

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 29th day of AUGUST, 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:

The meeting was called to order by Judge Gilberto Hinojosa at 9:35 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 August 25, 2000, at 11:42 A.M.:

**(4) ADOPTION OF A RESOLUTION RECOGNIZING
MS. MARIA REBA, U.S. CUSTOMS MANAGEMENT
CENTER DIRECTOR, LAREDO, TEXAS, ON THE
OCCASION OF HER RETIREMENT**

At this time, Judge Hinojosa expressed the Court's gratitude to Ms. Maria Reba, United States Customs Management Center Director, Laredo, Texas, on the occasion of her retirement.

Upon motion by Commissioner Benavides, seconded by Commissioner Valencia and carried unanimously, the Resolution recognizing Ms. Maria Reba, United States Customs Management Center Director, Laredo, Texas, on the occasion of her retirement was adopted.

At this time, Ms. Margie Gutierrez, United States Customs, expressed her gratitude for the County's support for the Agency and Port in Cameron County, which resulted in the hiring of thirteen (13) additional inspectors for the Cameron County area and the amount of \$500,000.00, for overtime funding, for the remainder of the year that eliminated cuts in their budget.

The Resolution is as follows:

**(10) POSSIBLE ACTION REGARDING THE COUNTY
TAX RATE FOR THE 2000-2001 FISCAL YEAR**

At this time, Mr. Mark Yates, County Auditor, stated that the tax rate would be 34.5 cents per \$100 of appraised value and that the Maintenance and Operation for the Road and Bridge Assessment would be reduced by one cent for one year, noting that the Maintenance and Operation in the General Fund remained the same as Fiscal Year 1999-2000.

Commissioner Valencia moved that the County Tax Rate for the 2000-2001 Fiscal Year be approved.

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

AYE: Commissioners Benavides, Valencia and Judge Hinojosa

NAY: Commissioners Cascos and Matz.

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented two (2) additional late claims as to Warrant No. 41412, payable to Laguna Madre Water District, in the amount of \$34,300.00, and Warrant No. 41413, payable to Housing Infrastructure, in the amount of \$34,300.00

Commissioner Benavides moved that the County Claims be approved, as presented by the County Auditor, inclusive of the late claims as to Warrant No. 41412, in the amount of \$34,300.00, and Warrant No. 41413, in the amount of \$34,300.00.

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

AYE: Commissioners Benavides, Cascos, Matz and Valencia

NAY: None

ABSTAINED: Judge Hinojosa, as to Warrant No. 41321, in the amount of \$23,772.61, and Warrant No. 41412, in the amount of \$34,300.00, payable to Laguna Madre Water District.

The Affidavits are as follow:

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

Commissioner Benavides moved that the 2000 Fiscal Year Budget Amendment No. 2000-41, be approved.

The motion was seconded by Commissioner Valencia and carried unanimously.

The Budget Amendments are as follow:

(3) APPROVAL OF MINUTES

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Minutes of the Regular Meeting held August 22, 2000, at 9:30 A.M., were approved and the following Minutes were

TABLED:

- a. In the matter of August 8, 2000 - Regular Meeting, 9:30 A.M. - Tabled August 22, 2000; **(TABLED)**
- b. In the matter of August 14, 2000 - Emergency Meeting, 1:00 P.M. - Tabled August 22, 2000; **(TABLED)** and
- c. In the matter of August 15, 2000 - Regular Meeting, 9:30 A.M. **(TABLED)**

**(5) ADOPTION OF A PROCLAMATION
DESIGNATING SEPTEMBER 10, 2000, THROUGH
OCTOBER 10, 2000, AS VOTER REGISTRATION
MONTH IN CAMERON COUNTY**

Commissioner Cascos moved that the Proclamation designating September 10, 2000, through October 10, 2000, as Voter Registration Month in Cameron County be adopted.

The motion was seconded by Commissioner Matz and carried unanimously.

The Proclamation is as follows:

(6) REAPPOINTMENT OF MS. ELAINE FLORES, MS. MARIE RAMIREZ AND MS. NORMA DELGADO, TO THE TROPICAL STATE CENTER FOR MENTAL HEALTH AND MENTAL RETARDATION PLACES 6, 7 & 8 RESPECTIVELY

At this time, Commissioner Matz clarified that the appointments of Ms. Elaine Flores, Ms. Marie Ramirez, and Ms. Norma Delgado were made by the County Judge.

