

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 17th day of JUNE 2003, 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

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:36 A.M. He then asked Reverend Bob Clark, for the invocation, and he led 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 June 13, 2003, at 2:11 P.M.:

PRESENTATIONS

(1) PRESENTATION AND APPROVAL OF THE PREFERRED ALTERNATIVE FOR THE WEST RAIL PROJECT

Mr. Pete Sepulveda, International Bridge System Director, reported that the Corridor Analysis and the Environmental Assessment for the West Rail Relocation Project were started in October 2002, and that three (3) different alignments were reviewed by the Consultants. He added that after two (2) Public Meetings, comments were received and three (3) additional alignments were developed. Mr. Sepulveda stated that after considering the six (6) alignments, comparing the routes, and after preparing an engineering analysis, Alternative No. 1 was being recommended, noting that it was introduced at a Public Meeting, held on June 5, 2003. He stated that the public had been given the opportunity to present written comments up until June 16, 2003, at 5:00 p.m., and that the one (1) comment received would be incorporated into the Environmental Assessment. Mr. Sepulveda requested that the Court formally adopt the Alternative No. 1 as recommended by the Consultant.

Judge Hinojosa stated that Mr. Renato Cardenas, Mr. Rick Cardenas, and Mr. Miguel Ortiz were present to address questions concerning the alignment.

Commissioner Wood stated that the West Rail Relocation Project was prolonged as a result of not building overpasses on 6th and 7th Streets in Brownsville to accommodate the railroad as it currently exists, and that the Project was a better alternative that would remove 14 at-grade crossings from within the City of Brownsville. He added that County Representatives traveled into Mexico, partner in the Project, to seek funding and to assist with planning and to ensure that their plans concur with the County's. Commissioner Wood indicated that Mexico was very receptive of the project and was ahead of the County with regards to funding issues, and noted that no homes or communities were affected by the recommended alignment. He stated that the County hoped to work with property owners and future developers to ensure that their interests were tended to and that proper access to the area was provided. Commissioner Wood stated that the West Rail Relocation Project would eliminate traffic congestions in Brownsville and would be progress for the community. He stated that the West Brownsville's business community might return upon the project being complete and that the corridor that would connect West Brownsville with Highway 77/83 would open the area for development. Commissioner Wood stated that he looked forward to submitting the permits to Washington, DC, and to receiving them back in a timely manner in order to move forward with the project, noting that negotiations were ongoing in Austin to address the railroad's relocation in northern Cameron County.

Commissioner Benavides stated that it was his belief that everyone in Brownsville was excited about the railroad's relocation and that the railroad was to blame for the break down of Amigoland Mall and might again ruin many businesses and homes if crossings were not allowed. He suggested that all ideas and alternatives be reviewed to address future development, and noted that he opposed not allowing crossings at this time.

Mr. Miguel Ortiz, County resident, expressed opposition towards the alignment due to the negative impact to his 600 acre tract of land and other land available for development, located south of Rancho Viejo.

Mr. Renato Cardenas, County resident, noted that he did not oppose the realignment, but rather the planning of the north/south road. He expressed concern with West Brownsville's lack of avenues to travel to a Hospital during an emergency, and requested that the Court consider the West Metropolitan Road Planning. Mr. Cardenas stated that he believed that the County did not have a complete plan, and commented that two (2) or three (3) options, prepared at their expense, were presented to the Engineers. He explained that Alternative No. 4-b did not intersect with their properties as much, and reiterated that the City has not planned roads adequately for the area.

Mr. Rick Cardenas, County resident, stated that he believed that proper planning had not been done, and requested that crossings be included at this time and planning of how the railroad would stand 20 years from today in order to address concerns. He stated that they (developers) were present to work with the County, and requested that the County provide them material to work together.

