thousand to the Major League Games?® is a no brainer. But the consultants will have to tell us based on their study. And obviously we will have to look at the study. And the second question is whether we can attract six hundred thousand fans to a full season Minor League Baseball. There, that works out to about fifteen hundred per game. These are questions that we need to answer. I can tell you that yes, we can do that.®

Commissioner Cascos questioned AIs this feasibility going to address the impact on the Whitewings? I mean the Valley worked, you guys worked real hard to get the Whitewings here.®

Mr. Whittington stated AThey are supportive of this.®

Judge Hinojosa stated AThey would like to see this, by the way.®

Mr. Whittington stated AIt is not specifically in there. We can certainly ask them to do that, Commissioner.®

Commissioner Cascos stated AI don't have any other questions.®

Judge Hinojosa stated AI was noticing Mr. Henry when he was looking at you. He had his hands like if I don't if he was praying that we would say yes to this or whether or not he was thinking of something else.®

Commissioner Valencia stated AHave any of the Astros or the Rangers come to the area to explore it?®

Mr. Whittington stated AHave they come down? Yes. They have been down a couple of times over the last couple of years and at the Authority, we have, because we are a Regional Authority, we have tried not to get involved where the facility will actually be. We try to work together as a Valley on getting passed this point. Ultimately, the

communities that are interested in having the facility, we need to express that interest. As I told you, the Hidalgo County Commissioners were addressed last week. These people, they know their business. They are extremely sophisticated and they will ultimately decide where the best place is. But logically they need to be within a ninety mile geographic area and logically it would be spread throughout the Valley.®

Commissioner Valencia stated AI kind of believe that all this is a very good idea . I think it is very good for the youngsters.®

Mr. Whittington stated AI might try out myself.®

Commissioner Matz stated AFor bat boy.®

Commissioner Benavides stated AI think I will try out for Ref or something.®

Mr. Whittington stated AAnd I don't pretend to stand here, gentlemen, and tell you that this is a done deal. It is anything but. I think that this is a long shot. I think the question is how long are you willing to go. We are looking at twenty thousand dollars and we are looking at a worth while investment to try and take this first step. The returns are enormous potentially. You can just imagine having Brownsville or Harlingen or the Rio Grande Valley or McAllen, along with the swaying of palm trees and the sunshine on ESPN five or six times a day for sixty days. As of last year, we are an agricultural area. There is no question about that. But as of last year, tourism is the number one industry in the Rio Grande Valley. It makes our Valley a better quality, more interesting place to live. I would like to see us focus some attention at least, on trying to bring those sorts of things to the Valley. That is what this is all about.®

Commissioner Cascos questioned AThis is an action Item?®

Judge Hinojosa replied AYes.®

Commissioner Matz stated ARandy, I would like to make a few comments here first. You have done a good job and I am just kind of curious, how do you find time to make a living with all this pro-bono work you are doing for However, this issue of public involvement and financing for private sector activities such as sports has been controversial and I think you are probably aware of that. RAHC and baseball and everybody else? Well, you have got some kids that are getting ready to go to college. You'd better be careful. There is no question that having professional sports in the form of baseball would be a plus. You talk about building stadiums and I think there is an owner of a major team in the Boston area, who was offered a quarter of a billion dollars or something like that, to build a stadium. He said Ano thanks. I am going to build it with our own money because I want to put it where it belongs, etcetera.® When this issue first came up, a year and a half ago, I made the same kind of points and mentioned that I thought the people that I thought were going to benefit from this ought to be the ones who should pick up the tab. The hotels and motels, the condos, the restaurants, food/beverage suppliers, rent-a-car companies, cities where the sales tax hotel/motel tax, EDC-s. They are

the ones who have the kinds of funds available to undertake this kind of work. That having been said, there is a point you made in your paper on page no. 1, on the draft work plan. It says the two teams require this report no later than September 1, 1999, but have offered to assist with the effort. I think it would be very appropriate at this time, for the teams to kick in some money for this. What are your thoughts on that?@

