

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 25th day of JULY, 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

COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

NATIVIDAD ATIVIE@ VALENCIA

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 July 21, 2000, at 1:29 P.M.:

(1) **APPROVAL OF COUNTY CLAIMS**

NOTE: JUDGE HINOJOSA LEFT THE COURTROOM.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos 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, Mr. Mark Yates requested that the Budget Amendment for the County Judge=s Census be Tabled, due to an error in the amounts.

Commissioner Cascos expressed his opposition to the auto allowance, in the amount of \$5,000.00, in the County Judge=s Office and expressed concern as to whether it was more beneficial to pay on a per mileage basis. He questioned the increase, in the amount of \$37,000.00, in the Elections Administration Extra-Help Line Item and Mr. Yates responded that the request for Extra-Help in the Elections Office had been approved on February 8, 2000, noting that the Budget Amendment was formalizing the agreement.

Commissioner Cascos expressed concern as to the Gas Allowance being reduced for the Constable Precinct No. 2 Office and the increase in Vehicle repair and insurance.

Mr. Yates clarified that the budget amounts were not reduced more than the expected use and noted that the Constable=s Office was not utilizing the budgeted level of gasoline. He noted that a large portion of the gasoline cost was utilized for a Jeep Cherokee which had not been operational for some time.

Commissioner Cascos questioned the Cellular Phone increase in the Health Department and Mr. Yates clarified that the item had been coded incorrectly and should reflect Professional Services.®

Commissioner Cascos moved that the 2000 Fiscal Year Budget Amendment No. 2000-36, and the Salary Schedules for the County Attorney - Fund No. 900-4750, be approved, and that the Budget Amendment and Salary Schedule for the County Judge=s Office and the Budget Amendment for the Health Department be **TABLED**.

The motion was seconded by Commissioner Matz and carried unanimously.

At this time, Commissioner Matz stated that the County Treasurer had informed the Court that the County=s Health Insurance Fund had less than \$123,000.00, in the Health Insurance=s Reserves and noted that it was considerably less than what a two (2) month reserve should be. He added that a budget note had been forwarded by the County Auditor informing the Court that the Health Insurance issue would have to be reviewed at budget time.

Mr. Yates stated that the annual premiums, in the amount of \$3,000.00, had been revised to \$3,200.00 in the budget packages submitted to the Departments and added that the Health Insurance activity was being examined to address the matter.

Commissioner Matz expressed concern as to the collection, in the amount of \$247,000.00, of Bond Forfeitures and the Attorneys who owed the County, noting that the funds went into the Road and Bridge.

Mr. Frank Martinez, District Attorney's Office, stated that the County had collected from the Bail Bond Companies and explained that some companies had been suspended due to the number of outstanding judgments, noting that the District Attorney's Office would collect the Attorneys' Judgments.

Commissioner Matz requested that status reports be submitted to the Court and that the matter should continue to be addressed.

Mr. Yates noted that the budget hearings would be held August 1, 2000, and the suggestion was made that the Workshop be held late in afternoon, in order allow attendance by the public.

At this time, Mr. Francisco Sifuentes, Brownsville resident, expressed his concerns as to the disparity of salaries among the County employees who had many years of service compared to the more recently hired employees.

Commissioner Cascos suggested that Mr. Sifuentes should address the matter with the Personnel Director and noted that the County had been working towards implementing a Salary Matrix, noting that some Departments currently had the salary matrix in place.

Judge Hinojosa clarified that most of the County Departments had a Salary Matrix and had the positions set up on the matrix. He stated that the smaller departments did not fall within the category, but reiterated that most of the County Departments had a Salary Matrix for like positions and like jobs. Judge Hinojosa noted that the problem was the dissimilarity in salaries from one Department to another and added that implementing a Countywide Salary Matrix would be costly for the County. He explained that if there was a position earning more than a like position in another Department, the lower salary would have to be increased to equal the larger salary, noting that it would have an impact on the budget to implement the Salary Matrix Countywide. Judge Hinojosa stated that the County employees were given an across the board cost of living increase, but noted that only three (3) out of the five (5) members of the Court had voted in support of the increases.

Commissioner Cascos stated that an amount concerning the impact on the budget should be provided to the Court prior to approving the salary increases and added that a plan could then be developed.