Commissioner Cascos expressed concern as to the notice of and filling vacancy and Mr. Remi Garza, County Assistant Administrator, explained that the individuals were being re-appointed, as opposed to filling vacancies.

Commissioner Cascos moved that the Reappointment of Ms. Elaine Flores, Ms. Marie Ramirez and Ms. Norma Delgado, to the Tropical State Center for Mental Health and Mental Retardation Places No. 6, No. 7 and No. 8 Respectively, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

(7) APPOINTMENT(S) TO THE CAMERON COUNTY CHILD WELFARE BOARD

Upon motion by Judge Hinojosa, seconded by Commissioner Cascos and carried unanimously, the following individuals were appointed to the Cameron County Child Welfare Board:

Ms. Norma Salazar, appointed by Commissioner Valencia; and

Ms. Becky Costilla, appointed by Judge Hinojosa.

(8) AUTHORIZATION TO HOLD A PUBLIC HEARING TO POST LOAD LIMITS FOR ROADS WITHIN CAMERON PARK SUBDIVISION

At this time, Mr. Juan Bernal, County Engineer, explained that there had been complaints as to the heavy traffic traveling through the Cameron Park Subdivision and recommended that a 20,000 pound weight limit be set for roads, with the exception of school buses.

Commissioner Cascos expressed concern as to special deliveries and construction deliveries into the area and whether permits would need to be requested from the County Engineer's Office.

Commissioner Valencia expressed concern as to the Sheriff's Deputies who were trained for certification and the scales purchased by the County to weigh the vehicles, which could be utilized for the load limits in the Cameron Park Subdivision.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Public Hearing to post load limits for roads within Cameron Park Subdivision was opened for public comment.

Commissioner Valencia reiterated that the Sheriff's Department had been provided funding to train and certify two (2) Deputies and purchase two (2) scales for the purpose of weighing vehicles with heavy loads and that funds had been allocated from the Parks System Budget for the project.

Mr. Doug Wright, Commissioner's Court Legal Counsel, informed the Court that special permits would have to be requested from the County Engineer's Office and that the County Engineer should make the load limit recommendation based on the design of the roads.

Mr. Bernal recommended that the load limits be set at 20,000 pounds, with the exception of school buses and that the special permits be obtained from the County Engineer's Office for all other vehicles carrying heavy loads.

Hearing and sensing no further comments, upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Public Hearing was closed.

(9) **AUTHORIZATION TO ADOPT AN ORDER
ESTABLISHING LOAD LIMITS FOR ROADS
WITHIN CAMERON PARK SUBDIVISION**

At this time, Mr. Juan Bernal, County Engineer, recommended that the load limits be set at 20,000 pounds, with the exception of school buses and that special permits be obtained from the County Engineer's Office for all other vehicles carrying heavy loads.

Commissioner Benavides stated that 20,000 pounds might be set too low and noted that there was a considerable amount of construction in the area, which would require heavy trucks to utilize the roads.

Judge Hinojosa stated that there was a large population in the residential area of Cameron Park and noted that the roads were paved without curb and gutters which allowed the edges of the roads to easily break off. He stated that the heavy loaded vehicles would damage the roads and that the County would have to reinvest funds to repair the damaged roads.

At this time, Mr. Dick Sturgell, Harlingen resident, noted that there were many residential lots with drainage ditches and that the placing of boards on each side of the driveways to keep water out of the property deteriorated the roads.

Judge Hinojosa confirmed that the placing of the boards would deteriorate the roads in Cameron Park and added that the County Engineer's Office should address the matter in the area.

At this time, Mr. Remi Garza, County Assistant Administrator, informed the Court that six (6) Sheriff's Officers had been trained and certified to utilize the scales to weigh the vehicles and that an officer was available every shift. He

stated that the project had been in operation for six (6) months and that forfeited vehicles were being utilized at no cost to the County.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Order establishing load limits at 20,000 pounds for roads within Cameron Park Subdivision was adopted, with the exception of school buses and that special permits be obtained from the County Engineer's Office for all other heavy vehicles.