Mr. Whittington responded AWell, I have a number of thoughts about that. What I am referring to there on that offer of assistance, is that they offer to assist with information. They have offered to assist financially. Subsequent studies that need to be done are important to help convince the other four teams. I think perhaps, Commissioner, if we ask and we pressed, they would be willing to participate in some basis. I have been reluctant to do that for a couple of reasons. One is, we are in the process of trying to persuade them right now that this is something that they ought to do. It is like any other prospect. We have all been out in the last four or five years in trying to attract them to the Rio Grande Valley. To get them to help pay for the work to attract them down here, somehow to me, that just doesn't sound like the right approach. It makes it sound sort of cheap. The second thing is, although if they make the decision that they want to do it, and we are now in a partnership with them in trying to persuade somebody to go to Kansas City or Cincinnati or Toronto or somewhere else. And I think that point is very appropriate to have them participate in the cost. And they have indicated that they are willing to do that. The second thing is that we are going to be looking at, as part of the study, the potential of financial resources, both private and public. If in fact there is any public money, in the construction of the facilities, we have to have a referendum. And for the very reason the controversy that you mentioned, Commissioner, I think that it would be a bad idea if we would go out to the public and present to them a feasibility plan on whether this is something that people ought to vote to support. If it just in fact, paid for, even in part by the teams. I think that would deviate political public policy made in the State. I think it needs to be something that we do here locally, so that we can stand behind locally and justify, rather than having it even appear to be a study that could have been bought in part by the teams. That is my philosophy.@

Judge Hinojosa stated AThere was a lot of discussion, Commissioner, on that issue. I was there when the Sports Authority was talking about that. Okay, do I hear a motion? Motion by Commissioner Cascos, seconded by Commissioner Valencia.@

Commissioner Matz questioned AWhat would the source of funds be for this?@

Mr. Mark Yates, County Auditor, responded ACommissioners=Court has ninety-three thousand plus allocated in contingency. It is available for the Commissioners to determine the spending on that. It is available and ready for approval.@

Commissioner Matz asked ADoes that include the Green Valley Farms drainage work?@

Mr. Yates stated ANo, it does not. I have had conversations with the County Engineer and Drainage District No. 3, and they have expressed to me that the funding requirements would fall into the next Fiscal Year.@

Commissioner Matz stated AWell, that is not what the people from Green Valley Farms were lead to believe.@

Judge Hinojosa questioned AAll right. Any further discussion? All those in favor signify by stating aye.@

Commissioner Benavides stated AAye.@

Commissioner Cascos stated AAye.@

Commissioner Valencia AAye.@

Judge Hinojosa questioned AAll those opposed?@

Commissioner Matz stated ANay.@

Judge Hinojosa stated AMotion carries.@

Mr. Whittington stated AWe will work with Mr. Wright and Counsel for the Hidalgo Commissioners=Court on the Contract.@

Mr. Yates stated AI recommend that at some given time if there is a surplus or a generation of revenues that we treat this like an investment in a non-profit for a reimbursement.@

Judge Hinojosa questioned ACan we bring this back as a Reimbursement Resolution, just in case we are involved in the actual funding of the construction down the line. You have got a sense of the vote. It was four to one. Commissioner Matz voted against it. And then next week we will pass it as a Reimbursement Resolution so that we can come back. And in case we get involved in the construction, we can get reimbursed on that.@

Mr. Whittington stated AThe Sports Authority has bonding authority also. I think that is a good idea if we set this up to address that. It is potentially reimbursable by bond proceeds.@

The Report is as follows:

(7) AUTHORIZATION FOR THE TAX ASSESSOR-COLLECTOR TO PROVIDE PROPERTY TAX INFORMATION ON THE INTERNET THROUGH TAXNET USA

Commissioner Cascos moved that the Tax Assessor-Collector be authorized to provide property tax information on the Internet through Taxnet USA.

The motion was seconded by Commissioner Matz and carried unanimously.

(9) APPROVAL OF INSTALLATION OF TELEPHONE LINE(S) AT THE LAW ENFORCEMENT SATELLITE OFFICE IN THE DON JOSE ESPARZA PARK

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the installation of telephone line(s) at the Law Enforcement Satellite Office in the Don Jose Esparza Park was approved.

(21) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 10:45 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning the possible land acquisition for a potential park site; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding the Real Property concerning the possible authorization to enter into a long term Concession Agreement with NB Development, doing business as Schlitterbahn Waterpark at South Padre Island; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with County Counsel concerning the Contract for Post-Hurricane Recovery Operation with Shiner Moseley and Associates, Incorporated; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- d) Deliberation regarding the Real Property concerning the Cameron County Airport; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Confer with County Counsel concerning the design/build of the County Detention Facility, on a matter in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Code, clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and

SUPPLEMENTAL AGENDA

(1) EXECUTIVE SESSION

- a) Confer with County Counsel concerning the possible litigation involving the International Bank of Commerce as the County Bank Depository; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A).

