

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 2nd day of MAY, 2000, 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 ATIVIE@ VALENCIA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Gilberto Hinojosa at 9:50 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 April 28, 2000, at 11:27 A.M.:

(8) AUTHORIZATION TO ADD AN ADDITIONAL PUBLIC DEFENDER POSITION TO THE DISTRICT COURT BUDGET

At this time, Judge Hinojosa explained that discussions had been held with the Juvenile Board concerning a problem at the Juvenile Detention Center regarding the lack of a public defender to represent the indigent juveniles. He stated that the cases were not being disposed in a timely manner and had caused a large backlog in cases, noting that the issue delayed the process of admitting the juveniles to the Juvenile Detention Center.

Judge Migdalia Lopez, 197th District Court, stated that there was currently one (1) Public Defender at the Juvenile Detention Center and explained that it was time consuming for the Public Defender to discuss the cases with the juveniles=families. She stated that the lack of Public Defenders delayed the process in the District Attorney's Office and the Courts. Judge Lopez reported that additional Attorneys were appointed to the cases due to the workload and added that it was imperative for the juvenile cases to be processed in a timely manner. She stated that the funding was available in the Appellate Line Item utilized for Court Appointed Attorneys for the remainder of the Fiscal Year.

Commissioner Cascos expressed concern as to whether the Appellate Line Item would be reduced in the next Fiscal Year's Budget to fund the Juvenile Public Defender position.

Mr. Mark Yates, County Auditor, responded that funding of additional Court Appointed Attorneys would not be necessary for the Juvenile process and added that budgeting funds for juvenile representation was not anticipated, since the funds would be shifted from one account to another.

Commissioner Cascos questioned whether the same level of funding would be requested in the next Fiscal Year and Judge Lopez replied that the only request would be to continue the funding for the two (2) Public Defenders.

Commissioner Cascos stated that the suggestion had been made to develop a Public Defender's Office and questioned whether the matter had been pursued.

Mr. Yates stated that preliminary calculations had been conducted and reported that it would cost from \$750,000.00 to a million dollars for personnel. He added that there had also been an issue of office space for the Office and noted that a budget increase would be necessary and would not be feasible at the current time.

Judge Lopez clarified that the funding for the Public Defenders and the Attorneys appointed to the Juvenile Court were allocated from the District Court's budget and reiterated that the addition of a Public Defender would speed up the Juvenile Court process.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, an additional Public Defender Position was added to the District Court Budget.



**(15) AUTHORIZATION FOR NEW POSITION AT THE
AMADOR R. RODRIGUEZ BOOT CAMP**

At this time, Judge Hinojosa explained that the Juvenile Boot Camp was a residential facility for juvenile delinquents and added that it contained of a military style setting; whereas, the juveniles were taught discipline as part of the program. He stated that the main focus of the program was the treatment of the juveniles and added that most of the treatment programs in the Boot Camp were through volunteer services from different agencies and the Juvenile Probation Officers. Judge Hinojosa stated that the focus was on the treatment and rehabilitation and added that it would require a certified counselor at the facility. He stated that the creation of the position would attract counseling interns from the higher educational institution counseling programs who would give fifteen to twenty hours a week of counseling to the juveniles, which enhanced the therapeutic services.

Ms. Joan G. Macrum, Chief Juvenile Probation Officer, explained that the Juvenile Board had approved an After Care Program consisting of an extended ninety days following the six month program at the Boot Camp and added that the University of Texas at Brownsville Graduate Degree Program would participate to provide students for the Juvenile After Care Program.

Judge Lopez stated that the Juvenile Boot Camp was very successful, but noted that some of the juveniles continued to get into trouble after being released from the Camp. She explained that the After Care Program would work with the child and the parents and added that it was imperative to monitor the child after he or she was released.

Commissioner Cascos noted that the salary for the position at the Boot Camp was higher than the new position being created for the Public Defender and expressed concern as to the Agenda Item Request Form. He explained that the form reflected that the position would not impact the future budget, but added that it was a new position and was not budgeted, noting that it would impact the future budget.