The Order is as follows:

(11) **ACKNOWLEDGMENT OF REPORT BY MR. GARY HENRY, PRESIDENT OF NB DEVELOPMENT, INCORPORATED, CONCERNING THE STATUS OF SCHLITTERBAHN AT SOUTH PADRE ISLAND, TEXAS**

At this time, Mr. Gary Henry, NB Development Corporation, stated that the acquisition of the land leased by Kerlew, Incorporated, had been transferred to NB Development Corporation, and the same terms would be utilized as the previous concession. He stated that the land was incorporated to the Schlitterbahn Water Park and that the acquired property would be utilized as the park's parking lot and major access to the water park. Mr. Henry reported that the construction plans would be submitted to the County Engineer and that the building and/or land, which was formally Charlie's Paradise Bar would be utilized as a storage/parking area during the construction phase of the water park. He reported that the groundbreaking would occur within two (2) to three (3) weeks and that Schlitterbahn Water Park would be opened during Spring Break 2001 Season. Mr. Henry noted that the park contained twenty-five acres, including wetlands and easements and added that the layout was very different from the Schlitterbahn Water Park in New Braunfels, due to the lodging units of the water park which totaled approximately sixty (60) acres.

Judge Hinojosa stated that the water park would be an enhancement to the economic development of the County and would improve the quality of life for the residents of the County. He added that it would provide additional recreation for the families and expressed the Court's gratitude for the cooperation and efforts of NB Development Corporation.

Mr. Henry expressed his gratitude to the Court, Mr. Joseph Ardito, Property Management Coordinator, and Mr. Doug Wright, Legal Counsel, for their cooperation towards the project and noted that the County would net millions of dollars over the life of the lease. He added that the park would provide jobs and reported that many entities had expressed interest in implementing lodging facilities in South Padre Island.

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Report by Mr. Gary Henry, President of NB Development, Incorporated, concerning the status of Schlitterbahn at South Padre Island, Texas, was acknowledged.



**(12) APPROVAL OF ASSIGNMENT OF THE
REMAINDER OF THE LEASEHOLD INTEREST OF
KERLEW, INCORPORATED, TO NB
DEVELOPMENT, INCORPORATED, AND
AUTHORIZING THE COUNTY JUDGE TO SIGN
THE ASSIGNMENT**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Assignment of the remainder of the Leasehold Interest of Kerlew, Incorporated, to NB Development, Incorporated, was approved and the County Judge was authorized to execute the assignment.

The Agreement is as follows:

**(13) APPROVAL OF LEGAL SERVICES CONTRACT
FOR THE 138TH JUDICIAL DISTRICT BETWEEN
CAMERON COUNTY AND ALFREDO PADILLA**

Commissioner Cascos moved that the Legal Services Contract for the 138th Judicial District between Cameron County and Alfredo Padilla, Attorney at Law, be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

**(14) APPROVAL OF THE AGREEMENT BETWEEN
CAMERON COUNTY AND THE TOWN OF
RANCHO VIEJO TO PROVIDE DISPATCH
SERVICES AND EMERGENCY SERVICES**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Agreement between Cameron County and the Town of Rancho Viejo to provide Dispatch Services and Emergency Services was approved.

The Agreement is as follows:

(15) APPROVAL TO APPLY FOR A MARCH OF DIMES GRANT TO IMPLEMENT THE MARCHING TO MATERNITY WELLNESS PROJECT

Commissioner Cascos moved that the application for a March of Dimes Grant to implement the Marching to Maternity Wellness Project be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

(16) APPROVAL OF AN AGREEMENT BETWEEN THE UNIVERSITY OF TEXAS AT BROWNSVILLE AND CAMERON COUNTY HEALTH DEPARTMENT TO HAVE NURSING STUDENTS UTILIZE CAMERON COUNTY FACILITIES FOR CLINICAL EXPERIENCE

At this time, Judge Hinojosa stated that there were significant increases in the County's Infirmity costs which were part of the increases and expenditures that the County was experiencing.

Mr. Doug Wright, Commissioners-Court Legal Counsel, noted that the Assessment Process as to the County's obligation to pay for pharmaceuticals, previously provided by the Tropical Texas Mental Health Mental Retardation, was being reviewed to determine whether the legality of the assessment process.

Judge Hinojosa stated that the County did not receive its fair share of services and explained that a considerable number of beds allocated by the State were located in San Antonio. He stated that if the assessment process was not declared illegal, the County should present the matter to the Legislators to eliminate the issue from the Legislation.