At this time, Ms. JuaNita Brodecky, Rio Hondo Resident, stated that if a salary increase was given to a non-productive employee and raised to the amount of a productive employee, the County would lose the productive

employees, due to the unfairness of salaries. She suggested that the cost of County vehicles and Cellular Phones should be reduced from the County employees' salaries, noting that the County employees would opt to drive their own vehicles to work.

Commissioner Benavides expressed his concerns as to the Public Works Department employees who were hired with the starting positions as laborers and promoted to perform higher position duties, but were still compensated with the same salary.

Judge Hinojosa stated that the Department Heads had been directed to increase the lower paying positions to \$6.50 an hour, but noted that there were a few Departments that did not request the increases, noting that only three (3) Commissioners had voted in favor of the increases. He stated that the County's intent was to incrementally raise the lower paying salaries and explained that the Departments had different levels and slots, noting that the employees were promoted to higher slots when available, based on their performance. Judge Hinojosa noted that the County had done more for the employees' salaries than any other governmental entity within Cameron County and reiterated that the County continued to work towards implementing the Salary Matrix.

Mr. Sifuentes reported that there were County employees; whereas, a twenty year employee was earning a lower salary as a recent employee performing the same duties.

Judge Hinojosa explained that the Court could not dictate to the Department Heads as to increasing salaries for the employees and added that the Department Heads were responsible for monitoring and evaluating their employees.

At this time, Mr. Doug Wright, Commissioner's Court Legal Counsel, informed the Court that the public comments should be limited and suggested that the Court should set aside a section on the Agenda for public comment.

The Budget Amendments and Salary Schedules are as follow:

**(3) APPROVAL OF MINUTES OF JULY 18, 2000,
REGULAR MEETING**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Minutes of the Regular Meeting held July 18, 2000, at 9:30 A.M., were approved.

**(4) PRESENTATION BY FRANCISCO J. ZABARTE
REGARDING THE PROS AND CONS OF CIVIL
SERVICE FOR THE SHERIFF-S DEPARTMENT OF
CAMERON COUNTY, TEXAS**

At this time, Mr. Francisco J. Zabarte, Attorney at Law, requested the County's assistance establishing Civil Service in the Sheriff-s Department, in order to attain the best personnel possible. He noted that the Sheriff-s Department was currently losing Deputies to entities with Civil Service and reported that many law enforcement entities within the County and the Valley had the Civil Service. Mr. Zabarte noted that as a result of termination of an employee by Elected Officials, there was no recourse, but to file law suits against the County and added that the employees would be allowed to request hearings before a Civil Service Commission.

Judge Hinojosa expressed his support for the establishment of Civil Service in Cameron County and added that employees should not be losing their jobs as a result of new Elected Officials. He questioned whether Mr. Zabarte was representing a particular organization and Mr. Zabarte replied that he represented forty (40) officers in the Sheriff-s Department who were in favor of the Civil Service.

Mr. Zabarte stated that the Court could either vote to establish Civil Service or permit an election to be held and allow the County residents to vote on the issue or the Sheriff-s Department could hold a departmental election, based on the population of the County. He added that he was not opposed to establishing Civil Service Countywide and added that Civil Service would allow job stability and employee loyalty to the County.

Commissioner Cascos expressed his support for the concept and added that there were concerns as to Administrative Assistant Positions and ARight Hand@Personnel. He stated the County could pursue a Countywide Civil Service which would eliminate politics and added that newly Elected Officials felt compelled to Aclean house@and hired their own ARight Hand@ Personnel. Commissioner Cascos stated that it was his understanding that Administrative Assistant Positions or ARight Hand@Personnel would be exempt from Civil Service and that said personnel would be an extension of the Elected or Appointed Officials.

Judge Hinojosa explained that the County was forced to pay unemployment compensations and all the fees associated with law suits, as a result of termination of employees by the newly Elected Officials. He explained that there were instances; whereas, the employees were required to re-apply for their jobs, but were not re-hired and added that

employees who supported and/or campaigned for their former boss were liable to be terminated by the new Elected Official. Judge Hinojosa stated that it was unfair for the employees who had families and responsibilities and were terminated as a result of a new Elected or Appointed Officials. Judge Hinojosa stated that in addition to law suit fees, the County had to pay for settlements and/or judgments and reported that a former Sheriff's Department employee had been awarded the amount of \$50,000.00, for being discharged by the current Sheriff.

Commissioner Cascos questioned whether there were guidelines limiting the Administrative Assistants and ARight Hand® Positions and suggested that the limit should be based on the size of the department.

