

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8<sup>th</sup> day of October 2015, there was conducted a SPECIAL 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:

PRESENT:

8:45 A.M.

PETE SEPULVEDA, JR.  
COUNTY JUDGE

SOFIA C. BENAVIDES  
COMMISSIONER PRECINCT NO. 1

COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA  
COMMISSIONER PRECINCT NO. 3

DAN SANCHEZ  
COMMISSIONER PRECINCT NO. 4

SYLVIA GARZA-PEREZ  
COUNTY CLERK

Aide A. Trejo Deputy Clerk

ABSENT:  
ALEX DOMINGUEZ

**NOTE: Commissioner Sanchez was absent when the Meeting was called to order.**

The meeting was called to order by Judge Sepulveda at 8:47 A.M. He then asked for a moment of silence.

The Court then led the audience in reciting the Pledge of Allegiance and the Pledge of Allegiance to the State Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on October 2, 2015 at 1:26 p.m.:

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**(1) PUBLIC COMMENTS.**

**NOTE: Commissioner Sanchez entered the Meeting at 8:49 a.m.**

Mr. William Berg commented on an Op-Ed in this weekend's newspaper from the Port Commissioner who suggested that the LNG plant jobs were all going to be living wage jobs. Mr. Berg informed the Court that only the direct-employee jobs will be living wages and the indirect contractor jobs will not. He expressed concern in giving LNG companies tax abatements if they are contracting out jobs that do not specify if they will be living wage jobs and offer health insurance.

Commissioner Sanchez mentioned that today is former Justice of the Peace Arturo Salas' 80<sup>th</sup> Birthday.

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**ACTION ITEMS**

**(2) ACTION ITEMS.**

**(A) BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.**

Commissioner Garza motioned to approve the budget amendments, line item transfers and/or salary schedules. The motion was seconded by Commissioner Benavides and carried unanimously.

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**(B) APPROVAL OF CLAIMS.**

Ms. Martha Galarza, County Auditor, asked the Court to approve the Claims as follows: Warrant No. 00350880 thru 00350994, Warrant No. 00350999 thru 00351133, and Warrant No. 00351273 thru 00351277; Payroll in the amount of \$1,718,206.44; and to VOID Warrant No. 00350393 and Warrant No. 00349872. She recommended that Warrant No. 00350841, made payable to TDA (Texas Department of Agriculture), in the amount of \$325,654.37 be approved subject to receiving notice from TDA that the funds are to be returned. She noted that the final closure date of the grant is October 17, 2015.

Commissioner Garza motioned to approve the Claims as presented with Warrant No. 00350841 being approved subject to the County Auditor's recommendation.

The motion was seconded by Commissioner Sanchez.

Mr. Bruce Hodge, Chief Legal Counsel, noted that there has been discussions about holding a Special Meeting next week in order to discuss the legal issues in Executive Session with Commissioners' Court regarding the claim to TDA.

Commissioner Sanchez asked if there would be penalties if the claim is not paid.

Mr. Hodge responded that clarification needs to be made regarding penalties and added there has been made mention that not paying the claim could injure the County's ability to get further grant funding from TDA and possibly other grant monies.

Ms. Galarza advised the Court that the grant expired on August 17, 2015, the 60-day wrap-up is in progress, and the County has until October 17, 2015 to finalize the grant.

Commissioner Garza asked for confirmation that there is no way to finish the project before the deadline.

Ms. Galarza replied in the affirmative.

Commissioner Sanchez asked if an extension can be granted.

Mr. David Garcia, County Administrator, responded that a meeting has been requested with the Texas Department of Agriculture Commissioner.

Mr. Hodge asked the Court for time to determine what can be done regarding this issue and to hold a Special Meeting on Thursday, October 15, in order to brief the Court on all matters.

Commissioner Sanchez noted that if nothing is resolved by the deadline then the check will be sent to the TDA or a Special Meeting will be held on October 15 to determine how to proceed.

Commissioner Garza motioned to approve the Claims as presented with Warrant No. 00350841 being approved subject to the County Auditor's recommendation.