Ms. Riva Cardenas McNair, County resident, expressed concern with the planning for the West Rail Relocation Project, and stated that the plans did not address a crossing needed from the expressway to the abandoned west rail that would become the west loop, nor did it address six (6) crossings listed in the Metropolitan Planning Organizational Road Map. She stated that one problem would be solved by creating many more for the future, and that in reality 18,000 people were currently affected by the railroad, yet ten (10) times that amount would be affected 20 years from today. Ms. McNair stated that planning for the railroad rather than for the residents was poor planning, and noted the need to insist that crossings be included and planned for today. She expressed concern with the gates installed on the frontage road and with TXDOT's decision to allow the railroad to not permit placement of crossings. Ms. McNair noted the need to reinstate Old Alice Road on the Metropolitan Planning Organizational Road Map, to make alignments for the crossings to the West Rail Bridge, Northwest Collector No. 3, and Northwest Collector No. 5; and stated that otherwise the County did not have a good Plan. She stated that not expending funds now would result in larger issues for the future at more costly prices.

Mr. Sepulveda stated that when the problem with access in that area of the community was realized, the County met with the different entities affected, them being the City of Brownsville, BISD, and Irrigation District No. 6 to discuss the different alternatives. He stated that the four (4) lane boulevard that would connect Highway 77

with downtown Brownsville was a bi-product of the West Rail Relocation Project, and that providing crossings would defeat the purpose of the project, although not providing crossings did not signify that proper access was not be provided. Mr. Sepulveda stated that the entities were in the process of developing a right of way map to indicate all property owners to be affected.

Judge Hinojosa questioned what options were being suggested to access the area.

Mr. Sepulveda explained that a right of way owned by the Irrigation District could be used to address the lack of access to the middle school being constructed by BISSD, and that a street could be constructed between the hatchery and reservoir, adding that a property was being looked at to extend the street north. He added that the City of Brownsville would improve the right of ways to be vacated by Union Pacific to create a road that would connect HWY 77 with West Brownsville. Mr. Sepulveda stated that the access problem was recognized and that the City and the County were working together to develop different alternatives that could be incorporated into the City's thoroughfare plan.

Judge Hinojosa stated that a crossing would be needed at some point to connect the north and south areas, and questioned if such need was being reviewed.

Mr. Sepulveda responded that all alternatives were being reviewed, and that Morrison Road would be part of the access, noting the importance for the County, City, BISSD, and Irrigation District to communicate. He informed that different alternatives to improve access to the area would be presented.

Commissioner Garza questioned if the MPO included access to the area, and if any plans were being prioritized.

Mr. Sepulveda stated that some collectors were planned, yet these were determined as subdivision plats were submitted.

Commissioner Wood responded that Merryman Road would be placed on the MPO once funding was available, and added that the City negotiated rights of way and roadways during development in order to reduce costs and improve the construction time line. He stated that the City was acquiring the right of way for Morrison Road, and that the road to be built on the abandoned railroad would be constructed faster because the right of way was available, plus much funding would be provided by TXDOT.

Commissioner Benavides noted the need to have specific guarantee that crossing would be provided.

Judge Hinojosa stated that all parties realized the need for access to the area, and that he realized that property owners needed a stronger guarantee than a commitment, yet this commitment would not be made to please property owners but rather to have the north/south access needed once the properties were developed. He added that he believed it was best to plan for construction of overpasses, and that he would support adoption of a Resolution in

the near future indicating that the County supports a north/south thoroughfare to connect FM 3248 with Olmito. Judge Hinojosa stated that the railroad would traverse through properties regardless, and that a decision must be made as to the alternative route to be provided.

Mr. Cardenas stated that unless the County decided today if crossings would be allowed they were left no alternative but to seek other avenues. He expressed concern with not planning for the future because the current members of the Court might not be present after the four (4) year period, and requested that the Court commit to having the plans indicate the location of the railroad.

Judge Hinojosa stated that he would propose a crossing on a north/south route.

Mr. Cardenas questioned the timeline.