Judge Hinojosa stated that there was a separate line item for outside referrals to different organizations in the State of Texas where the juveniles were sent to in the past and added that the placements have since then been directed to the Boot Camp. He suggested that unused funds for the outside referrals be utilized for funding of the slot.

At this time, there was some discussion as to the reimbursements to the County which were higher than anticipated and Judge Hinojosa suggested that the position be funded from the existing Juvenile Boot Camp funds.

Commissioner Benavides moved that the new position at the Amador R. Rodriguez Boot Camp be approved, said funding to be allocated from the existing Juvenile Department Boot Camp funds.

The motion was seconded by Commissioner Valencia and carried unanimously.



(17) ACTION OF PROPOSED DONATION OF LAND FOR CONSTRUCTION OF FIRE/CONSTABLE SUBSTATION AT ARROYO CITY

At this time, Judge Hinojosa explained that meetings had been held with the Arroyo City residents to discuss the lack of quick availability of fire and law enforcement response in the community and that solutions had been discussed to prevent serious health and safety problems. He stated that the community had grown and reported that there were over five hundred water connections in the community. Judge Hinojosa stated that although the majority of the people in the community did not reside in Arroyo City all year round, many people were permanent residents and many resided in the community every weekend. He stated that the Law Enforcement and Emergency Services were currently provided by Rio Hondo, but noted that it was a total of fourteen miles from Rio Hondo to Arroyo City. Judge Hinojosa stated that the minimum response time was forty-five minutes and was not quick enough to provide services to serious health and safety problems. He stated that a Law Enforcement and Emergency presence was necessary in the community and reported that suggestions had been made to work with the community, Rio Hondo and the Emergency Services District to build a Fire/Law Enforcement Substation in Arroyo City. He stated a land donation and local and federal funds were necessary to build the facility and added that the facility would be manned by the Rio Hondo Fire Department and the County Constables Office or Sheriff's Department. Judge Hinojosa stated that one of the owners of the Shrimp Farms in Arroyo City was willing to donate two (2) acres of land, which was centrally located for the substation and added that the City of Rio Hondo had agreed to place a fire truck on a full time basis at the facility. He stated that the City of Rio Hondo would train a local volunteer fire department and that the Rural Development component of the United States Department of Agriculture would consider a grant loan application for the construction of the substation. He stated that the construction of the substation would cost approximately \$120,000.00 and that along with the donation of the land, the construction of a heliport, the County would provide inkind funds of about \$30,000.00 to \$40,000.00, which would be allocated from the Tobacco Funds or through a loan secured from the Farmers Home Administration. He stated that the best approach for the County funding had not been determined yet, but added that the community requested to move forward with the proposal, upon donation of the land. Judge Hinojosa noted that the Los Indios area had a similar situation and that the plan had been discussed with the Mayor of Los Indios and the possibility of the land donation.

At this time, Mr. Gabby Cavazos, Arroyo City resident, stated that the community was growing and the need for the law enforcement and emergency services was needed in the area. He stated that the residents of Arroyo City were very motivated to improve the community and added that there were individuals willing to be trained to form a Volunteer Fire Department.

Judge Hinojosa suggested that if the County engaged in the Defibrillator Program which was presented by the American Heart Association, the defibrillator should be placed at the facility to treat individuals who might experience heart problems.

At this time, Commissioner Valencia expressed his support for the substation and added that the services were necessary for both Arroyo City and the City of Los Indios, noting that the communities were moving forward.

Commissioner Benavides expressed his support to provide the services in the area due to the growth in the community.

Commissioner Valencia moved that the proposed donation of land for the construction of a Fire/Constable Sub-Station at Arroyo City be approved.

The motion was seconded by Commissioner Benavides.

At this time, Commissioner Cascos expressed concern as to whether the donation of the land was contingent on the construction of the substation within a certain time frame.

Judge Hinojosa stated that the land would be donated with the understanding that the facility would be constructed and added that the land would revert back to the owner if the project was not completed.

Commissioner Cascos suggested that language be included with the land donation as to a certain time frame to construct the facility and questioned whether the volunteer fire department would be created prior to the grant application process.