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

AYE: Commissioner Garza and Commissioner Sanchez

NAY: None

ABSTAIN: Commissioner Benavides as to Warrant No. 00350971; and Judge Sepulveda as to Warrant No. 00350899

ABSENT: Commissioner Dominguez

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(C) **CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING REGARDING THE REZONING OF TRACT ONE: 13.10 ACRES, MORE OF LESS, ON THE SOUTH PADRE ISLAND, IN THE CAMERON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN TRACT COMMONLY REFERRED TO AS THE "SOUTH 2,000 ACRES OF THE KING 6,000 ACRES" LYING NORTH OF THE PARALLEL OF NORTH LATITUDE 26 DEGREES 08 MINIMUM 47 SECONDARY AND SAID 13.10 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED BY METES AND BOUNDS IN DEED DATED APRIL 1, 2004, RECORDED IN VOLUME 10083, PAGE 291, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND TRACT TWO: 6.57 ACRES, MORE OR LESS, ON THE SOUTH PADRE ISLAND, IN CAMERON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN TRACT COMMONLY REFERRED TO AS THE "SOUTH 2,000 ACRES OF THE KING 6,000 ACRES" LYING NORTH OF THE PARALLEL OF NORTH LATITUDE 26 DEGREES 08 MINIMUM 47 SECONDARY AND SAID 13.10 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED BY METES AND BOUNDS IN DEED DATED APRIL 1, 2004, RECORDED IN VOLUME 10066, PAGE 251, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCDöt ENG)**

Commissioner Benavides motioned to OPEN the public hearing.

The motion was seconded by Commissioner Garza and carried unanimously.

Upon sensing so comments, Commissioner Benavides motioned to CLOSE the public hearing.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (D) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE REZONING REQUEST FOR TRACT ONE: 13.10 ACRES, MORE OF LESS, ON THE SOUTH PADRE ISLAND, IN THE CAMERON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN TRACT COMMONLY REFERRED TO AS THE "SOUTH 2,000 ACRES OF THE KING 6,000 ACRES" LYING NORTH OF THE PARALLEL OF NORTH LATITUDE 26 DEGREES 08 MINIMUM 47 SECONDARY AND SAID 13.10 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED BY METES AND BOUNDS IN DEED DATED APRIL 1, 2004, RECORDED IN VOLUME 10083, PAGE 291, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND TRACT TWO: 6.57 ACRES, MORE OR LESS, ON THE SOUTH PADRE ISLAND, IN CAMERON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN TRACT COMMONLY REFERRED TO AS THE "SOUTH 2,000 ACRES OF THE KING 6,000 ACRES" LYING NORTH OF THE PARALLEL OF NORTH LATITUDE 26 DEGREES 08 MINIMUM 47 SECONDARY AND SAID 13.10 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED BY METES AND BOUNDS IN DEED DATED APRIL 1, 2004, RECORDED IN VOLUME 10066, PAGE 251, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCDoT ENG)**

Commissioner Benavides motioned to approve the rezoning request for Tract One: 13.10 acres, more of less, on the South Padre Island, in the Cameron County, Texas, being a part of that certain tract commonly referred to as the "South 2,000 Acres of the King 6,000 Acres" lying north of the parallel of north latitude 26 degrees 08 minimum 47 secondary and said 13.10 acres being more particularly located and described by metes and bounds in deed dated April 1, 2004, recorded in Volume 10083, Page 291, Official Records of Cameron County, Texas and Tract Two: 6.57 acres, more or less, on the South Padre Island, in Cameron County, Texas, being a part of that certain tract commonly referred to as the "South 2,000 Acres of the King 6,000 Acres" lying north of the parallel of north latitude 26 degrees 08 minimum 47 secondary and said 13.10 acres being more particularly located and described by metes and bounds in deed dated April 1, 2004, recorded in Volume 10066, Page 251, Official Records of Cameron County, Texas.

The motion was seconded by Commissioner Garza and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Sanchez and carried unanimously, the meeting was **ADJOURNED** at 9:06 A.M.

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**APPROVED** this 15<sup>th</sup> day of **December 2015**

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**PETE SEPULVEDA, JR.**  
**COUNTY JUDGE**

**ATTEST:**

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**SYLVIA GARZA-PEREZ,**  
**COUNTY CLERK AND EX-OFFICIO CLERK**  
**OF THE COMMISSIONERS' COURT OF**  
**CAMERON COUNTY, TEXAS**