Mr. Sepulveda stated that the Commissioners' Court could not grant crossings at this time.

Judge Hinojosa clarified that the Court was able to stand to record as to its plans, and questioned how long it would take to plan for a north/south route to promote to the MPO.

Mr. Cardenas stated that he could not take promises, even if the Court had good intentions. He stated that they needed the County's assurance because they would be investing millions of dollars in the area.

Judge Hinojosa questioned the cost to build an overpass.

Mr. Sepulveda responded that the cost was anywhere between \$3 and \$5 million.

Judge Hinojosa explained that Route No. 1 had a saving of \$3.4 million; same needed to fund construction of an overpass, and it addressed all issues. He stated that the Court wanted a north/south route to provide access to the area and that it would be reviewed and eventually recommended.

Mr. Cardenas reiterated that Route No. 4b had fewer problems.

Judge Hinojosa stated that Route No. 1 was less costly to the County and provided for an overpass at the same cost as Route 4b. He stated that all entities agreed of the need to have access to the area and that an overpass would be needed.

Mr. Cardenas expressed concern with the closing of three (3) roads.

Mr. Sepulveda stated that a solid plan could be presented by the last week of July, and that until then the different entities could firm the alternatives being reviewed.

Commissioner Benavides asked if a Resolution could be adopted to commit to providing a north/south access route or to indicate that the County was in favor of such.

Judge Hinojosa stated that the Court would support a future plan for a north/south access route through the MPO.

Commissioner Garza questioned the number of public right of ways to be blocked.

Mr. Sepulveda responded that only Carmen Road would be blocked.

Judge Hinojosa suggested that Mr. Sepulveda develop a plan, that it be reviewed by the Court, and integrated into the plans. He clarified that the plans for an International Bridge would be presented in Washington DC., to obtain a Presidential Permit, and that a plan would be developed by Mr. Sepulveda and other entities to address access issues. Judge Hinojosa stated that construction would not begin within two (2) years due to the extensive process.

Mr. Sepulveda indicated that the plan would be completed by the first week of August.

Judge Hinojosa stated that the Plan would be provided by mid August 2003.

Commissioner Garza moved that Alternative No. 1 be approved as the preferred alternative for the West Rail Relocation Project with consideration of Mr. Sepulveda presenting supportive documentation to ensure that the Court addresses the concerns expressed by those present today.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The List is as follows:

(2) **REPORT ON THE HOMELAND SECURITY GRANT AND ITS UTILIZATION (INCLUDING: TRAINING, EQUIPMENT PURCHASES, FUND DISTRIBUTION, ETC.)**

Ms. Grace Salinas, County Executive Assistant, reported that \$372,767.00 was received from the U.S. Department of Justice, Office of Domestic Preparedness, and that hazardous material equipment was being received slowly and inventoried by the Auditor's Office. She stated that the equipment was in compliance with the Memorandum of Understanding in place between the County and the Texas Engineering Extension Service Contract. Ms. Salinas stated that the 2003 year assessment allocation included distribution of funds through the Lower Rio Grande Development Council/Council of Governments throughout the State, noting that the COG Region received \$3.2 million out of the \$78 million received in Texas. She explained that the amounts distributed through the Council were Base Grants of \$1.6 million, and highlighted the break downs. Ms. Salinas added that the \$286,000.00 awarded to Cameron County for the 2003 year had been doubled to \$572,060.00 to fund equipment and training, noting that the first grant allowed only equipment and that training was now allowed through this grant. She explained that funds were routed through UTB and that the County would coordinate the purchase of equipment with the Cities of Brownsville and of Harlingen. Ms. Salinas noted the importance of establishing a technical and operational Hazardous Material Team to concentrate on chemical and biological areas of response and protection, adding that the Team would work in conjunction with trained and equipped Police, Fire and Emergency Medical Personnel.