Commissioner Benavides explained that when he was elected in 1997, the employees feared losing their jobs and reported that none of the Precinct No. 1 employees had been terminated. He stated that the Elected Officials should work out the issues with the employees and added that the employees adapted and were loyal to their new boss.

Judge Hinojosa suggested that the matter be discussed with the Commissioners=Court Legal Counsel and that a Workshop be scheduled to discuss the Civil Service process. He noted that there were time constraints in proposing the Civil Service prior the November Election.

Mr. Zabarte noted that the Commissioners=Court could approve the establishment of the Civil Service or vote to conduct a Departmental election.

Commissioner Cascos questioned whether the Civil Service would be established only in the Sheriff's Department and the suggestion was made to implement the program Countywide.

Judge Hinojosa suggested that the establishment of the Countywide Civil Service be pursued, but that Assistants to the Elected Officials or Department Heads to the major departments be exempt.

At this time, there was some discussion as to the Statute reflecting the limitation of employees exempt from Civil Service and as to the establishment of the Civil Service prior to January 1, 2001.

Sheriff Omar Lucio, County Sheriff, stated that he had not been advised that the matter would be placed on the Agenda, but expressed his support for the Civil Service in the Sheriff's Department. He reported the Statutes reflected that if the population was under 500,000, all county employees should be under the Civil Service and that if the population was more than 500,000, then the Department could elect Civil Service.

At this time, Mr. John Rodriguez, City of San Benito, briefly highlighted the benefits of Civil Service and the positive impact the program had on the participating governmental entities.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Presentation by Francisco J. Zabarte regarding the Pros and Cons of Civil Service for the Sheriff's Department of Cameron County, Texas, was acknowledged.

(5) **ACKNOWLEDGMENT OF DISTRICT CLERK-S
APRIL, MAY AND JUNE MONTHLY FEES AND
FINES REPORTS**

At this time, Commissioner Cascos expressed concern as to collections compared to the monthly budgets during the Fiscal Year.

Mr. Mark Yates, County Auditor, reported that the collections at the District Court level was close to budget, but noted that the County Court level collections were under budget. He stated that the year-to-date County Courts= collections were at \$770,000.00, and noted that the collections were \$990,000.00, at the same time last year. Mr. Yates noted that it was difficult to report the revenues to the Court in a timely manner, since the revenues were not reported until a month after the revenues were received, noting that in some cases, the departments did not report until after two months.

Commissioner Cascos questioned whether the County Courts at Law had been budgeted individually and Mr. Yates responded that the three County Courts had been budgeted as a total.

Mr. Yates stated that the County Courts had been budgeted at a conservative level based on the prior years= activity, but noted that the current activities were not the same as the prior year.

Judge Hinojosa suggested that the low collection rate should be researched to determine the difference in activity and reported that the County Courts had been given additional resources and staff. He added that the County Clerk-s Office had been provided with a Warrant Officer, two (2) additional staff positions and two (2) offices were constructed and stated that the collections should be higher based on the increase of the Collections Department.

Mr. Yates stated that the expansion of the office would not necessarily increase the collections and that the collection was based on the activity which should be examined.

Judge Hinojosa reported that at the end of Judge Migdalia Lopez= term and the implementation of the Collections Department, the majority of the delinquent accounts had been addressed and reiterated that the current collection efforts should be addressed.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the District Clerk-s April, May and June Monthly Fees and Fines Reports were acknowledged.

The Reports are as follow:

(6) AUTHORIZATION TO RELEASE FOUR (4) SECURITIES FOR A TOTAL OF \$4,500,000.00, AT PAR, IN COLLATERAL, TO FIRST NATIONAL BANK

Commissioner Cascos moved that four (4) Securities for a total amount of \$4,500,000.00, at par, in collateral, be released to First National Bank.

The motion was seconded by Commissioner Benavides and carried unanimously.

(7) APPROVAL OF THE CONTRACT BETWEEN TIP OF TEXAS FAMILY OUTREACH AND CAMERON COUNTY, IN SUPPORT OF THE UNIDOS PODEMOS GRANT

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Contract between Tip of Texas Family Outreach and Cameron County, in support of the Unidos Podemos Grant was approved, subject to Legal review.

