

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 16th 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 Father Joseph O-Bell, Good Samaritan Center, 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 12, 2000, at 4:05 P.M., and the Supplemental Agenda posted on May 12, 2000, at 4:54 P.M.:

(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 Assistant County Auditor.

At this time, Mr. Francisco Sifuentes, Brownsville resident, expressed his opposition as to the additional payment of cellular phone calls made by an Elected Official, which were over the limit as set in the County Cellular Phone Policy and added that if the cellular phone was improperly utilized, the funds should be returned to the County.

Commissioner Cascos stated that the Elected Official-s budget had not been impacted and explained that the funds had been transferred from one line item to another, noting that the Department remained within their budget.

Commissioner Matz stated that a control mechanism should be implemented to monitor the County Policies and added that the Auditor-s Office should be directed to address the cell phone usage.

Mr. Sifuentes expressed his concerns regarding the numerous travel by County employees and as to Deputy Constables utilizing cellular phones during patrol periods, noting that the vehicles were equipped with high tech radios.

Commissioner Valencia stated that a request had been made to review the travel for two (2) Constable Deputies and explained that said Deputies were funded through the STEP Program which was funded by the State. He stated that the training was a mandatory requirement by the State and added that the County needed to comply with the requirements, in order to receive the State funding.

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

Commissioner Matz moved that the 2000 Fiscal Year Budget Amendment No. 2000-28, be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Budget Amendment is as follows:

**(3) APPROVAL OF MINUTES OF APRIL 11, 2000,
APRIL 18, 2000, AND APRIL 25, 2000**

At this time, Ms. JuaNita Brodecky, Rio Hondo resident, expressed her concerns as to the delay in providing the Minutes to the Court and as to approval of the Minutes performed in a timely manner.

Commissioner Valencia moved that the Minutes of the Regular Meetings held April 11, 2000, and April 18, 2000, at 9:30 A.M., be approved, subject to the correction noted on April 11, 2000.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Benavides, as to the Minutes of April 11, 2000,
Commissioner Cascos as to April 25, 2000, and
Commissioner Matz, as to the Minutes of April 18, 2000, and April 25, 2000.

**(4) ADOPTION OF A PROCLAMATION DECLARING
THE STATE OF DISASTER FOR CAMERON
COUNTY, THE CITY OF PORT ISABEL AND THE
CITY OF SOUTH PADRE ISLAND, DUE TO
SEVERE WEATHER THUNDERSTORMS AND
TORNADOES THAT POSED A MAJOR THREAT
TO THE RESIDENTS OF THE LAGUNA MADRE
AREA**

Commissioner Matz moved that the Proclamation be adopted declaring the State of Disaster for Cameron County, the City of Port Isabel and the City of South Padre Island, due to severe weather thunderstorms and tornadoes that posed a major threat to the residents of the Laguna Madre area.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Proclamation is as follows:

**(5) APPROVAL OF CONSTRUCTION DOCUMENTS
AND PROJECT MANUAL SPECIFICATIONS FOR
THE CAMERON COUNTY DETENTION AND
SHERIFF-S FACILITY PREPARED BY LANDMARK
ORGANIZATION, INCORPORATED**

Commissioner Cascos moved that the Construction Documents and Project Manual Specifications for the Cameron County Detention and Sheriff-s Facility, prepared by Landmark Organization, Incorporated, be approved, subject to review by the Departments responsible for monitoring and implementing the project.

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

AYE: Commissioners Benavides, Cascos and Valencia

NAY: None

ABSTAINED: Commissioner Matz.