Mr. Cavazos stated that once the project was initiated, the community would gather the individuals from the community that were willing to participate in the project. He suggested that modifications be considered for the fire truck to have five inch hoses for easier handling of the hoses.

Commissioner Cascos questioned whether the community would consider having the Volunteer Fire Department in place before the construction of the facility commenced and Mr. Cavazos responded in the affirmative.

Commissioner Cascos questioned whether the additional Deputy Constable for Constable Robert Lopez was stationed in Arroyo City and Constable Lopez responded that the Deputies only responded to the calls, as opposed to being stationed in the area. He expressed concern as to the ownership of the equipment and as to Rio Hondo, which also had a Volunteer Fire Department.

Judge Hinojosa explained that the City of Rio Hondo currently provided the services to Arroyo City and added that the fire truck was owned by the City of Rio Hondo. He reiterated that the City of Rio Hondo would man the Substation at Arroyo City and added that the County was funding a portion of the Project as a partnership with the other entities.

Commissioner Matz noted that the only backup information provided to the Court was a letter from Mr. Bing Hung, Shrimp Farm owner, concerning the donation of the land and requested that a written document outlining the entire project addressing the issues be submitted to the Court. He stated that the document should include the potential exposure to the taxpayers of Cameron County on a short and long term basis and added that the Volunteer Fire Department was fundamental to the project, noting there should be some demonstration by the community that the capability would exist. Commissioner Matz expressed concern regarding the precedent established by the County for other communities and added that the County should be prepared to assist other communities with the same type of remote situation.

Mr. Yates noted that there was a permanent presence by the County Parks System and that there was full-time County employees who were employed and resided in the area.

Judge Hinojosa suggested that the County employees from the Adolf Thoma Park be trained as Volunteer Firemen and noted that there would be two (2) employees at any one time available to assist.

Mr. Cavazos stated that the Shrimp Farm Association contained many employees and added that they would be willing to volunteer their personnel.

At this time, Mr. Kevin Duval, Arroyo Shrimp Farm Association Manager, expressed support in providing personnel for the Volunteer Fire Department and added that the Association would contribute \$10,000.00 to \$20,000.00 if necessary.

Upon motion duly made by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the proposed donation of land for the construction of a Fire/Constable Sub-Station at Arroyo City was approved.

The Letter is as follows:

(11) APPROVAL OF AN IMPLEMENTATION AGREEMENT BETWEEN CAMERON AND WILLACY COUNTIES AND THE COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE FOR THE 1999-2001 CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP CENTER PROJECT

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Implementation Agreement between Cameron and Willacy Counties and the Community Development Corporation of Brownsville for the 1999-2001 Cameron and Willacy Counties Colonia Self-Help Center Project was approved.

The Agreement is as follows:

**(6) ACKNOWLEDGMENT OF DISTRICTS CLERK-S
JANUARY, FEBRUARY AND MARCH MONTHLY
FEE AND FINES REPORT**

Commissioner Matz moved that the District Clerk-s January, February and March Monthly Fee and Fines Report be acknowledged.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Reports are as follow:

NOTE: JUDGE HINOJOSA LEFT THE COURTROOM.

(1) APPROVAL OF COUNTY CLAIMS

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

NOTE: JUDGE HINOJOSA RETURNED TO THE COURTROOM.

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

At this time, Commissioner Cascos expressed concern as to the decreases and increases in the different Departments=budgets and Mr. Mark Yates, County Auditor, responded that the budget amendments were due to items not budgeted or some items which were over budgeted at the beginning of the Fiscal Year.

Commissioner Matz moved that the 2000 Fiscal Year Budget Amendment No. 2000-26 and the following Salary Schedules be approved:

Los Tomates Bridge - Fund No. 740-6100;

Free Trade Bridge at Los Indios - Fund No. 770-6100; and

Gateway International Bridge - Fund No. 800-6100.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Budget Amendments and Salary Schedules are as follow:

(3) IN THE MATTER OF MINUTES OF MARCH 21, 2000, AND APRIL 4, 2000 (TABLED)

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

(4) PRESENTATION AND ACKNOWLEDGMENT OF THE QUARTERLY REPORT FOR THE QUARTER ENDING MARCH 31, 2000, ON INVESTMENTS OF COUNTY FUNDS

Commissioner Cascos moved that the Presentation of the Quarterly Report for the quarter ending March 31, 2000, on investments of County Funds be acknowledged.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Reports are as follow:

(7) **ACKNOWLEDGMENT OF THE REQUIRED
MANDATORY COMMISSIONERS= CONTINUING
EDUCATION COMPLETED BY COMMISSIONERS
PRECINCTS NO. 2 AND NO. 3**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the required mandatory Commissioners= Continuing Education completed by Commissioners= Precincts No. 2 and No. 3 were acknowledged.

