

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 14th day of SEPTEMBER, 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

Claudia L. Cabrera Deputy
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Hinojosa at 9:40 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 September 10, 1999, at 1:35 P.M.:

(5) **ADOPTION OF A PROCLAMATION DECLARING
THE MONTH OF SEPTEMBER 1999 AS UNITED
WAY-S AANGELS AMONG US MONTH® IN
CAMERON COUNTY, TEXAS**

Commissioner Cascos moved that the Proclamation declaring the month of September 1999 as United Way-s
AAngels Among Us Month® in Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

The Proclamation is as follows:

**(6) ADOPTION OF A PROCLAMATION DECLARING
THE WEEK OF SEPTEMBER 17, 1999, AS
A CONSTITUTION WEEK IN CAMERON COUNTY,
TEXAS**

Commissioner Cascos moved that the Proclamation declaring the week of September 17, 1999, as A Constitution Week be adopted.

The motion was seconded by Commissioner Valencia carried unanimously.

The Proclamation is as follows:

(4) ADOPTION OF A RESOLUTION RECOGNIZING MR. MERVYN M. MOSBACKER, ATTORNEY AT LAW, ON HIS APPOINTMENT AS THE UNITED STATES ATTORNEY, SOUTHERN DISTRICT OF TEXAS

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Resolution to recognize Mr. Mervyn M. Mosbacker, Attorney at Law, on his appointment as the United States Attorney, Southern District of Texas, was adopted.



(1) APPROVAL OF COUNTY CLAIMS

At this time, Commissioner Cascos questioned purchases made without Purchase Order numbers and the County Auditor clarified that the purchase orders for said purchases did exist, but were not reflected on the schedule.

At this time, Judge Hinojosa remembered Mr. Carlos King who played a significant role in the acquisition of the Los Tomates International Bridge.

Commissioner Cascos questioned Warrant No. 19129, as to Joe King, Jr., Printer, and the County Auditor responded that Discretionary Funds were utilized for the purchase, within certain guidelines.

Commissioner Matz questioned Warrant No. 19098, as to Green Beret, and the County Auditor replied that the purchase was for uniforms for the Drill Instructors of the Boot Camp.

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

The Budget Officer's Comments Report is as follows:

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

At this time, the County Auditor noted that there were no Budget Amendments and/or Salary Schedules for approval.

(3) **APPROVAL OF THE MINUTES FOR THE MEETING OF AUGUST 24, 1999, REGULAR MEETING**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Minutes of the Regular Meeting held August 24, 1999, were approved.

(7) **ACTION ON SETTING COMPENSATION FOR ELECTED OFFICIALS OF CAMERON COUNTY FOR FISCAL YEAR 1999-2000**

Commissioner Cascos moved that the compensation for Elected Officials of Cameron County for Fiscal Year 1999-2000 be approved.

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

AYE: Commissioners Benavides, Cascos, Valencia and Judge Hinojosa,

NAY: Commissioner Matz.

(8) **APPROVAL OF THE AGREEMENT BETWEEN CAMERON COUNTY AND ALFREDO PADILLA, ATTORNEY AT LAW, TO PROVIDE LEGAL SERVICES FOR THE 138TH DISTRICT COURT**

At this time, Commissioner Cascos questioned the manner in which Mr. Alfredo Padilla would limit his other Court appearances.

Judge Hinojosa explained that it was similar to contractual terms that required parties to act reasonable.

Commissioner Cascos moved that the Agreement between Cameron County and Mr. Alfredo Padilla, Attorney at Law, be approved to provide Legal Services for the 138th District Court.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Agreement is as follows:

(9) APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF SAN BENITO FOR THE COLLECTION OF AD VALOREM TAXES

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Intergovernmental Agreement between Cameron County and the City of San Benito for the Collection of Ad Valorem Taxes, was approved.