Commissioner Garza questioned the resources and assets acquired to deploy the Team, and requested a time line of actions taken, equipment received, training provided, funded operations, and anticipated funding allocations. He asked if the Port was involved with the second allocation.

Judge Hinojosa clarified that the County received part of the equipment funded from the first grant, that no funding for training had been provided, and that the second allocation had not been received. He added that there was an issue with respect to the \$1.6 million allocation where the County recommended that it be divided equally on the second round. Judge Hinojosa explained that the Cities of Brownsville and Harlingen disagreed, because they felt that they held the largest percentage of First Responders; therefore, deserved a higher percentage of funding. He explained that it was agreed that Cameron County to put together a Hazardous Material Plan based upon a Regional approach by utilizing the cities' First Responders to assist in organizing the plan and in allocating the federal funding to the communities. Judge Hinojosa stated that the Plan would be firmed up and presented to the Court and to the Cities of Brownsville and Harlingen.

Commissioner Tamayo asked if small cities were included.

Ms. Salinas responded in the affirmative.

Judge Hinojosa responded that the Plan would be covered in the allocation, while the County would be decided on a regional basis.

Commissioner Tamayo asked if a time line was in place.

Judge Hinojosa explained that the Grant time lines had not been adhered to in the past, that the first application submitted in November 2001 had been awarded in November 2002, and that equipment was only now slowly being received. He made reference to the Smallpox Inoculation process for First Responders being in place for over 18 months, yet was presently at Phase I of inoculations.

Ms. Salinas advised that the list of equipment was protected by the Freedom of Information Act; therefore, a request and approval must be provided in order to obtain additional copies.

Commissioner Garza informed that Commissioners needed the said information to enable them to represent the Court by proposing and/or opposing use and expenditures.

Judge Hinojosa clarified that equipment was provided by the first grant and that it remained unclear if money or equipment would be provided during the second round.

Commissioner Tamayo asked if a committee was in place or with whom Ms. Salinas was working.

Ms. Salinas responded that she contacted the First Responders and provided them information.

Judge Hinojosa stated that a Committee approves recommendations and that the Lower Rio Grande Valley Development Council developed the Regional Plan presented to Austin, Texas.

Mr. Mark Yates, County Auditor, requested the ability to check warranties, tag information, to log it into the fixed assets, and to be informed of the physical location of equipment received to protect County assets.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Status Report on the Homeland Security Grant and its utilization was acknowledged.

The Report is as follows:

ACTION ITEMS

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

Commissioner Benavides moved that Budget Amendment No. 2003-27 and the Salary schedules were approved.

The motion was seconded by Commissioner Garza and carried unanimously.

The Budget Amendments and the Salary Schedules are as follow:

(4) **IN THE MATTER REGARDING APPROVAL OF MINUTES OF THE REGULAR MEETING HELD JUNE 3, 2003 (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Minutes of the Regular Meeting held June 3, 2003, were **TABLED**.

(5) **CONSIDERATION AND AUTHORIZATION TO PURCHASE 24 DELL C840 MOBILE PENTIUM LAPTOPS UTILIZING THE TEXAS DEPARTMENT INFORMATION RESOURCES INTERLOCAL COOPERATIVE PURCHASING AGREEMENT**

Commissioner Garza questioned the reason for purchasing laptops.

Mr. Oscar Buitron, WIC Program Director, responded that laptops were used within the Administration Office, and that according to the Computer Center Director, laptops have the same capability, in addition to providing better use of space.

Commissioner Wood asked if desktops served the Program's needs.

Mr. Buitron replied that laptops were needed to process time sheets.

Commissioner Garza expressed concern with the large expense proposed for time sheets and word processing purposes.

Mr. Buitron clarified that WIC Clinics did not have word processors because State did not permit, that the laptops would be used to meet the Clinics' needs, and that the purchase would be funded by State.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the purchase of 24 Dell C840 Mobile Pentium Laptops was approved.