The Certificates are as follow:

(5) **APPROVAL TO RELEASE THREE SECURITIES
FOR A TOTAL AMOUNT OF \$2,000,000.00, AT PAR,
IN COLLATERAL TO FIRST NATIONAL BANK**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the release of three securities for a total amount of \$2,000,000.00, at par, in collateral, to First National Bank, was approved.

(9) **APPOINTMENT OF A COMMITTEE TO REVIEW
ENGINEERING PROPOSALS FOR THE COLONIA
LA TORRE AREA PLANNING STUDY**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the following individuals were appointed to the Committee to review Engineering Proposals for the Colonia La Torre Area

Planning Study:

Mr. Juan Bernal, County Engineer,

Mr. Mike Forbes, Purchasing Agent,

Mr. Silvestre ASilver@ Garcia, County Judge-s Office,

Mr. David Lopez, Precinct No. 4, and

Mr. Javier Mendez, City of Santa Rosa.

(10) **APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY AND THE UNIVERSITY OF TEXAS MEDICAL BRANCH-GALVESTON FOR THE DELIVERY OF INDIGENT HEALTH CARE SERVICES**

At this time, Ms. Yvette Salinas, Health Administrator, stated that the Contract would include the co-pay liability issue; whereas, the County would be responsible to provide the co-payment if the patient was unable to pay, noting that the County would receive the credit towards the percentages.

Commissioner Benavides moved that the Contract between Cameron County and the University of Texas Medical Branch-Galveston be approved for the delivery of Indigent Health Care Services.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Contract is as follows:

(12) AUTHORIZATION TO AWARD CONTRACT TO RABA KISTNER AND PSI, INCORPORATED, FOR SOIL, MATERIALS AND ENVIRONMENTAL SERVICES

Commissioner Matz moved that the Contract be awarded to Raba Kistner and PSI, Incorporated, for Soil, Materials and Environmental Services.

The motion was seconded by Commissioner Cascos and carried unanimously.

(14) ACTION REGARDING THE SEASONAL MAINTENANCE AND OPERATION OF BEACH ACCESS NO. 6 ON SOUTH PADRE ISLAND FROM MAY 1, 2000, THROUGH SEPTEMBER 30, 2000

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Seasonal Maintenance and Operation of Beach Access No. 6 on South Padre Island from May 1, 2000, through September 30, 2000, was approved.

(16) APPROVAL OF PAYMENT FOR HAZARDOUS MATERIAL RECOVERY SERVICES PROVIDED BY ALAMO ENVIRONMENTAL

At this time, Mr. Desi Najera, Emergency Management Coordinator, stated that Alamo Environmental performed services for Cameron County and explained that he had been notified by the United States Border Patrol of a Biochemical Hazardous Bag discovered in a drainage ditch. He stated that he had requested Alamo Environmental via telephone to recover the bag and added that the County had been invoiced the amount of \$1,502.70. Mr. Najera reported that the Irrigation District in San Benito had been contacted regarding said matter and added that due to the location where the services were performed, the District should be responsible for the payment. He stated that the District was not willing to pay, since the District had not been notified immediately of the incident. Mr. Najera explained that the Border Patrol Agents speculated that the content of the bag was a human baby, but noted that the bag contained an animal. He stated that the Agents hesitated to remove the bag and added that the County did not have trained individuals to address the type of situation. Mr. Najera stated that an application had been submitted to the Environmental Protection Agency for one hundred percent (100%) reimbursement, but noted that the invoice would have to be paid prior to the reimbursement.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the payment for Hazardous Material Recovery Service provided by Alamo Environmental was approved.