(10) AUTHORIZATION TO PURCHASE A CELLULAR TELEPHONE AND SERVICE FOR THE AUTOMOBILE TITLES AND REGISTRATION THEFT DIVISION INVESTIGATOR ASSIGNED TO THE TAX OFFICE

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the purchase of a cellular telephone and service, for the Automobile Titles and Registration Theft Division Investigator assigned to the Tax Office, was approved.

(11) IN THE MATTER OF APPOINTMENT OF MEMBERS TO THE CAMERON COUNTY CENSUS 2000 COMMITTEE (TABLED)

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, this item was (TABLED).

(12) APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPREHENSIVE COLONIA STUDY AND PLAN

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, Amendment No. 1 to the Contract between Cameron County and the Texas Department of Housing and Community Affairs, for the Comprehensive Colonia Study and Plan, was approved.

(13) APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE 1996 HOME REPAIR PROGRAM

Commissioner Cascos moved that Amendment No. 1 to the Contract between Cameron County and the Texas Department of Housing and Community Affairs be approved for the 1996 Home Repair Program.

The motion was seconded by Commissioner Matz and carried unanimously.

(14) APPROVAL OF RESERVE DEPUTY CONSTABLE ABEL MIKE TOSCANO, III, FOR CONSTABLE PRECINCT NO. 4

At this time, Judge Hinojosa stated that he had met with Mr. Abel Mike Toscano, III, who informed him that he had been a Sheriff's Department Reserve Deputy for three (3) years and that his deputy status had lapsed, due to time away from the position, noting that his Deputy status had been renewed at Precinct No. 4.

Commissioner Cascos stated that it was his understanding that there would be a conflict and Constable Roberto Lopez, Precinct No. 4, clarified that Mr. Toscano would be limited to assigned patrol duties.

Commissioner Cascos moved that Reserve Deputy Constable Abel Constable Able Mike Toscano, III, be approved for Constable Precinct No. 4.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Bond is as follows:

(15) AUTHORIZATION FOR CAMERON COUNTY TO OBTAIN AN APPRAISER TO DO REVIEW APPRAISALS FOR FM/ 509 AND TO AUTHORIZE FUNDING SOURCE UNDER PROJECT ROADMAP

Commissioner Cascos moved that an appraiser be obtained to perform review appraisals for FM/509, said funding to be allocated from Project Roadmap.

The motion was seconded by Commissioner Matz and carried unanimously.

(16) ACCEPTANCE OF A DEED GRANTING A RIGHT-OF-WAY EASEMENT TO CAMERON COUNTY FOR A 0.297 ACRE TRACT OF LAND, MORE OR LESS, WHICH BELONGS TO CAMERON COUNTY DRAINAGE DISTRICT NO. 1

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the deed granting a Right-of-Way easement to Cameron County for a 0.297 acre tract of land, more or less, which belongs to Cameron County Drainage District No. 1, was accepted.

(17) APPROVAL OF PURCHASE OF THE SERVICE CONTRACT BETWEEN MARIA DEL SOCORRO VARGAS CAMPOS AND CAMERON COUNTY TO ACT AS ALIEN COORDINATOR FOR THE BORDER CHILDREN JUSTICE PROJECT

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the purchase of the Service Contract between Maria del Socorro Vargas Campos, to act as Alien Coordinator for the Border Children Justice Project and Cameron County, was approved

(18) AUTHORIZATION TO UTILIZE CARSON MAPS AS A SOLE SOURCE PROVIDER FOR IMAGING TO CD OF CAMERON COUNTY MAP RECORDS

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, Carson Maps will be utilized as a sole source, provider for imaging to Compact Disk of Cameron County Map Records.

(19) ACTION REGARDING STANDARD EQUIPMENT AND UNIFORM MARKING OF LAW ENFORCEMENT VEHICLES

At this time, Mr. Mark Yates, County Auditor, requested direction from the Court to establish the uniformity of law enforcement vehicles.

Commissioner Cascos stated that the direction regarding the uniformity of said vehicles had been previously addressed.

Judge Hinojosa noted that the question was: *Alf the Sheriff can use a County owned vehicle without the markings on it, why are the Constables being forced to use County owned vehicles with markings?* He clarified that a decision that all County Constable-s vehicles would look the same had already been made.