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 11:40 A.M.

(22) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Deliberation regarding the Real Property concerning the possible land acquisition for a potential park site.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Status Report by the Parks System Director was acknowledged.

- b) **Deliberation regarding the Real Property concerning the possible authorization to enter into a long term Concession Agreement with NB Development, doing business as Schlitterbahn Waterpark at South Padre Island.**

Commissioner Cascos moved that the County Judge be authorized to sign the long term Concession Agreement with NB Development, doing business as Schlitterbahn Waterpark at South Padre Island.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Agreement is as follows:

- c) **Confer with County Counsel concerning the Contract for Post-Hurricane Recovery Operation with Shiner Moseley and Associates, Incorporated.**

(12) **AUTHORIZATION TO NEGOTIATE THE CONTRACT FOR POST-HURRICANE RECOVERY OPERATIONS WITH THE ORIGINAL SCOPE OF SERVICES FROM THE PROPOSAL OF SHINER MOSELEY AND ASSOCIATES, INCORPORATED**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the County Judge was authorized to enter into an Agreement with Shiner Moseley and Associates, Incorporated, for Post-Hurricane Recovery Operations.

- d) **Deliberation regarding the Real Property concerning the Cameron County Airport.**

(8) **AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS FOR THE MANAGEMENT OF THE CAMERON COUNTY AIRPORT**

Commissioner Valencia moved that the Cameron County Airport Management Contract continue on a month-to-month basis, pending the preparation of the Request for Proposals.

The motion was seconded by Commissioner Cascos and carried unanimously.

- e) **Confer with County Counsel concerning the design/build of the County Detention Facility, on a matter in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Code, clearly conflicts with the Open Meetings Act.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged regarding the design/build of the County Detention Facility, on a matter in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Code, clearly conflicts with the Open Meetings Act.

SUPPLEMENTAL AGENDA

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

- a) **Confer with County Counsel concerning the possible litigation involving the International Bank of Commerce as the County Bank Depository.**

Commissioner Matz moved that the Status Report by County Counsel be acknowledged regarding the possible litigation involving the International Bank of Commerce as the County Bank Depository, noting that the County Judge was not present during the discussion of the Item.

The motion was seconded by Commissioner Valencia and carried unanimously.



(5) **ADOPTION OF A MUTUAL AID AGREEMENT
BETWEEN CAMERON COUNTY AND THE CITIES
WITHIN THE COUNTY**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Mutual Aid Agreement between Cameron County and the Cities within the County was approved.

The Agreement is as follows:

(6) APPROVAL OF THE RENOVATIONS TO CERTAIN OFFICES OF THE CAMERON COUNTY DISTRICT ATTORNEY-S OFFICE

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the renovations to certain offices of the Cameron County District Attorney-s Office were approved, said funding to be allocated from Fund No. 49.



(4) ADOPTION OF A MUTUAL AID AGREEMENT BETWEEN CAMERON COUNTY, HIDALGO COUNTY, STARR COUNTY AND WILLACY COUNTY

Commissioner Matz moved that the Mutual Aid Agreement between Cameron County, Hidalgo County, Starr County and Willacy County be adopted.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Agreement is as follows:

(11) **IN THE MATTER OF THE LEASE AGREEMENT WITH SOUTHWIND AIRLINES, INCORPORATED, FOR SPACE AT THE CAMERON COUNTY AIRPORT (TABLED)**

At this time, Judge Hinojosa expressed concern as to the management of the Cameron County Airport and the Agreement which would decrease the flexibility of the Request for Proposals and suggested that the Item be Tabled until the matter was resolved.

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

[REDACTED]

(13) **APPOINTMENT OF THE CAMERON COUNTY INSURANCE COMMITTEE MEMBERS**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the appointment of the following Cameron County Insurance Committee Members were approved:

Mr. Manuel Villarreal, Personnel/Safety Risk Director;

Ms. Nellie Garcia, County Clerk's Office;

Ms. Rosie Sotello, District Clerk's Office;

Ms. Maria San Pedro, Health Department;

Mr. Eddie Gonzalez, County Treasurer;

Judge Menton Murray, District Judge;

Mr. Tony Yzaguirre, Tax Assessor-Collector; and

Mr. Mark Yates, County Auditor.