At this time, Ms. Yvette Salinas, Health Administrator, stated that the Agreement with the University of Texas at Brownsville allowed the Nursing Program Students to perform their internship at the County Clinics to gain clinical experience, training and orientation and that the Agreement was a renewal, which also provided assistance from the nursing students at no additional costs to the County.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Agreement between the University of Texas at Brownsville and Cameron County Health Department to have nursing students utilize Cameron County Facilities for clinical experience was approved.

(17) **IN THE MATTER OF THE PARKS SYSTEM TO ACCEPT A DONATION FROM HOME DEPOT AND ALLOCATE PARK FUNDS TO CONSTRUCT A COMMUNITY TECHNOLOGY CENTER AT LA ESPERANZA PARK (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, this Item was **Tabled**.

(18) **IN THE MATTER OF THE PURCHASE WITHOUT THE PURCHASE ORDER, IN THE AMOUNT OF \$189.42, TO RIO RADIO SUPPLY, INCORPORATED (TABLED)**

At this time, Mr. Remi Garza, County Assistant Administrator, explained that the request had been made by Constable Alfredo Jimenez, Precinct No. 7, but noted that the funds were not available within the Constable's budget.

Mr. Mark Yates, County Auditor, informed the Court that Rio Radio Supply, Incorporated, had been instructed by the Auditor's Office not to perform any work without a Purchase Order from the County.

Mr. Garza explained that Rio Radio Supply had misinformed the Constable that the radio was under warranty and that the repairs to the radio had already been made.

Mr. Yates suggested that all vehicle equipment, including radios, should be processed through the Vehicle Maintenance Department, in order to keep track of the factory warranties.

Judge Hinojosa stated that the repairs to the radio had already been made and that the payment should be approved, noting that the expense would have to be made regardless of the warranty.

Mr. Yates stated that he was not opposed to the payment, but noted that there were continuous issues regarding Purchase Orders with the Constable and vendor.

Commissioner Cascos expressed concern as to the implementation of the procurement process and as to the principle of following the purchasing guidelines.

Mr. Yates stated that there were no funds in the Constable's budget and informed the Court that the funds had previously been provided for the Constable's vehicle markings and cage. He explained that the Constable had requested the items be removed from the vehicle and transferred it to a different department and then decided to use the vehicle, noting that the markings had to be redone and the cage had to be replaced a second time.

Commissioner Cascos moved that the purchase without the purchase order, in the amount of \$189.42, to Rio Radio Supply, Incorporated, be **Denied**.

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

AYE: Commissioners Cascos, Matz and Valencia

NAY: Commissioner Benavides and Judge Hinojosa.

At this time, Commissioner Valencia noted that Constable Precinct No. 7 was in the Precinct No. 4 rural area, but expressed his opposition to support the Constable for said issues. He noted that there were many issues which occurred throughout the year, due to the Constable's doing and added that the problems needed to end.

Judge Hinojosa stated that supporting the Constable was not the issue and explained that the bill needed to be paid to the vendor regardless of whether the radio was under warranty or not.

At this time, there was some discussion as to the responsibility of the payment and Mr. Yates suggested that the matter be deferred, until the matter was researched.

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the motion to deny the purchase without the purchase order to Rio Radio Supply, in the amount of \$189.42, was modified and the matter was **Tabled** for one (1) week.

CONSENT AGENDA ITEM

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

At this time, Commissioner Cascos expressed concern as to Travel Item No. 19 Ad, in the amount of \$3,000.00, concerning a Computer Center employee attending a conference in Philadelphia, Pennsylvania.

Mr. Rudy Juarez, Chief Information Officer, noted that the conference was a vital conference which was offered once a year and added that the information from the conference was imperative for the decision making process of the aging machines in the Computer Center.

Judge Hinojosa stated that technology constantly changed on a weekly basis and that it was difficult for the County to keep up with the changing technology. He emphasized that it was critical for the Computer Center Staff to be updated with the technological changes for the operations of the County.

Mr. Mark Yates, County Auditor, reported that in the past, a number of Programmers had been sent to the State Jail Conference in Austin, Texas, and added that as a result from the visit, the Jail Software had been obtained and implemented and was a successful program. He confirmed that a considerable amount of the County Computer equipment was old and outdated and added that it was important for an employee who planned to remain with the County, to attend the conference, in order to begin planning the process with the available resources.