(6) **CONSIDERATION AND AUTHORIZATION TO ALLOW 30 FEET OF RIGHT OF WAY FRONTING COSTON ROAD TO REVERT TO MR. & MRS. JOSUE GARCIA, JR.**

Mr. Juan Bernal, County Engineer, introduced Mr. Julio Cerda, former City Engineer for the City of Harlingen, as the new Cameron County Assistant Engineer.

Commissioner Garza moved that the thirty (30) feet of right of way, fronting Coston Road, be reverted to Mr. and Mrs. Josue Garcia, Jr.

The motion was seconded by Commissioner Wood and carried unanimously.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ITEMS WERE HEARD COLLECTELY UNLESS OPPOSITION WAS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WAS CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION WAS TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

ITEM NO. 7: Mr. Mark Yates, County Auditor, requested that Warrant No. 00097793, payable to the Texas Department of Criminal Division, be void; that Warrant No. 00097883 be reissued for the same; that Warrant No. 00097804 payable to TLEIUA be void, and that Warrant No. 00097881 be reissued for the same. He presented the following late claims Warrant No. 00097879 payable to Bank One, in the amount of \$60,000.00; Warrant No. 00097880, payable to the Jury Fund, in the amount of \$4,530.00; Warrant No. 00097881, payable to the Professional Engineers Board in the amount of \$230.00; Warrant No. 00097882, payable to Cruz Saldivar, in the amount of \$390.44; and Warrant No. 00097883, payable to the Texas District County Attorneys, in the amount of \$400.00.

ITEM NO.8: Commissioner Tamayo questioned the agreement. Mr. Doug Wright, Commissioners' Court Legal Counsel, clarified that this matter had been discussed in Executive Session. He recommended approval, that it not extend beyond August 31, 2003, and that the matter be rebid thereafter.

ITEM NO. 9: Commissioner Benavides thanked Mr. Bob Clark for the equipment and furniture donation.

Commissioner Garza moved that the following "Consent and Travel Items" be approved, inclusive of the claims as presented by the County Auditor.

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

AYE: Commissioners Benavides, Garza, Tamayo, and Judge Hinojosa

NAY: None

ABSTAIN: Commissioner Wood as to Item No. 8

(7) **APPROVAL OF CLAIMS;**

(8) **AUTHORIZATION TO ENTER INTO A FARM AGREEMENT BETWEEN CAMERON COUNTY AND EDWARD MATHERS D/B/A MATHERS FAMILY PARTNERSHIP;**
The Agreement follows:

(9) **ACCEPTANCE OF DONATION OF FURNITURE AND EQUIPMENT FROM BOB CLARK FOR THE TEEN-SENIOR CITIZEN CENTER AT BROWNE ROAD PARK;**
The Agreement follows:

(10) **APPROVAL OF MODIFICATION NUMBER 6 TO RIO GRANDE VALLEY EMPOWERMENT ZONE CORPORATION FUNDING AGREEMENT FOR THE LAGUNA HEIGHTS DRAINAGE PROJECT;**
The Agreement follows:

(11) **AMENDMENT NO. 1 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 720205, PURSUANT TO THE LA TORRE WATER PROJECT;**
The Agreement follows:

- (12) **OPENING OF THE FOLOWING BIDS/RFP'S/RFQ'S:**
A. **CLOSED CIRCUIT TV SYSTEM – CARRISALES/RUCKER NEW DETENTION FACILITY-RFP NO. 030401; AND**
B. **PHYSICIANS (SEXUALLY TRANSMITTED DISEASES) SERVICES- ANNUAL RFQ NO. 1615.**
- (13) **PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND PEDRO FLORES FOR THE DATA GRANT EVALUATION CENTER GRANT ON A PART-TIME BASIS 30 HRS/WK.**
The Agreement follows:

TRAVEL ITEMS

- (14) **AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (a) Health Department WIC Director to attend a “Texas Associates of Local WIC Directors Board Meeting”, in Austin, Texas, July 9-11, 2003;
 - (b) Justice of the Peace Precinct No. 5, Place No. 1 to attend the “2003 JPCA Annual Conference”, in Waco, Texas, June 24-29, 2003;
 - (c) Three (3) Extension Office employees to attend the “2003 District 12 4-H Election Convention and the Record book Judging”, in Kingsville, Texas, July 17, 2003;
 - (d) Extension Office employee to attend the “69th Annual South Texas County Judges and Commissioner’s Association Conference”, in Laredo, Texas, July 8-9, 2003;
 - (e) Program Coordinator to attend the “Texas Border Infrastructure Coalition Meeting and a meeting with the Associate Commissioner of Health regarding the RGV Health Services District”, in Austin, Texas, June 18, 2003; and
 - (f) Two (2) Cameron County Tax Office employees to attend the “Texas Department of Public Safety Specialized Auto Theft Investigation School”, in Austin, Texas, June 22-27, 2003.
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- (8) AUTHORIZATION TO ENTER INTO A FARM AGREEMENT BETWEEN CAMERON COUNTY AND EDWARD MATHERS D/B/A MATHERS FAMILY PARTNERSHIP.
The Agreement is as follows:**

- (9) **ACCEPTANCE OF DONATION OF FURNITURE AND EQUIPMENT FROM BOB CLARK FOR THE TEEN-SENIOR CITIZEN CENTER AT BROWNE ROAD PARK.**

The Resolution is as follows:

- (10) APPROVAL OF MODIFICATION NUMBER 6 TO RIO GRANDE VALLEY EMPOWERMENT ZONE CORPORATION FUNDING AGREEMENT FOR THE LAGUNA HEIGHTS DRAINAGE PROJECT.
The Agreement is as follows:**

- (11) **AMENDMENT NO. 1 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM
CONTRACT NO. 720205, PURSUANT TO THE LA TORRE WATER PROJECT.
The Agreement is as follows:**

- (13) **PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND PEDRO FLORES FOR THE DATA GRANT EVALUATION CENTER GRANT ON A PART-TIME BASIS 30 HRS/WK.**
The Agreement is as follows:

EXECUTIVE SESSION

(15) EXECUTIVE SESSION:

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:04 A.M., to discuss the following matters:

- (a) Confer with Commissioners' Court Legal Counsel concerning the case styled Marcie Caldwell, individual, and on behalf of all others similarly situated versus Cameron County, et. al. in the District Court of Travis County, Texas, Case No. 99-13088, for discussion and possible settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1) (A) & (B);
- (b) To deliberate the evaluation of the Commissioners' Court Legal Counsel; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Code, Section 551.074;
- (c) To deliberate the evaluation of the County Computer Center Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Code, Section 551.074 (A);
- (d) Confer with Commissioners' Court Legal Counsel concerning the closing of access to a portion of Tract No. 1 & No. 2 of Sea Ranch Marina Concessions at South Padre Island, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (2);
- (e) Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Trustee Properties as listed below; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072:
 - 1. 1042 E. Jefferson St., Brownsville, Texas
 - 2. 2775 Naranjo St., Brownsville, Texas
 - 3. 2655 Impala Dr., Brownsville, Texas
 - 4. 718 E Adams St., Harlingen, Texas
 - 5. S. California St., Harlingen, Texas
 - 6. 508 9th St., Los Fresnos, Texas
 - 7. Primera-Original Townsite Lot No. 21, Block No. 6 (Legal Description)
 - 8. Abstract-Laureles Acres Lot No. 12, Block No. 1 (Legal Description)
 - 9. Survey-Midway re-subdivision Lot No. 10, Block No. 1 (Legal Description)
- (f) Deliberation regarding Real Property concerning possible acquisition of properties for the new Cameron County Annex Building in Harlingen; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;and
- (g) Confer with Commissioners' Court Legal Counsel concerning contemplated litigation against Discount Oil; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1) (A).