The Contract is as follows:

**(8) APPROVAL OF THE CONTRACT BETWEEN THE
BROWNSVILLE HOUSING AUTHORITY AND
CAMERON COUNTY, IN SUPPORT OF THE
UNIDOS PODEMOS GRANT**

Commissioner Benavides moved that the Contract between Brownsville Housing Authority and Cameron County, in support of the Unidos Podemos Grant be approved, subject to Legal review.

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

AYE: Commissioners Benavides, Matz and Judge Hinojosa

NAY: None

ABSTAINED: Commissioner Cascos.

The Contract is as follows:

**(9) APPROVAL OF THE CONTRACT BETWEEN
SOUTHWEST KEY PROGRAM AND CAMERON
COUNTY, IN SUPPORT OF THE UNIDOS
PODEMOS GRANT**

Commissioner Cascos moved that the Contract between Southwest Key Program and Cameron County, in support of the Unidos Podemos Grant be approved, subject to Legal review.

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

AYE: Commissioners Benavides, Cascos and Matz

NAY: None

ABSTAINED: Judge Hinojosa.

The Contract is as follows:

(12) **PUBLIC HEARING ON THE ABANDONMENT OF UNUSED STREET AND ALLEY RIGHT-OF-WAY IN THE TOWN OF LOS FRESNOS, MORE SPECIFICALLY DESCRIBED AS FIRST STREET FROM THE EAST RIGHT-OF-WAY LINE OF FM/1575 (OLD ALICE ROAD), EASTWARD TO THE WEST RIGHT-OF-WAY LINE OF MISSOURI STREET; COMMUNITY STREET FROM THE SOUTH RIGHT-OF-WAY LINE OF SECOND STREET; AND ALL OF THE ALLEYWAY WITHIN BLOCKS 4, 5 AND 8; ILLINOIS STREET FROM THE WAY LINE OF CANAL STREET; AND SECOND STREET FROM A POINT 140 FEET EAST OF THE EAST LINE OF COMMUNITY STREET, EASTWARD TO THE WEST LINE OF ILLINOIS STREET, AS SHOWN ON THE MAP OF THE TOWNSITE OF LOS FRESNOS, AS RECORDED IN CABINET 4, PAGE 1 OF THE MAP RECORDS OF CAMERON COUNTY**

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Public Hearing was opened for public comment at 9:55 A.M.

At this time, Ms. Elizabeth Neally, from the Law Firm of Roerig, Olivera and Fisher, L.L.P., clarified that the area was located outside the Los Fresnos City limits and emphasized that Missouri Street would not be closed, as many residents had been lead to believe. She noted that the area was contained in the School District and added that the abandonment had been requested by the Los Fresnos Independent School District.

Mr. Doug Wright, Commissioners= Court Legal Counsel, stated that the proposer should present a petition by eight citizens for consideration and that the notice of abandonment should be properly posted.

At this time, Ms. Neally presented the petition and the posting of the notice.

Hearing and sensing no further comments, upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Public Hearing was closed at 9:55 A.M.

The Petition and Posting are as follow:

- (13) **POSSIBLE APPROVAL OF ABANDONMENT OF UNUSED STREET AND ALLEY RIGHT-OF-WAY IN THE EAST RIGHT-OF-WAY LINE OF FM/1575 (OLD ALICE ROAD), EASTWARD TO THE WEST RIGHT-OF-WAY LINE OF MISSOURI STREET; COMMUNITY STREET FROM THE SOUTH RIGHT-OF-WAY LINE OF FIRST STREET NORTHWARD TO THE SOUTH RIGHT-OF-WAY OF SECOND STREET; AND ALL OF THE ALLEYWAY WITHIN BLOCKS 4, 5 AND 8; ILLINOIS STREET FROM THE SOUTHEAST CORNER OF LOT NO. 3, BLOCK NO. 6, NORTHWARD TO THE SOUTH RIGHT-OF-WAY LINE OF CANAL STREET; AND SECOND STREET FROM A POINT 140 FEET EAST OF THE EAST LINE OF COMMUNITY STREET, EASTWARD TO THE WEST LINE OF ILLINOIS STREET AS SHOWN ON THE MAP OF THE TOWNSITE OF LOS FRESNOS, AS RECORDED IN CABINET 4, PAGE NO. 1 OF THE MAP RECORDS OF CAMERON COUNTY**