At this time, Commissioner Cascos questioned Travel Item No. 19 Af@ concerning two (2) Courthouse Security employees and Mr. Yates responded that there was only one (1) employee in the Courthouse Security Fund.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the AConsent@ Agenda Items were approved as follow, excluding Item No. 19 Af@:

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

- a) Tax Assessor-Collector, Chief Deputy, Lieutenant and Investigator to attend the ATexas Association of Vehicle Theft Investigators Annual Training Conference@ in Austin, Texas, on September 4-9, 2000;
- b) Unidos Podemos employee to attend the ATechnical Assistance Training for Title V Grant Application Preparations sponsored by the Criminal Justice Division of the Governors- Office@ in Austin, Texas, on August 27-29, 2000;
- c) Park System Director to attend the ATRAPS Region 6 Planning Meeting@ in Falfurrias, Texas, in August 25, 2000;
- d) Computer Center employee to attend the AHP-World Conference@ in Philadelphia, Pennsylvania, on September 8-14, 2000;
- e) Health Department employee to attend the ALocal Health Directors Meeting@ in Falfurrias, Texas, on September 30, 2000;
- f) In the matter of two (2) Courthouse Security employees to attend the ATexas Institute on Children and Youth@ in Hunt, Texas, on September 10-14, 2000; **(TABLED)**
- g) Commissioners= Court to attend the ACounty Judges and Commissioners 2000 Annual Conference@ in Corpus Christi, Texas, on September 25-28, 2000;
- h) District Attorney to attend an AEmergency High Intensity Drug Trafficking Areas (HIDTA) Executive Meeting@ in San Antonio, Texas, on August 17-18, 2000;
- i) Five (5) Juvenile Probation employees to attend the AJuvenile Justice Association of Texas Meeting and Texas Juvenile Detention Association 1st Annual Co-Conference@ in San Antonio, Texas, on October 15-18, 2000;
- j) Two (2) County Extension Agents to attend the ATexas Building Character Counts Training@ in Brownwood, Texas, on August 24-25, 2000;
- k) Two (2) Unified Narcotics Intelligence Task-Force Tactical Agents to attend a AStash House Initiative Meeting@ in El Paso, Texas, on August 22-24, 2000; and
- l) Building Maintenance Superintendent and Assistant to attend the ABuilding Systems Integration Solutions Conference@ in San Antonio, Texas, on August 29-30, 2000.

(20) FINAL APPROVAL

a) Precinct No. 4

Lagos Subdivision - being a 9.971 acre tract of land, more or less out of Block No. 13, Rice Tract Subdivision;

b) Precinct No. 3

La Resaca Country Estates Subdivision Phase 1 - a 59.628 acre tract of land more or less out of Survey No. 45, Subdivision AF@ of Share No. 19 of the Espiritu Santo Grant, Cameron County, Texas, and furthermore being out of the North 32.11 acres of a certain 52.11 acre tract of land conveyed to Margaret R. Greer and out of a certain 57.11 acre tract of land conveyed to Mary Josephine Greer, Cameron, in December 14, 1959, by Partition Deed;

c) Precinct No. 3

Cenizo Subdivision - a 9.66 acre tract of land more or less out of Block No. 17, Parker Tract Subdivision; and

d) Precinct No. 3

Pasto Verde Subdivision Phase No. 1 - being a 67.83 acre tract out of part of Blocks No. 186 and No. 188, Fresnos Land and Irrigation Company.

(21) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Pomelo Thompson Road Estates - being 65.85 acres of land comprised all of Lot No. 4, 20.0 acres; Deed No. 20.005 acres measured and the North fifteen (15) acres of Lot No. 5, S.M. Duffie Subdivision, according to the Map thereof recorded in Volume No. 5, Page No. 9, Map Records of Cameron County, Texas, and all of Block No. 14, East Pomelo Subdivision (7.59 AC).