Mr. Yates requested that the Court should set the policy that any change to any vehicle would require the Court-s approval and that a decision should be made as to whether the vehicle would be changed, based on the availability of funds to change and replace any equipment of the vehicles.

At this time, Constable Jose Alfredo Jimenez, Precinct No. 7, stated that the overhead lights on his vehicle were not appropriate and had them removed. He explained that the direction by the Court to equip the vehicles in a certain manner interfered with the operations of the department and added that as an Elected Official, he should have the discretion as to the proper equipment of the vehicles. He suggested that his County vehicle be returned to the County, in order to utilize a personal vehicle which would be equipment as needed.

Commissioner Cascos agreed as to the Constable-s suggestion and requested that the vehicle be returned to the County.

Mr. Doug Wright, County Counsel, clarified that it was not the Commissioners-Court intention to interfere with Constable Jimenez-s operations, but noted that the County would be liable if the vehicle was not properly labeled and a pursuit situation occurred and injured an individual.

Judge Hinojosa added that in terms of the vehicles and how the Commissioners wanted the vehicles to look there was a distinction between what Constables in Cameron County did compared to the Cameron County Sheriff. He noted that the Constables have historically been involved in day to day law enforcement activities, unlike the Sheriff, who was an Administrator making sure the day to day activities of the Office operated effectively. Judge Hinojosa noted that because of the distinction of job activities, the need for the marked vehicles was not the same. Judge Hinojosa clarified that it was never the Court-s intention to dictate Constable Jimenez as to the operations of his department; the Court has actually tried to give the Constable more resources to protect the life, liberty and property of the citizens in their corresponding Precincts. Judge Hinojosa added that he did not want Constable Jimenez to return the County vehicle, but because he was in the law enforcement category, the Commissioners had decided the markings should be similar to the other cars. He emphasized that it was not the Commissioners-intention to interfere with his job and added that there had been many instances in which the public had not been able to distinguish Law Enforcement vehicles and the public has

gotten hurt. Judge Hinojosa stated that the Commissioners were requesting all vehicles be uniform, in order to protect the public, as well as the Constables.

Judge Hinojosa stated that Constable Jimenez could submit a request to the Court regarding the authorization to utilize a personal vehicle and a reimbursement, if the operations could not be accomplished, due to the identifiable markings of the vehicle.

Constable Jimenez explained that his undercover deputies had difficulty accomplishing their duties because their vehicles were easily identified with the overhead lights and requested the opportunity not to have the overhead lights on his vehicle.

Judge Hinojosa questioned why the cage had been removed from the vehicle and Constable Jimenez responded that the cage prevented the flow of air-conditioning to the back seat which reached very high temperatures.

Commissioner Cascos stated that when the car allowances were substituted with vehicles, all Constables had been advised of the changes and added that if Constable Jimenez was allowed to remove his overhead lights then all the Constables would request the same change.

Judge Hinojosa clarified that the uniformity of the vehicles were set for the markings of the vehicles, but did not include the overhead lights.

Commissioner Benavides questioned whether the County would be liable if an exception was made for Constable Jimenez.

Mr. Wright explained that with the records made public of the discussion held regarding the removal of overhead lights, the County would be liable and recommended that the discussion be held in Executive Session.

Commissioner Valencia stated that Constable Jimenez had been advised that it would be the Constable's responsibility if the overhead lights were removed and added that at the time, Constable Jimenez had agreed to put the overhead lights back. Commissioner Valencia stated that he would support Constable Jimenez, but noted that if an accident were to occur the County would be held liable.

Constable Jimenez questioned the difference between the liability of the Sheriff's liability and the Constables' liability.

Judge Hinojosa stated that the Commissioners did not want to change the decision regarding the uniformity of the vehicles and suggested that the vehicle be transferred to San Benito, noting that Constable be given an auto allowance.

Mr. Yates added that in order to change Constable Jimenez to receiving an auto allowance, the Constables' salaries would have to be republished.