Commissioner Matz moved that the abandonment of an unused street and alley right-of-way be approved in the East Right-of-Way line of FM/1575 (Old Alice Road), Eastward to the West Right-of-Way line of Missouri Street; Community Street from the South Right-of-Way line of First Street Northward to the South Right-of-Way of Second Street; and all of the alleyway within Blocks Nos. 4, 5 and 8; Illinois Street from the Southeast corner of Lot No. 3, Block No. 6, Northward to the South Right-of-Way Line of Canal Street; and Second Street from a point 140 feet East of the East line of Community Street, Eastward to the West line of Illinois Street, as shown on the map of the Townsite of Los Fresnos, as recorded in Cabinet 4, Page No. 1 of the Map Records of Cameron County, noting that the proper petition and posting had been presented to the Court and that the roads had been unused for at least three (3) years.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (10) **APPROVAL OF COASTAL LEASE AGREEMENT NO. CL930001 (RENEWAL) BETWEEN CAMERON COUNTY AND THE TEXAS GENERAL LAND OFFICE**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Renewal Coastal Lease Agreement No. CL930001 between Cameron County and the Texas General Land Office was approved.

The Agreement is as follows:

(11) AUTHORIZATION TO SUBMIT A MATCHING GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE, TEXAS RECREATION AND PARKS ACCOUNT PROGRAM FOR THE BOCA CHICA BEACH PROJECT

At this time, Judge Hinojosa stated that the County had borrowed \$500,000.00, for the application of the Precinct No. 1 Park Project, which was currently pending and added that the prospects for the project were positive. He noted that the matching amount for the Boca Chica Beach Project was not available, but noted that the Parks Director had agreed to fund the amount of \$300,000.00, from the Parks System's Capital Projects Expenditures to be deferred for said project. Judge Hinojosa stated that the revenues from the Schlitterbahn Project would be utilized towards the operating costs of the Boca Chica Beach Project and added that the Boca Chica Beach Park would be established and operated without a toll.

Mr. Mark Yates, County Auditor, recommended that the limits on the bond covenants should be reviewed with Legal Counsel.

Judge Hinojosa reported that the Bond Covenants had been amended to preclude the limitations on non-coastal beach projects.

Mr. Yates clarified that the Bond Covenants had been amended to remove the limitations for so many miles within Laguna Madre. He stated that Boca Chica Beach was within the Laguna Madre area, but noted that the Bond Covenants needed to be reviewed concerning the fee not being charged.

Commissioner Benavides explained that the Boca Chica Beach Project would include a Children's Beach, Rest Room and Shower Facilities, security by Park Rangers and a parking area.

Mr. Yates clarified that the Boca Chica Beach Project did not include matching of Bond Proceed Funds and added that the matching funds would be allocated from the Parks System's operating budget. He reported that the amount of \$600,000.00, in depreciation, was charged against the Parks System in the last year and added that the expenditures reported less \$600,000.00, in the cash outflow, noting that said funds were available in the Operations Budget.

Commissioner Cascos reported that the cost of the pavilion, restroom and shower facilities would cost \$108,000.00, and questioned the process of obtaining the water.

Mr. Javier Mendez, Parks System Director, stated that the water would be hauled to the park and the park would have a recycling solid waste system.

Commissioner Cascos expressed concern as to why the same system of water and waste water could not be provided for other areas in need of water.

Commissioner Benavides clarified that the funds in the Parks System were available and limited to the Parks and added that the water to be provided at the Park was not drinkable water.

Commissioner Matz expressed concern as to the cost to operate the Park and as to the rationale and justification of providing free services and facilities at Boca Chica Beach and charging fees at the other Parks in the Laguna Madre Area.

Judge Hinojosa explained that Boca Chica Beach was one of the most beautiful pristine beaches in the State of Texas and added that the beach was in the County, but was neglected. He stated that Boca Chica Beach was fourteen miles long close to Brownsville and had significant historical value. Judge Hinojosa noted that no other entity was going to assume the responsibility of the beach, unless Cameron County assumed the responsibility. He stated that the public would not accept the charging of a toll and added that the County would provide a clean and secure beach for the residents.

Commissioner Cascos stated that an acceptable fund balance of surplus should be maintained in the Parks System and added that there should be a certain amount of reserves in the Parks System.

Commissioner Matz stated that the functions and operations of the beach parks should be the same in every park and added that if the entrance was free for the Boca Chica Beach Park, all other Beach Parks entrances should be free of charge as well.