- (6) **ADOPTION OF A RESOLUTION DESIGNATING THE COUNTY JUDGE OF THE COUNTY OF CAMERON AS AUTHORIZED REPRESENTATIVE OF THE COUNTY OF CAMERON TO GIVE NOTICE OF INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF TAX EXEMPT OBLIGATIONS**
- (7) **ADOPTION OF A RESOLUTION AUTHORIZING THE PUBLICATION OF THE COUNTY'S NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION, AS AUTHORIZED UNDER STATE LAW FOR THE PURPOSE OF PAYING CONTRACTUAL OBLIGATION OF THE COUNTY TO BE INCURRED FOR THE COST OF IMPROVEMENTS TO THE OSCAR DANCY BUILDING (OLD COURTHOUSE BUILDING), COST OF IMPROVEMENTS AND EXPANSION OF THE DARRELL B. HESTER JUVENILE JUSTICE CENTER, COST OF CONSTRUCTION AND EQUIPMENT OF A NEW COUNTY DETENTION FACILITY AND SHERIFF'S DEPARTMENT ADMINISTRATION BUILDING, THE PURCHASE OF THE NECESSARY SITES THEREFORE, IMPROVEMENTS RELATED THERETO, OFFSITE IMPROVEMENTS NECESSARY FOR EACH PROJECT (WATER, SEWER, STREETS AND DRAINAGE), COST OF ENGINEERING, ARCHITECTURAL AND PROFESSIONAL SERVICES IN CONNECTION WITH THE PROJECTS, AND TO PAY THE COST OF ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION**

At this time, Mr. Remi Garza, Executive Assistant to the County Judge, explained that the Resolutions included the Dancy Building, the Detention Center and the Darrel B. Hester Center and added that the Resolution would give notice to the public as to the expenditures which would need to be made prior to selling the bonds to cover the costs.

Commissioner Cascos expressed concern as to changing of the Bond Council without advertising Request for Qualifications and as to the assumption of the 1.6 million dollars in additional bed revenue, noting that additional revenue had not been placed in writing. He added that the a portion of the sources of funds were from the Texas Historical Grant, in the amount of four million dollars, but noted that a letter had been submitted by the Program Development and Management Department, informing the Court that the County had not received the Grant.

Mr. Garza stated that an opportunity for the second Texas Historical Grant remained available to the County and added that the County Officials were scheduled to meet with the Texas Historical Commission to attempt to maximize the points for the grant.

Commissioner Cascos stated that there was only seven million dollars out of the fifty million dollar grant for thirty-nine counties and added that the likelihood of the County receiving the majority of the remaining grant funds was remote.

Mr. Garza stated that the additional 1.6 million dollars of revenues from the federal grant was based on the extra one hundred and fifty beds which were required to obtain the three million dollars from the United States Marshal's Office and added that if the beds were not utilized, the County would not incur the expenses.

Judge Hinojosa stated that the assumptions were similar to the Maintenance and Operation Projections made for the International Bridge, but noted that the County had a Contract with the Marshal's Office for the three million dollars for the construction of the jail. He stated that numbers had been provided from the Federal Government as to an average of four hundred inmates incarcerated at any one time and added that many inmates were sent to other facilities. Judge Hinojosa stated that the Jail would be constructed on a pod system and added that if the Jail was not filled, the pod would not be opened and the costs to operate the pods would not be incurred.

Commissioner Cascos noted that there had been a track record of the crossings at the Bridge to project the revenues and expressed concern whether the Sheriff's Department would let go personnel if the pods were not operational.

Judge Hinojosa stated that the two million dollars from the Plan of Finance for the Dancy Building could be taken out of the Bond Issue, since the matter was not as critical as the construction of the County Jail, due to the Federal Court Injunctions which would find the County in contempt of Court. He stated that the two million dollars strengthened the County's application and noted that it would be ill advised not to include the funds for the Dancy Building. Judge Hinojosa added that the Attorney General of the State of Texas had filed a brief in the Federal District Court of Appeals requesting that Cameron County be mandated to accept Blue Warrant Parole Violators and noted that there were approximately three hundred parole violators at any one time in Cameron County.

Commissioner Matz stated that the Bridge Project had a partnership with the City of Brownsville and had the Bridge System as a back up, but noted that property taxes were involved with the County Jail Project.

Judge Hinojosa stated that the tax increase was projected at \$2.00 per \$10,000.00 evaluation which meant that a person with a \$40,000.00 home would pay an additional \$8.00 a year.

Commissioner Matz stated that the tax rate would be increased and that re-appraisals were being performed throughout the County from about ten percent to over a hundred percent in some cases. He referred to the Auditor's comments as to the matter regarding Bond Counsel.

Judge Hinojosa noted that the Bond Counsel firm was listed in the Blue Book and was authorized to conduct business in the State of Texas and added that Cameron County had hired the firm for underwriting services for the Los Tomates Bridge.