Commissioner Cascos expressed his opposition to the exception of auto allowance for Constable Jimenez and added that the markings of the car would still interfere with the undercover operations.

Constable Jimenez reiterated that the overhead lights were not appropriate.

Commissioner Cascos stated that he could not support making an exception for Constable Jimenez unless all Constables were given the option to receive an auto allowance, rather than a County vehicle, noting that supporting the decision would defeat the purpose of the Constables= County vehicles.

Commissioner Benavides expressed concern as to the overhead lights being removed and placed on the grill of the vehicle.

Commissioner Cascos stated that the policy would need to be changed, and that everyone should be given the opportunity to change their minds regarding the County vehicles.

Judge Hinojosa stated that he did not have a problem with changing the policy, but noted that removing the cage could be dangerous for the Constable. He added that the liability to the County would increase and noted that the cage was mandatory equipment for the vehicle.

Commissioner Valencia moved that the policy be changed to allow the Constables the option of having overhead lights or grill lights on County owned vehicles.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa,

NAY: Commissioners Cascos and Matz.

**(20) APPROVAL OF PURCHASE WITHOUT
PURCHASE ORDER IN THE AMOUNT OF \$912.95,
TO RADIO COMMUNICATIONS**

Mr. Mark Yates, County Auditor, explained that the purchase order consisted of the removal of overhead lights and the vehicle cage, including the transfer of radio equipment on County owned vehicles.

Commissioner Cascos stated that if the purchase order was paid, the purchases would continue to be done without purchase orders.

Commissioner Matz expressed his support regarding the transfer of the radio, but noted his opposition as to the payment for removal of the overhead lights and the cage.

Judge Hinojosa moved that the purchase without the purchase order, in the amount of \$912.95, to Radio Communications, be approved.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa,

NAY: Commissioners Cascos and Matz.

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, Ms. Grace Salinas, clarified that Item No. 21 Ak® should be amended, to include the Executive Assistant to attend the AFEMA 1287 Dr. Applicants Briefing® in Raymondville, Texas, on September 8, 1999.

Mr. Remi Garza, Executive Assistant to the County Judge, added that Item No. 21 Aj® should also be amended to include the Tax Office Automobile Titles and Registration Theft Division Investigator to attend the ATexas Department of Public Safety Advanced Auto Theft School® in Austin, Texas, on September 19-25, 1999.

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

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

- a) Bridge Systems Director to attend the AXXVI Meeting of the United States-Mexico Binational Group on Bridges and Border Crossings® in El Paso, Texas, on October 25-27, 1999;
- b) Eight (8) Boot Camp staff to attend a ATraining at the Nueces County Juvenile Boot Camps® in Corpus Christi, Texas, on March 18, 1999;
- c) Health Department employee to provide the AAmerican Red Cross with Nursing Assistance® in Pharr, Texas, on September 2, 1999;
- d) Two (2) County Extension Agents to attend a AFCS Retreat® in San Antonio, Texas, on September 29-October 1, 1999;
- e) Two (2) County Extension Agents to attend AA Meeting to finalize Plans for the Volunteer Recognition Event and Interpretive Event for the Elected Officials® in Weslaco, Texas, on September 2, 1999;
- f) Four (4) Computer Center employees to attend a AMicrosoft Seminar® in Brownsville, Texas, on September 14, 1999;
- g) Chief Juvenile Probation Officer to chair the ATexas Probation Association Legislative Conference Committee® in Austin, Texas, on September 10-11, 1999;
- h) Parks Employee to attend a AT.R.A.P. 2000 Board Meeting® in Austin, Texas, on September 30, 1999, through October 1, 1999;
- i) Tax Office Automobile Titles and Registration Theft Division Investigator to attend the ATexas Department of Public Safety Advanced Auto Theft School® in Austin, Texas, on September 12-18, 1999;

- j) Emergency Management Coordinator to attend the AEmergency Management Meeting@ in Corpus Christi, Texas, on September 1, 1999;
- k) County Judge Executive Assistant to attend the AFEMA 1287 Dr. Applicants Briefing@ in Raymondville, Texas, on September 8, 1999;
- l) Two (2) Sheriff-s Deputies to attend the AAdvanced Auto Theft School@ in Austin, Texas, on September 19-25, 1999; and
- m) Six (6) Sheriff-s Deputies to attend the ABasic Special Weapons and Tactics@ in Bryan, Texas, on September 26-October 6, 1999.