Judge Hinojosa reported that the County currently cleaned the beach twice a week and provided Constable patrol. He noted that the County would only be adding restroom facilities and a regular security system for the residents.

At this time, Mr. Francisco Sifuentes expressed his concerns as to the conditions of Isla Blanca Park and as to the space taken up by the individuals who rented beach equipment to the public.

Commissioner Matz clarified that free beach access would remain at the Boca Chica Beach and noted that the plan was to set up a facility at the beach with certain available resources that would cost money to operate. He stated that a fee should be charged and that the public should be given the option to utilize the facilities.

Commissioner Cascos moved that a Matching Grant Application be submitted to the Texas Parks and Wildlife, Texas Recreation and Parks Account Program for the Boca Chica Beach Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Resolution is as follows:

**(12) AUTHORIZATION TO ENTER INTO AN
INTERLOCAL AGREEMENT BETWEEN
CAMERON COUNTY AND THE CAMERON
COUNTY HOUSING AUTHORITY**

Commissioner Benavides moved that the Interlocal Agreement between Cameron County and the Cameron County Housing Authority be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Agreement is as follows:

- (13) **ACTION REGARDING ACQUISITION OF PARCEL NO. 6, BEING 1.528 ACRES OUT OF 5.28 ACRES OUT OF BLOCKS NO. 164 AND NO. 165, MCLEOD-HOOD PROPERTIES NO. 1 SUBDIVISION, FOR FM/509 RIGHT OF WAY**
- (14) **ACTION REGARDING ACQUISITION OF PARCEL 1B, BEING 0.742 ACRES OUT OF A 98.6 ACRE TRACT, SURVEY 272, FOR FM/509 RIGHT-OF-WAY**
- (15) **ACTION REGARDING ACQUISITION OF PARCEL 1A, BEING 18.168 ACRES OUT OF A 406.55 ACRE TRACT, SURVEY NO. 279, FOR FM/509 RIGHT-OF-WAY**
- (16) **ACTION REGARDING ACQUISITION OF PARCEL NO. 16, BEING 0.299 ACRES OUT OF LOTS NO. 4 AND NO. 5, SUNLITE ACRES, FOR FM/509 RIGHT-OF-WAY**
- (17) **ACTION REGARDING ACQUISITION OF PARCEL NO. 13, BEING 0.125 ACRES OUT OF LOT NO. 1, G&R SUBDIVISION, FOR FM/509 RIGHT-OF-WAY**
- (18) **ACTION REGARDING ACQUISITION OF PARCEL NO. 12, BEING 0.125 ACRES OUT OF LOT NO. 2, G&R SUBDIVISION, FOR FM/509 RIGHT-OF-WAY**
- (19) **ACTION REGARDING ACQUISITION OF PARCEL NO. 11, BEING 0.125 ACRES OUT OF LOT NO. 3, G&R SUBDIVISION, FOR FM/509 RIGHT-OF-WAY**
- (20) **ACTION REGARDING ACQUISITION OF PARCEL NO. 10, BEING 0.125 ACRES OUT OF LOT NO. 4, G&R SUBDIVISION, FOR FM/509 RIGHT-OF-WAY**
- (21) **ACTION REGARDING ACQUISITION OF PARCEL NO. 8, BEING 0.212 ACRES OUT OF LOTS NO. 1, NO. 5 AND NO. 6, G&R SUBDIVISION, FOR FM/509 RIGHT-OF-WAY**
- (22) **ACTION REGARDING ACQUISITION OF PARCEL NO. 17, BEING 0.697 ACRES, WHICH IS ALL OF LOTS NO. 6 AND NO. 7, SUNLITE ACRES, FOR FM/509 RIGHT-OF-WAY**

Commissioner Cascos moved that the following acquisitions for FM/509 Right-of-Way be approved:

- a) Parcel No. 6, being 1.528 acres out of 5.28 acres out of Blocks No. 164 and No. 165, McLeod-Hood Properties No. 1 Subdivision;
- b) Parcel No. 1B, being 0.742 acres out of a 98.6 acre tract, Survey No. 272;
- c) Parcel No. 1A, being 18.168 acres out of a 406.55 acre tract, Survey No. 279;
- d) Parcel No. 16, being 0.299 acres out of Lots No. 4 and No. 5, Sunlite Acres;
- e) Parcel No. 13, being 0.125 acres out of Lot No. 1, G&R Subdivision;
- f) Parcel No. 12, being 0.125 acres out of Lot No. 2, G&R Subdivision;
- g) Parcel No. 11, being 0.125 acres out of Lot No. 3, G&R Subdivision;
- h) Parcel No. 10, being 0.125 acres out of Lot No. 4, G&R Subdivision;
- i) Parcel No. 8, being 0.212 acres out of Lots No. 1, No. 5 and No. 6, G&R Subdivision; and
- j) Parcel No. 17, being 0.697 acres which is all of Lots No. 6 and No. 7, Sunlite Acres.