Commissioner Valencia moved that the Resolutions be adopted designating the Cameron County Judge as authorized representative of the County of Cameron to give Notice of Intent to reimburse expenditures with proceeds of Tax Exempt Obligations and authorizing publication of the County's Notice of Intent to issue certificates of obligation as authorized under State Law for the purpose of paying contractual obligation of the County to be incurred for the cost of improvements to the Oscar Dancy Building (Old Courthouse Building), cost of improvements and expansion of the Darrell B. Hester Juvenile Justice center, cost of construction and equipment of a new County Detention Facility and Sheriff's Department Administration Building, the purchase of the necessary sites therefore, improvements related thereto, offsite improvements necessary for each project (water, sewer, streets and drainage), cost of engineering, architectural and professional services in connection with the projects, and to pay the cost of issuance of such certificates of obligation.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: None

ABSTAINED: Commissioners Cascos and Matz.

The Auditor's Comments are as follow:

(8) ACCEPTANCE OF DONATION OF A UTILITY TRAILER TO THE COMMUNITY POLICE DIVISION OF THE CAMERON COUNTY SHERIFF-S DEPARTMENT

Commissioner Cascos moved that the donation of a utility trailer to the Community Police Division of the Cameron County Sheriff-s Department be accepted.

The motion was seconded by Commissioner Benavides and carried unanimously.

(9) POSSIBLE APPROVAL OF ARCHITECTURAL SERVICES AGREEMENTS WITH ROBERTO RUIZ FOR ROOF RESTORATION OF THE CAMERON COUNTY HEALTH CLINIC, CAMERON COUNTY ADMINISTRATION BUILDING, CAMERON COUNTY JUDICIAL AND JAIL BUILDING

At this time, Mr. Juan Bernal, County Engineer, explained that the County had contracted the architect for the Courthouse roofs and that the Contract was being expanded to include additional projects.

Mr. Roger Ortiz, Building Superintendent, stated that the study of the roofs had been performed and that the project was pending the architect-s specifications to advertise the proposals.

At this time, there was some discussion as to the use of Tobacco Funds for the roof projects and as to the costs of the architectural fees and the suggestion was made to pay the Architectural fees from the Tobacco Funds.

Commissioner Benavides moved that the Architectural Services Agreement with Roberto Ruiz for roof restoration of the Cameron County Health Clinic, Cameron County Administration Building, Cameron County Judicial and Jail Building be approved, said funding to be allocated from the Tobacco Funds.

The motion was seconded by Judge Hinojosa and the vote is as follows:

AYE: Commissioner Benavides and Judge Hinojosa

NAY: Commissioners Cascos and Matz

ABSTAINED: Commissioner Valencia.

At this time, there was some discussion as to the uncertainty of the funding sources and costs and the suggestion was made to place the matter back on the Agenda to Request for Qualifications.

(10) APPROVAL TO SUBMIT A CONCEPT PAPER, TO THE UNITED STATES DEPARTMENT OF JUSTICE-S, NATIONAL INSTITUTE OF JUSTICE, TO COMPLETE FOR CONSIDERATION AS A COMPASS SITE

Commissioner Cascos moved that a Concept Paper be submitted to the United States Department of Justice, National Institute of Justice, to complete for consideration as a compass site.®

The motion was seconded by Commissioner Matz and carried unanimously.

(11) AUTHORIZATION TO NEGOTIATE AN ENGINEERING SERVICES AGREEMENT WITH GUZMAN AND MUÑOZ ENGINEERING AND SURVEYING, INCORPORATED, FOR THE COLONIA LA TORRE AREA PLANNING STUDY (TCDP CONTRACT NO. 719145)

Commissioner Matz moved that the Engineering Services Agreement with Guzman and Muñoz Engineering and Surveying, Incorporated, for the Colonia La Torre Area Planning Study, that being the Texas Community Development Program Contract No. 719145, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

(12) AUTHORIZATION TO PROCEED WITH IMPROVEMENTS TO THE NORTHBOUND TRUCK LANES AT THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES

Commissioner Matz moved that the improvements to the Northbound truck lanes at the Veterans International Bridge at Los Tomates be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

(13) APPROVAL OF BOND RENEWAL FOR RESERVE DEPUTY LUIS UBALDO AND ANTONIO HUIZAR AND RESERVE DEPUTY FELIPE DE JESUS CORIA FOR CONSTABLE PRECINCT NO. 2

At this time, Commissioner Cascos expressed concern as to the issues concerning the Warrant Officer for Justice of the Peace, Precinct No. 2, Place No. 2, and questioned the procedures followed when hiring an individual for a law enforcement position.