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, Commissioner Benavides expressed his gratitude to the volunteers and the Sheriff's Department Prisoners at Work (PAW) Program for their participation at the Beach Clean Up in Precinct No. 1.

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

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

- a) Four (4) Health Department employees to attend the ATexas Vaccine for Children Program Meeting® in Edinburg, Texas, on May 3, 2000;
- b) Three (3) County Drug Enforcement Agents to attend the ATNCP Basic Narcotics Investigation Training® in Marble Falls, Texas, on May 14-19, 2000;
- c) Assistant District Attorney to attend the AInvestigating and Prosecuting Crimes Against Kids Seminar® in San Antonio, Texas, on June 7-9, 2000;
- d) Unified Narcotics Intelligence Task-Force (UNIT) Director to attend the AHigh Intensity Drug Trafficking Areas (HIDTA) Executive Committee Meeting® in El Paso, Texas, on May 1-3, 2000;
- e) Chief Juvenile Probation Officer to attend the AProbation Standards Review Workgroup Seminar® in Austin, Texas, on April 27, 2000;
- f) Juvenile Assistant Superintendent to attend the AMultiple Occupancy Housing in Detention Facilities Workshop® in Dallas, Texas, on April 24-26, 2000;
- g) Program Development and Management Community Development Coordinator to attend the ATexas Community Development Program 2001/2002 Application Workshop® in Falfurrias, Texas, on May 9, 2000;
- h) County Treasurer to attend the A2000 County Investment Officer Level II Training® in San Antonio, Texas, on June 7-9, 2000;
- I) Constable Precinct No. 2 and Deputy to attend the ATwenty Hours Civil Process Seminar® in Corpus Christi, Texas, on May 23-26, 2000;
- j) Three (3) 197th District Court employees to attend the AProfessional Development Program on Trial Court Coordination and Administration® in Huntsville, Texas, on June 12-16, 2000;
- k) County Court at Law No. 1 Judge to attend the AFamily Law Seminar® in Houston, Texas, on May 4-5, 2000; and
- l) Tax Assessor-Collector to attend the ATexas Association of Counties County Management Institute 2000" in Austin, Texas, on May 9-12, 2000.

(20) PRELIMINARY APPROVAL

a) Precinct No. 3

Briggs Estates - being the North 14.05 acres out of the North fifteen acres of Block No. 28, Briggs and Coleman Subdivision, Survey No. 49; and

b) Precinct No. 4

Altas Palmas Estates - a Resubdivision of the 19.75 acres of land out of Block No. 30 and Block No. 31, Stuart Place Subdivision, Surveys No. 139 and No. 298.

(21) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 3

Joel Salinas Subdivision - being a 0.6288 acres tract of land situated in and a part of Block No. 241, San Benito Land and Water Company Subdivision.

(22) APPROVAL OF THE PURCHASE WITHOUT PURCHASE ORDER FOR CEN-TEX MILITARY SALES, IN THE AMOUNT OF \$145.00

(23) OPEN BIDS AND/OR REQUEST FOR PROPOSALS

a) COFFEE CART CONCESSIONAIRE SERVICES FOR COURTHOUSE - ANNUAL REQUEST FOR PROPOSAL NO. 000303 AND APPROVAL OF FOLLOWING COMMITTEE:

**MR. JOSEPH ARDITO, PROPERTY MANAGEMENT COORDINATOR,
MR. REMI GARZA, COUNTY JUDGE'S OFFICE,
MR. RAY RODRIGUEZ, HEALTH INSPECTOR,
MR. JIMMY SPINDOLA, AND
MR. MIKE FORBES, PURCHASING AGENT**

b) MOSQUITO INSECTICIDE - ANNUAL BID NO. 2430

c) ROAD MATERIALS: DIRT, SAND, LIME - ANNUAL BID NO. 2515

d) LA TORRE COLONIA - ENGINEERING SERVICES - AREA PLANNING STUDY - REQUEST FOR PROPOSAL NO. 000402

The Bids and/or Request for Proposals received and opened are as follow:

(24) RENEW AWARD OF BIDS FOR ONE (1) ADDITIONAL YEAR

a) FIRE EXTINGUISHER MAINTENANCE - ANNUAL BID NO. 1430

PUENTE FIRE EXTINGUISHER - Brownsville, Texas

Category A - Total \$5,329.55

ALL STATE FIRE EXTINGUISHER - Harlingen, Texas

Category B - Total \$300.00

b) OCCUPANCY INSURANCE - INTERNATIONAL BRIDGES - ANNUAL BID NO. 1458

SMITH REAGAN INSURANCE AGENCY - San Benito, Texas

Total - \$34,000.00

c) JANITORIAL SUPPLIES: CHEMICALS/CLEANING SUPPLIES - ANNUAL BID NO. 2300-1

NATIONAL SANITARY SUPPLY - McAllen, Texas

Category A - Total \$7,706.31

GULF COAST PAPER - Brownsville, Texas

Category B - Total \$2,818.42

Category D - Total \$7,638.95

DIVERSITECH - McAllen, Texas

Category C - Total \$15,734.92

Category E - Total \$11,203.16

(25) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 11:23 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property concerning approval of a Concession Agreement at Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Confer with County Counsel concerning Sea Ranch Marina Concession involving matters in which the duty of the attorney to the Governmental Body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- c) Confer with County Counsel concerning the case styled Edward Alcala vs. Alex Perez, et. al., Civil Action No. B-96-203, in the United States District Court - Brownsville, to discuss status of the case and authorize settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A&B).

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 12:00 P.M.

(26) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Deliberation regarding the Real Property concerning approval of a Concession Agreement at Isla Blanca Park.**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Status Report was acknowledged regarding the Concession Agreement at Isla Blanca Park.

- b) **Confer with County Counsel concerning Sea Ranch Marina Concession involving matters in which the duty of the attorney to the Governmental Body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act.**

Commissioner Matz moved that the Status Report be acknowledged regarding the Sea Ranch Marina Concession involving matters in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Open Meetings Act.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **Confer with County Counsel concerning the case styled Edward Alcala vs. Alex Perez, et. al., Civil Action No. B-96-203, in the United States District Court - Brownsville.**

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, County Counsel was directed to continue further negotiations of a settlement concerning the case styled Edward Alcala vs. Alex Perez, et. al., Civil Action No. B-96-203, in the United States District Court - Brownsville.

(13) **APPROVAL OF A CONCESSIONAIRE AGREEMENT (RENEWAL) IN ISLA BLANCA COUNTY PARK BETWEEN CAMERON COUNTY PARKS SYSTEM AND BOY SCOUTS OF AMERICA, HIGH ADVENTURE CAMP**

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Concessionaire Agreement (Renewal) in Isla Blanca County Park between Cameron County Parks System and the Boy Scouts of America, High Adventure Camp was approved, subject to Legal review.

The Agreement is as follows:

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Court was recessed until 1:00 P.M.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 1:28 P.M.

(18) **POSSIBLE ADOPTION OF THE JAIL FACILITY
PROJECT PLAN OF FINANCE AS PRESENTED BY
ESTRADA-HINOJOSA**

At this time, Mr. Noe Hinojosa, Estrada-Hinojosa, highlighted the Jail Facility Project Plan of Finance Report and recommended Option No. A, which consisted of ceasing the operations of the County Jail and Detention Center No. 2. He stated that Option B would be to cease operations of the Detention Center No. 2, noting that by closing both facilities, the County would save on the operations cost. Mr. Hinojosa reported that there would be a two (2) cent tax increase in the next fiscal year and stated that the financing package included total costs of the County Jail, the Dancy Building, and the Juvenile Detention Center Projects, in the amount of \$24,085,000.00.

Commissioner Benavides moved that the Plan of Finance Option A be adopted, as presented and recommended by Estrada-Hinojosa and that a Resolution be adopted for a Notice of Intent to issue the amount of 24.1 million in Certificates of Obligation.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Cascos and Matz.

The Report is as follows:

There being no further business to come before the Court, upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at **2:45 P.M.**

APPROVED this **25th** day of **May, 2000**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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