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened in Regular Session at 12:08 P.M.

(16) ACTION RELATIVE TO EXECUTIVE SESSION:

- (a) Confer with Commissioners' Court Legal Counsel concerning the case styled Marcie Caldwell, individual, and on behalf of all others similarly situated versus Cameron County, et. al. in the District Court of Travis County, Texas; Cause No. 99-13088, for discussion and possible settlement.**

Commissioner Garza moved that Mr. Doug Wright, Commissioners' Court Legal Counsel, be authorized to proceed with settlement concerning the case styled Marcie Caldwell, individual, and on behalf of all others similarly situated versus Cameron County, et. al. in the District Court of Travis County, Texas; Cause No. 99-13088.

The motion was seconded by Commissioner Wood and carried unanimously.

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- (b) To deliberate the evaluation of the Commissioners' Court Legal Counsel.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the discussion concerning evaluation of the Commissioners' Court Legal Counsel was acknowledged.

Commissioner Garza noted that the evaluations were for evaluative purposes only and not for remuneration or salary increases.

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- (c) In the matter regarding deliberation concerning the evaluation of the County Computer Center Director. (TABLED)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, this Item was **TABLED**.

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- (d) Confer with Commissioners' Court Legal Counsel concerning the closing of access to a portion of Tract No. 1 & No. 2 of Sea Ranch Marina Concessions at South Padre Island.**

Commissioner Garza moved that the closing of access to a portion of Tract No. 1 & No. 2 of Sea Ranch Marina Concessions at South Padre Island be authorized.

The motion was seconded by Commissioner Wood and carried unanimously.

(e) **Deliberation regarding Real Property concerning the possible re-sale of various Cameron County Trustee Properties as listed below:**

1. **1042 E. Jefferson St., Brownsville, Texas**
2. **2775 Naranjo St., Brownsville, Texas**
3. **2655 Impala Dr., Brownsville, Texas**
4. **718 E Adams St., Harlingen, Texas**
5. **S. California St., Harlingen, Texas**
6. **508 9th St., Los Fresnos, Texas**
7. **Primera-Original Townsite Lot No. 21, Block No. 6 (Legal Description)**
8. **Abstract-Laureles Acres Lot No. 12, Block No. 1 (Legal Description)**
9. **Survey-Midway re-subdivision Lot No. 10, Block No. 1 (Legal Description)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, Mr. Joseph Ardito, Property Manager, was authorized to commence the marketing process of the following Cameron County Trustee Properties:

1. 1042 E. Jefferson St., Brownsville, Texas
2. 2775 Naranjo St., Brownsville, Texas
3. 2655 Impala Dr., Brownsville, Texas
4. 718 E Adams St., Harlingen, Texas
5. S. California St., Harlingen, Texas
6. 508 9th St., Los Fresnos, Texas
7. Primera-Original Townsite Lot No. 21, Block No. 6 (Legal Description)
8. Abstract-Laureles Acres Lot No. 12, Block No. 1 (Legal Description)
9. Survey-Midway re-subdivision Lot No. 10, Block No. 1 (Legal Description)

(f) **Deliberation regarding Real Property concerning possible acquisition of properties for the new Cameron County Annex Building in Harlingen.**

Commissioner Garza moved that the County be authorized to proceed with the purchase of properties for the new Cameron County Annex Building in Harlingen, and that the County Judge be authorized to sign the Contract with regards to the property.

The motion was seconded by Commissioner Wood and carried unanimously.

(g) **Confer with Commissioners' Court Legal Counsel concerning contemplated litigation against Discount Oil.**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Mr. Doug Wright, Commissioners' Court Legal Counsel, was authorized to litigate against Discount Oil.

There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the meeting was **ADJOURNED** at 12:13 P.M.

APPROVED this 29th day of July 2003.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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