Mr. Manuel Villarreal, Personnel Director, explained that the Warrant Officer had been vacant at the time the individual was hired and added that the Clerical Position was placed in the Warrant Officer Slot. He added that the surplus funds were going to be utilized to operate another position and noted that the Warrant Officer Position was supposed to have been changed to a Clerk I Position.

Commissioner Cascos stated that it was his understanding, based on the newspaper article, that the individual was hired as a Warrant Officer and was getting compensated as a Warrant Officer position. He noted that the issue resulted due to the lack of certifications by the individual and that since then, the employee had resigned from the County.

Mr. Villarreal clarified that the position was being utilized for the Chief Clerk, but noted that the individual was not performing the duties of a Warrant Officer. He stated that each Department set their own job descriptions and explained that the individual had a Warrant Officer title, but was not performing the duties. Mr. Villarreal stated that the employee performed the duties of a Court Administrator position and added that once the slot was vacated, the position was going to be changed to a Clerk I to utilize the extra funds for other operations in the office.

Commissioner Cascos stated that the positions requiring certain certifications and/or requirements should be reviewed by the Personnel Department at the time of hiring the individuals, in order to avoid future problems regarding compensation and job titles.

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Bond Renewal for Reserve Deputy Luis Ubaldo and Antonio Huizar and Reserve Deputy Felipe de Jesus Coria for Constable Precinct No. 2, were approved.

The Bonds are as follow:

(14) IN THE MATTER OF THE EQUIPMENT LIST FOR PUBLIC WORKS DEPARTMENT AND FINANCING OPTIONS FOR PURCHASE (TABLED)

At this time, Mr. Juan Bernal, County Engineer, requested that the matter be Tabled until the County Auditor was present.

Commissioner Matz moved that this matter be **TABLED**.

The motion was seconded by Commissioner Benavides.

At this time, Commissioner Valencia expressed concern as to why the matter was being Tabled and added that it was his understanding that the funds were available.

Mr. Bernal confirmed that the County Auditor had recommended that the funds be allocated from the Road and Bridge Fund, but noted that the financing of the funds had not been determined.

Commissioner Matz requested that information regarding the equipment be submitted concerning the expected use of life and an equipment replacement plan.

Upon motion duly made by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, this matter was **Tabled**.



(15) AUTHORIZATION TO ALLOW THE CONNECTION OF UTILITY SERVICES TO THE OCHOA FAMILY (WILFREDO OCHOA, GLORIA OCHOA HERRERA, LINDA OCHOA GARCIA, MAGDALENA OCHOA) RESIDING AT 4626 GEORGE SAENZ ROAD, UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 232.029 (CX2)

At this time, Mr. Ernest Hinojosa, Assistant County Engineer, stated that the Ochoa Family was petitioning the Court for consideration of a certificate for water service availability and explained that said tract had been sold by another family in the 1980's. He explained that the property was a ten acre tract and was sold in different portions, noting that the area was considered an illegal subdivision. Mr. Hinojosa stated that a committee had been created to resolve some of the problems, which consisted of the El Jardin Water Supply Corporation, Mr. Gayle Armstrong, the Attorney General's Office, the Secretary of State's Office, Mr. Silvestre ASilver@Garcia, County Judge's Office, and Commissioner Benavides. He reported that the Ochoa Family was currently without water service, but noted that the water had been illegally distributed to the family and the subdividers. Mr. Hinojosa stated that the recommendation was made that the property would be as one lot with one owner, as opposed to a subdivision and added that the Ochoa Family would serve as a subdivider donating the properties the land to their children, which would be considered a family partition tract. He

stated that the petition under the State Statutes, would authorize the El Jardin Water Supply Corporation to service the family with water, but noted that they would need to comply with the on-site sewer system with septic tanks.

Commissioner Benavides commended the County Engineer-s Office for their research and work to resolve the problems to assist the families and children with providing water to the homes.