(22) OPEN BIDS FOR THE SALE OF CAMERON COUNTY SURPLUS AND TRUSTEE PROPERTIES

(23) PURCHASE OF AN UPGRADE FOR THE I.B.M. AS/400 SERVER COMPUTER UTILIZING THE TEXAS COOPERATIVE PURCHASING NETWORK (TCPN) REGION IV EDUCATION SERVICE CENTER INTER-LOCAL PURCHASING AGREEMENT

(24) AUTHORIZATION TO OPEN BID AND/OR REQUEST FOR PROPOSALS

- a) ANNUAL BID NO. 1885 TOWER RENTAL-SHERIFF-S DEPARTMENT
- b) ANNUAL BID NO. 2620 SAFETY SHOES
- c) RFP NO. 99-06-02 CAMERON COUNTY JAIL FACILITIES DESIGN BUILD PROPOSALS

The Bids are as follow:

(25) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court met in Executive Session at 11:10 A.M. to discuss the following matters:

- a) Confer with Commissioners= Court Legal Counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and confer on matters relating to the Water Park, in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of the State Bar of Texas, conflicts with the Open Meetings act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)and Section 551.071(2);
- b) Confer with Commissioners= Court Legal Counsel concerning Raymundo Varela vs. Cameron County et. al., Cause No. B-98-109, in the United States District Court-Brownsville, to discuss case and authorize settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A)&(B);
- c) Deliberation regarding the Real Property concerning the possible sale of Cameron County Surplus Property known as: Laureles-Abstract 2 - Los Fresnos Land and Irrigation Company, PT, Block No. 88, 6.20 acres, Account No. 75-0171-0880-9000-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- d) Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Combes-Survey-Mobile Home Park, Lot No. 13, Account No. 97-3240-0000-0130-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Lot No. 2, Block No. 1, Account No. 02-8750-0010-0020-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- f) Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville Abstract No. 2 - Harbor Heights, Lot No. 23, Bock No. 1, Account No. 78-3640-0010- 0230-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- g) Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville -Villa Vera, Lot No. 29, Block No. 1, Account No. 02-7955-0010-0290-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- h) In the matter of the Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot No . 10, Block No. 1, Account No. 03-3310-0010-0100-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; **(TABLED)**
- i) In the matter of the Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot No. 3, Block No. 5, Account No. 03-3310-0050-0030-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; **(TABLED)**
- j) In the matter of the Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Park, Lot No. 8, Block No. 20,

Account No. 03-3310-0200-0080-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; **(TABLED)**

- k) In the matter of the Real Property concerning the possible sale of Cameron County Surplus Property, known as Brownsville-Garden Parks, Not No. 23, Block No. 15, Account No. 03-3310-0150-0230-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; **(TABLED)**
- l) Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as La Feria-Abstract No. 10, Minn-Tex, Block No. 30, 20.0 Acres, Account No. 85-5380-0300-9000-00; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- m) Confer with Commissioners= Court Legal Counsel on Cameron County vs. International Bank of Commerce, to discuss case; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072(1)(A); and
- n) Confer with Commissioners= Court Legal Counsel on the Bankruptcy case filed by S.R. Marine Center, Incorporated, to discuss case; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A).

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 11:58A.M.

NOTE: COMMISSIONER MATZ AND JUDGE HINOJOSA LEFT THE COURT ROOM.

(29) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Confer with Commissioners= Court Legal counsel concerning possible litigation involving Schlitterbahn Water Park at South Padre Island and confer on matters relating to the Water Park, in which the Duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of the State Bar of Texas, conflicts with the Open Meetings Act.**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged and the surveying work was authorized.