The motion was seconded by Commissioner Matz and carried unanimously.

CONSENT AGENDA ITEM

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

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the

AConsent® Agenda Items were approved as follow:

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

- a) County Auditor to attend a AGovernmental Accounting and Financial Report Seminar® in Dallas, Texas, on August 20-23, 2000;
- b) Health Department employee to attend the ANurse Practitioners Conference® in Austin, Texas, on September 7-10, 2000;
- c) Three (3) Health Department employees to attend the A2000 Annual Clinical Records Conference and Workshop® in Austin, Texas, on August 1-3, 2000;
- d) International Bridge Systems Director to attend a AMeeting with Railroad Official regarding the Railroad Relocation Project® in Houston, Texas, on July 26, 2000;
- e) International Bridge Systems Director to attend the ACanada, Mexico and the United States Strengthening Our Borders for Free Trade Conference (Border Trade Alliance)® in Windsor, Ontario, on July 22-25, 2000;
- f) County Extension Agent-FCS to attend a APlanning Meetings for the Binational Conference® in Weslaco, Texas, on July 14, 2000, August 28, 2000, and September 7, 2000;
- g) Assistant Chief Juvenile Probation Officer to meet with Camber Corporation in Corpus Christi, Texas, on July 16-18, 2000;
- h) District Clerk and Deputy District Clerk to attend the ACounty and District Clerks= Association of Texas, Legislative Meeting® in Austin, Texas, on July 30-31, 2000;
- I) Juvenile Justice Alternative Education Administrator, (2) Chaperons and eleven (11) Students to attend a ASummer Program Filed Trip® in Corpus Christi, Texas, on July 27, 2000;
- j) Constable Precinct No. 4 and Deputy to attend the A2000 Self-Defense for County Officials® in Corpus Christi, Texas, on July 18, 2000; and
- k) County Clerk to attend an AElection Law Seminar® in Austin, Texas, on July 31, 2000, through August 2, 2000.

(24) PRELIMINARY APPROVAL

a) Precinct No. 4

Pleasant Acres Subdivision, being a Re-Subdivision of 2.50 acres of land comprised of a rectangular tract of land 660 feet, North and South, and 65 feet, East and West, out of Block No. 69, Adams Gardens Subdivision AB.®

(23) FINAL APPROVAL

a) Precinct No. 4

Resaca Paloma No. 2 Subdivision, a Subdivision of 87.836 acres and being all of Blocks No. 46 and No. 47, 16.351 acres of Block No. 34, 13.679 of Block No. 35, and 12.145 out of Block No. 36, all as per the partial amended plat of Rice Tract Subdivision.

(24) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Country Estates North Subdivision Phase No. 2, being a 8.291 acre tract of land, more or less out of the South one half of Lot No. 2, County Estates North Subdivision and South one half of Survey No. 35, said Survey No. 35 being an approximately 182 tract of land surveyed for Francisco Treviño by virtue of Application No. 22, filed in the Office of the County Surveyor of Cameron County.

(25) PURCHASE WITHOUT PURCHASE ORDER TO TEXAS SEALCOAT AND STRIPING, IN THE AMOUNT OF \$495.00



(28) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 11:22 A.M. to discuss the following matters:

- a) Deliberation regarding Real Property 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
- b) Confer with County Counsel regarding process for acceptance of roads in Green Valley Farms Subdivision, 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).

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 11:50 A.M.



(29) ACTION RELATIVE TO EXECUTIVE SESSION

- a) **Deliberation regarding the Real Property 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.**

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, the Status Report by County Counsel was acknowledged regarding the Real Property 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.

- b) **Confer with County Counsel regarding the process for acceptance of roads in Green Valley Farms Subdivision 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 by County Counsel be acknowledged regarding the process for acceptance of roads in Green Valley Farms Subdivision 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 Cascos and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at **12:52 P.M.**

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APPROVED this 1st day of August, 2000.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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