Mr. Doug Wright, Commissioners-Court Legal Counsel, informed the Court that the finding of the fact that the property was not subdivided after September 1, 1995, and that the water was available within 750,000 feet, would need to be determined.

Mr. Hinojosa confirmed that the findings had been determined and recommended that the connection of water services to the family be approved by the Court. He stated that the water already existed and the water lines would be extended, noting that the issue was not a variance.

Commissioner Benavides moved that the connection of Utility Services to the Ochoa Family, consisting of Wilfredo Ochoa, Gloria Ochoa Herrera, Linda Ochoa Garcia, and Magdalena Ochoa, residing at 4626 George Saenz Road, be approved, under the Texas Local Government Code Section 232.029 (CX2), as recommended by the Assistant County Engineer.

The motion was seconded by Commissioner Valencia and carried unanimously.

(16) **APPROVAL OF BAIL BOND PROJECT AS
PROPOSED BY COMPUTER CENTER**

At this time, Mr. Rudy Juarez, Chief Executive Officer, recommended that the Bond Project proposed by the Computer Center be approved and added that the funding source be submitted once it was determined.

Mr. Remi Garza, Executive Assistant to the County Judge, questioned whether the Court should approve the first phase of the Project, which consisted of the software to process the bonds via credit cards.

Commissioner Matz expressed his support for the first phase, but questioned whether the project would cost the amount of \$3,300.00.

Mr. Juarez stated that the cost would be \$3,300.00, assuming that the software was in place and explained that if the Court approved the first phase of the plan, the Bail Bond Board could begin to implement the feasible items.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Bail Bond Project was approved, as proposed by the Computer Center.

The Plan is as follows:

CONSENT AGENDA ITEM

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

At this time, there was some discussion as whether the Budget Amendments were done before the Court approved the travel items and the County Treasurer stated that travel advance checks were not issued at the time of the request, if the funds were not available.

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) Three (3) County Courts at Law No. 1, No. 2 and No. 3 employees to attend the ATexas Court Reporter Association-s Annual Convention/Seminar® in Austin, Texas, on June 14-18, 2000;
- b) Two (2) 103rd District Court employees, 107th District Court employee, 197th District Court employee and 357th District Court employee, to attend the ATexas Court Reporters Association Annual Convention/Seminar® in Austin, Texas, on June 14-18, 2000;
- c) Three (3) Health Department employees to attend the ATexas Department of Health Surveillance Workshop® in Edinburg, Texas, on May 22, 2000;
- d) 107th District Court Judge to attend the A2000 State Bar of Texas CLE and Expo Conference® in San Antonio, Texas, on June 21-25, 2000;
- e) Three (3) Sheriff-s Department employees to attend the AFMLA and Workers-Compensation in Texas® in McAllen, Texas, on June 15, 2000;
- f) Six (6) Sheriff-s Deputies to attend AIntoxilyzer Operator Course® in San Antonio, Texas, on May 22-26, 2000;
- g) Two (2) Sheriff-s Department employees to attend the ALaw Enforcement Firearms Instructors Course® in Bryan, Texas, on May 14-20, 2000;
- h) Constable Precinct No. 6 Deputy to attend the ATraining for Intoxilyzer Operator Course® in San Antonio, Texas, on May 22-26, 2000;
- I) Two (2) County Clerk Deputies to attend the ACollecting Court Fines and Fees Workshop and Conference® in Galveston, Texas, on May 31, 2000, through June 2, 2000;
- j) Six (6) Sheriff-s Deputies to attend the AWeight Registration and CDL Law Training Course® in Laredo, Texas, on May 8-12, 2000;
- k) Six (6) Juvenile Probation Officers to attend the AEnter Familias Treatment Conference® in McAllen, Texas, on May 8-9, 2000;