- b) **Confer with Commissioners= Court Legal Counsel concerning Raymundo Varela Vs. Cameron County et. al., Cause No. B-98-109, in the United States District Court - Brownsville, to discuss case and authorize settlement.**

Commissioner Benavides moved that Mr. Richard Burst, Attorney at Law, be authorized to present the settlement on the case styled Raymundo Varela vs. Cameron County et. al., Cause No. B-98-109, in the United States District Court - Brownsville.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **Deliberation regarding the Real Property concerning the possible sale of Cameron County Surplus Property, known as Laureles - Abstract No. 2 - Los Fresnos Land and Irrigation Company, PT., Block No. 88, 6.20 Acres, Account No. 75-0171-0880-9000-00.**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Property Manager was authorized to negotiate the sale of Cameron County Surplus Property, known as Laureles - Abstract No. 2 - Los Fresnos Land and Irrigation Company, PT., Block No. 88, 6.20 Acres, Account No. 75-0171-0880-9000-00.

- d) **Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Combes-Survey-Mobile Home Park, Lot No. 13, Account No. 97-3240-0000-0130-00.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator was authorized to negotiate with Ms. Maria Cortez for the sale of Cameron County Trustee Property, known as Combes-Survey-Mobile Home Park, Lot No. 13, Account No. 97-3240-0000-0130-00.

- e) **Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Lot No. 2, Block No. 1, Account No. 02-8750-0010-0020-00.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator was authorized to negotiate with Ms. Dora Barrientes the sale of Cameron County Trustee Property, known as Brownsville-Elizabeth Heights, Lot No. 2, Block No. 1, Account No. 02-8750-0010-0020-00.

- f) **Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville Abstract No. 2-Harbor Heights-Lot No. 23, Block No. 1, Account No. 78-3640-0010- 0230-00.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator was directed to accept the offer by Mr. Ruben Rodriguez for the property known as Brownsville Abstract No. 2 Harbor Heights-Lot No. 23, Block No. 1.

- g) **Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Villa Vera, Lot No. 29, Block No. 1 Account No. 02-7955-0010-0290-00.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Property Management Coordinator was authorized to negotiate with Mr. Albert Treviño on the sale of the property, known as Brownsville-Villa Vera, Lot No. 29, Block No. 1.

- h) **In the matter of the Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot No . 10, Block No. 1, Account No. 03-3310-0010-0100-00, (TABLED)**
- i) **In the matter regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Parks, Lot No. 3, Block No. 5, Account No. 03-3310-0050-0030-00, (TABLED)**
- j) **In the matter regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as Brownsville-Garden Park, Lot No. 8, Block No. 20, Account No. 03-3310-0200-0080-00, (TABLED) and**
- k) **In the matter regarding Real Property concerning the possible sale of Cameron County Surplus Property, known as Brownsville-Garden Parks, Not NO. 23, Block No. 15, Account No. 03-3310-0150-0230-00. (TABLED)**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously these Items were **(TABLED)**.

- l) **Deliberation regarding Real Property concerning the possible sale of Cameron County Trustee Property, known as La Feria-Abstract No. 10, Minn-Tex, Block No. 30, 20.0 Acres, Account No. 85-5380-0300-9000-00.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Property Management Coordinator was authorized to negotiate with Mr. Jim Mills for the property, known as La Feria-Abstract No. 10, Minn-Tex, Block No. 30, 20 acres.

- m) **Confer with Commissioners= Court Legal Counsel on the case styled Cameron County vs. International Bank of Commerce.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously the Status Report by County Counsel was acknowledged regarding the case styled Cameron County vs. International Bank of Commerce.

- n) **Confer with Commissioners= Court Legal Counsel on the bankruptcy case filed by S.R. Marine Center, Incorporated.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously the Status Report by County Counsel was acknowledged regarding the bankruptcy case filed by S. R. Marine Center, Incorporated.



There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the meeting was **ADJOURNED** at **12:03 P.M.**

APPROVED this **12th** day of **October, 1999**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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