[REDACTED]

(14) **AUTHORIZATION FOR THE CAMERON COUNTY PUBLIC WORKS DEPARTMENT TO DONATE AND/OR SELL SURPLUS EQUIPMENT TO THE CITY OF SANTA ROSA (BACKHOE) AND THE CAMERON COUNTY PARKS SYSTEM DEPARTMENT (DUMP TRUCK)**

Commissioner Cascos moved that the Cameron County Public Works Department donate and/or sell surplus equipment to the City of Santa Rosa (backhoe) and the Cameron County Parks System Department (dump truck).

The motion was seconded by Commissioner Valencia and carried unanimously.

(15) **AUTHORIZATION TO AWARD THE CONTRACT TO ROBINSON AND DUFFY APPRAISERS TO PERFORM APPRAISALS FOR PROJECT ROAD MAP**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Contract to perform appraisals for Project Road Map was awarded to Robinson and Duffy Appraisers.

(16) **IN THE MATTER OF THE OFF SYSTEM BRIDGE AT COUNTY ROAD 725 AND RESACA DE LOS FRESNOS TO TURNER ROAD AND RESACA DE LOS FRESNOS (TABLED)**

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

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:

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

(17) **TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET AND ALL APPLICABLE COUNTY POLICIES:**

- a) Six (6) County Extension employees to attend the AWeb Page Training® in Alice, Texas, on May 21, 1999;
- b) Nine (9) Sheriff-s Department Officers to attend the ATexas Jail Association Seminar® in South Padre Island, Texas, on June 7-9, 1999;
- c) Two (2) Information Services Department employee to attend a ASix-Day CISCO Certified Training Course® in Austin, Texas, on June 6-11, 1999;
- d) Two (2) Juvenile Probation Staff to attend the ACaseworker IV Training® in Austin, Texas, on June 2-4, 1999;
- e) Five (5) employees from County Courts at Law Nos. 1, 2 and 3 to attend the A1999 Professional Development Program® in Huntsville, Texas, on June 14-18, 1999;
- f) Sheriff and two (2) employees to attend the AADA, FMLA and Workers-Compensation in Texas Seminar® in McAllen, Texas, on June 24, 1999;
- g) Sheriff and Chief to attend the ASheriff-s Association of Texas® in El Paso, Texas, on July 24-29, 1999;
- h) District Attorney Investigator to attend the ATDCAA Capital Murder Seminar® in San Antonio, Texas, on June 8-11, 1999; and

- I) Three (3) County Extension Agents to attend the A12 Faculty Conference Training@ in Laredo, Texas, on May 25-27, 1999.

(18) PRELIMINARY APPROVAL

a) Precinct No. 3

Villa Las Palmas Subdivision - an 80.00 acre tract of land, being all of Blocks No. 33 and No. 34, David and Stephenson Subdivision.

(19) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 3

Centerline Road Subdivision - being 10.242 acres, comprised of all of Block No. 32, Bayside Gardens of the Box Ranch; and

b) Precinct No. 3

Friendship Estates Subdivision - begin a 17.569 acres tract of land, more or less, consisting of all of 16.37 acres of Block No. 9, of the Thomson Tract recorded in Volume No. 4, Page No. 24, as recorded in the Map Records of Cameron County, Texas, together with a 3.71 acre tract of land of the West side of Block No. 124, Fresnos Land and Irrigation Company.

(20) FINAL APPROVAL

a) Precinct No. 4

Grove Subdivision - being a Resubdivision of 4.034 acres of land comprised of all of Blocks Nos. 72 and 73 and the East 7.0 acres out of Block No. 75, Adams Gardens Subdivision (B); and

b) Precinct No. 3

Kendall Lane Subdivision - a 72.448 acre tract in Block No. 92, Fresnos Land and Irrigation Company Subdivision recorded in Volume No. 9, Page No. 9, of the Map Records of Cameron County, Texas, consisting of all of Block No. 92, less the Laureles East Subdivision.

There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the meeting was **ADJOURNED** at 11:55 A.M.

APPROVED this **22nd** day of **June, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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