- l) Juvenile Probation Supervisor to attend the AMonthly Community Management Team Meetings@ in Edinburg, Texas, on every Tuesday of the month for the rest of the Fiscal Year 2000;
- m) Deputy Constable Precinct No. 5 to attend the ATJCTC Civil Process Seminar@ in Corpus Christi, Texas, on May 23-26, 2000;
- n) Computer Center employee to attend the ANational Emergency Number Association 2000 Annual Conference@ in Salt Lake City, Utah, on June 10-16, 2000;
- o) Three (3) Health Department employees to attend the ATexas Department of Health Surveillance Workshop@ in Edinburg, Texas, on May 22, 2000;
- p) 197th District Court Judge to attend the AThird Annual Judges and Lawyers Symposium@ in Lawrence, Kansas, on June 1-4, 2000;
- q) Program Development and Management Director, Assistant Administrator and Dancy Building Architect to meet with ATHC Staff and Round Two Application Workshop for the Texas Historic Courthouse Preservation Program@ in Austin, Texas, on May 17, 2000;
- r) District Attorney to attend the ATexas Association of Counties Policy Analysis Group Meeting@ in San Antonio, Texas, on June 1-2, 2000;
- s) Deputy Constable Precinct No. 4 to attend the AMandatory Civil Process School@ in Corpus Christi, Texas, on May 24-26, 2000;
- t) Reproduction Director and employee to attend the ASouthwestern Graphic Seminar@ in Dallas, Texas, on June 22-25, 2000; and
- u) Justice of the Peace Precinct No. 5, Place No. 1, to attend the ANational Judicial Conference and Educational Seminar@ in Reno, Nevada, on June 4-9, 2000.



- (18) OPEN BIDS FOR CONSTRUCTION OF LOMAX ROAD AND GRAN TESORO SANITARY SEWER PROJECT, THAT BEING THE TEXAS COMMUNITY DEVELOPMENT PROGRAM NO. 718045**

The Bids received and opened are as follow:

(19) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 3

Contreras Subdivision - being 1.00 acre of land out of a 28.0 acre tract of Block No. 31, San Benito Land and Water Company.

(20) FINAL APPROVAL

a) Precinct No. 3

Puente Cantu Subdivision - being 5.00 acres of land out of the West 10.0 acres of the North 20 acres of Block No. 93, San Benito Irrigation Companion Subdivision.



(21) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 11:15 A.M. to discuss the following matters:

- a) 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);
- b) Deliberation regarding the Real Property concerning Cameron County Airport Management Agreement and Lease; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Confer with the County Attorney's Office regarding Cause No. 98-03-914-E, Rufino Salinas Mestiza vs. Yolanda De Leon, et. al., to discuss the case and authority to represent; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- d) Deliberation regarding the Real Property concerning Cameron County owned property, known as 35 Orange Street in the Citrus Grove Subdivision, Original Townsite, Brownsville; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- e) Confer with County Counsel on matters relating to the Plan of Finance for the Jail Facility Project, 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 this Chapter; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2).

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:55 A.M.



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

- a) **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 Cascos moved that the Contract negotiated with Lewisville 9/4 for the Sea Ranch Marina Concession be approved, subject to the survey conducted on Tract No. 3.

The motion was seconded by Commissioner Valencia and carried unanimously.

- b) **Deliberation regarding the Real Property concerning Cameron County Airport Management Agreement and Lease.**

Commissioner Cascos moved that the Cameron County Airport Management Agreement and Lease submitted by the Property Management Coordinator be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

- c) **Confer with the County Attorney's Office regarding Cause No. 98-03-914-E, Rufino Salinas Mestiza vs. Yolanda De Leon, et. al., to discuss the case and authority to represent.**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the County Attorney's Office was directed to represent the Justice of the Peace Precinct No. 3, Place No. 2, for Cause No. 98-03-914-E, Rufino Salinas Mestiza vs. Yolanda De Leon, et. al.

- d) **Deliberation regarding the Real Property concerning Cameron County owned property, known as 35 Orange Street in the Citrus Grove Subdivision, Original Townsite, Brownsville.**

Commissioner Cascos moved that the Status Report by Property Management Coordinator be acknowledged regarding the Cameron County owned property, known as 35 Orange Street in the Citrus Grove Subdivision, Original Townsite, Brownsville.

The motion was seconded by Commissioner Benavides and carried unanimously.

- e) **Confer with County Counsel on matters relating to the Plan of Finance for the Jail Facility Project 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 this Chapter.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Plan of Finance for the Jail Facility Project, 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 this Chapter.

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 **1:58 P.M.**

APPROVED this **13th** day of **June, 2000**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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