(22) OPEN BIDS

- a) OIL DISTRIBUTOR TRUCK - PUBLIC WORKS**
- b) THREE (3) ROLLER - PUBLIC WORKS**
- c) SEVEN (7) TRACTORS AND EIGHT (8) CUTTERS - PUBLIC WORKS**
- d) EIGHT (8) PICK-UP TRUCKS - PUBLIC WORKS**

OPEN AND AWARD BID

- e) IN THE MATTER OF ONE (1) PICK-UP AND ONE (1) VAN - SHERIFF-S DEPARTMENT/JAIL (IN STOCK FOR IMMEDIATE DELIVERY) (REJECTED)**

The Bids Received and opened are as follow:

(23) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:43 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);
- b) Confer with County Counsel and County Attorney regarding possible Tax Abatement Agreement for Project Star, 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);
- c) Deliberation regarding Real Property concerning Right-of-Way acquisition for FM/509, Parcel No. 2; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) In the matter of the Real Property concerning the possible lease of office space/warehouse, space/workroom for the Cameron County Elections Administration, the District Attorney's Office and the Civil Division; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; **(NO ACTION TAKEN)**
- e) Deliberation regarding the Real Property concerning Cameron County Trustee Property, known as Abstract No. 2 - Barreda Gardens, Pt. Lots No. 10 and No. 13, Block No. 18 and Abstract No. 2 - Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18, 0.2800 acres; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- f) Confer with County Counsel regarding reimbursement of expenses and attorneys fees for Justice of the Peace Gualberto Weaver, 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);
- g) In the matter of the Real Property (Sea Ranch Restaurant Concession), involving possible breaches of the Concession Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(A) and 551.072; **(TABLED)**
- h) Deliberation regarding the Real Property concerning the acquisition of land for Precinct No. 1, Recreational Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and
- i) Deliberation regarding Real Property concerning future bridge site; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 12:38 A.M.



(24) ACTION RELATIVE TO EXECUTIVE SESSION

- 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.**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia 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 and County Attorney regarding possible Tax Abatement Agreement for Project Star.**

Commissioner Valencia moved that the Status Report by County Counsel be acknowledged regarding the Tax Abatement Agreement for Project Star.

The motion was seconded by Commissioner Benavides and carried unanimously.

- c) **Deliberation regarding Real Property concerning right-of-way acquisition for FM/509, Parcel No. 2.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Condemnation Proceedings on the Real Property concerning right-of-way acquisition for FM/509, Parcel No. 2, was approved.

The Agreement is as follows:

- d) **In the matter of the Real Property concerning the possible lease of office space/warehouse, space/workroom for the Cameron County Elections Administration, the District Attorney's Office and the Civil Division. (NO ACTION TAKEN)**
- e) **Deliberation regarding the Real Property concerning Cameron County Trustee Property, known as Abstract No. 2 - Barreda Gardens, Pt. Lots No. 10 and No. 13, Block No. 18 and Abstract No. 2 - Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18, 0.2800 acres.**

Upon motion by Commissioner Valencia, seconded by Commissioner Cascos and carried unanimously, the Property Management Coordinator was directed to follow the County Policy regarding the sale of the Cameron County Trustee Property, known as Abstract No. 2 - Barreda Gardens, Pt. Lots No. 10 and No. 13, Block No. 18 and Abstract No. 2 - Barreda Gardens Pt. Lots No. 10 and No. 13, Block No. 18, 0.2800 acres.

- f) **Confer with County Counsel regarding reimbursement of expenses and attorneys fees for Justice of the Peace Gualberto Weaver, 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 reimbursement of expenses and attorneys fees for Justice of the Peace Gualberto Weaver, 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.

- g) **Confer with County Counsel concerning Real Property (Sea Ranch Restaurant Concession), involving possible breaches of the Concession Agreement.**

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

- h) **Deliberation regarding the Real Property concerning the acquisition of land for Precinct No. 1, Recreational Park.**

Commissioner Valencia moved that the Status Report be acknowledged and that the Property Management Coordinator be directed to negotiate the acquisition of land for Precinct No. 1, Recreational Park.

The motion was seconded by Commissioner Cascos and carried unanimously.

- i) **Deliberation regarding Real Property concerning future bridge.**

Upon motion by Commissioner Valencia, seconded by Commissioner Benavides and carried unanimously, the Status Report by the County Judge was acknowledged regarding the Real Property concerning future bridge.



(22) IN THE MATTER OF OPEN AND AWARD BID (REJECTED)

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the following Bids were **Rejected**.

- e) ONE (1) PICK-UP AND ONE (1) VAN - SHERIFF-S

There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the meeting was **ADJOURNED** at 12:43 P.M.

APPROVED this 12th day of September, 2000.

**GILBERTO HINOJOSA
COUNTY JUDGE**

ATTEST:

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