

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 7th day of OCTOBER, 1997, 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

HECTOR PEÑA  
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy  
COUNTY CLERK

ABSENT:

---

---

The meeting was called to order by Judge Gilberto Hinojosa.

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Court recessed until 11:00 A.M.

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Court recessed until 1:30 P.M.

At this time, the Salary Grievance Committee Meeting continued the Hearing of the Elected Officials= grievances regarding their salaries.

Judge Hinojosa asked 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 October 3, 1997, at 1:50 P.M.:

**(4) APPROVAL OF THE MINUTES OF SEPTEMBER 16, 1997 - REGULAR**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Regular Meeting held September 16, 1997, at 4:00 P.M., were approved.



**(5) IN THE MATTER OF A RESOLUTION HONORING MR. CLARENCE MELVIN NEWEL, ON THE OCCASION OF HIS RETIREMENT AND PROCLAIMING OCTOBER 6, 1997, AS ACLARENCE MELVIN NEWELL DAY® IN CAMERON COUNTY (TABLED)**

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



**(6) ADOPTION OF A RESOLUTION HONORING THE SAN BENITO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES**

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Resolution honoring the San Benito Consolidated Independent School District Board of Trustees was adopted.



**(7) ADOPTION OF A PROCLAMATION DECLARING OCTOBER 17, 1997, AS AKURV DAY® IN CAMERON COUNTY ON THE OCCASION OF ITS 50TH ANNIVERSARY ON THE AIR**

Commissioner Matz moved that the Proclamation declaring October 17, 1997, as AKURV Day® in Cameron County, on the occasion of its 50th Anniversary on the air, be adopted.

The motion was seconded by Commissioner Peña and carried unanimously.



**(8) ADOPTION OF A PROCLAMATION DECLARING OCTOBER, 1997, AS ABREAST CANCER AWARENESS MONTH® IN CAMERON COUNTY**

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Proclamation declaring October, 1997, as ABreast Cancer Awareness Month® in Cameron County was adopted.



(9) **IN THE MATTER OF THE RECOMMENDATIONS OF THE SALARY GRIEVANCE COMMITTEE (NO ACTION TAKEN)**

At this time, Commissioner Cascos noted that a summary of the requests and the results of each Elected Official was requested, in order to determine whether the Committee Members had gone over the boundaries.

(10) **AUTHORIZATION TO ENTER INTO CONTRACT NEGOTIATIONS WITH RIO SURVEYING FOR SURVEYING SERVICES ON BAUER ROAD**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the Contract Negotiations with Rio Surveying for Surveying Services on Bauer Road were approved.

(11) **IN THE MATTER OF A CONSTRUCTION MANAGEMENT SERVICE AGREEMENT FOR THE SOUTH TEXAS BOOT CAMP FACILITY WITH PEACOCK CONSTRUCTION (TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, this Item was **TABLED** for one (1) week.

At this time, Judge Hinojosa noted that there were Contractual terms noted by the County Attorney which needed to be further discussed.

Mr. Tony Martinez, Member of the Boot Camp Advisory Committee, stated that the Committee had met and addressed the problems noted by the County Attorney.

Ms. Dylbia Jefferies Vega, County Attorney, stated that the Contractual terms included the fees and the costs of the Project.

Commissioner Matz expressed concern as to the fees regarding Pre-Construction and Construction Phases and whether the On-site Supervisor-s Fee was included in the Phases Fee, and Ms. Vega noted that the County did not negotiate with the percentage costs and currently negotiated with flat fees, in order to avoid the increase in costs.

Mr. Martinez stated the Contractor had agreed to retain the cost with the budgeted 1.2 million dollars of Construction Costs, which included the Contractor-s and the Architect-s fees.

Judge Hinojosa stated that the County Attorney should be present at all negotiations by the County for Construction Contracts, noting that the Legal Department should be considered as a Member of any Committees negotiating Contracts.

Commissioner Matz noted that the Agenda Item needed to go through the Legal and Budget Process, as per the Agenda Item Process.

[REDACTED]

(12) **AUTHORIZATION TO ENTER INTO CONTRACT NEGOTIATIONS TO RETAIN THE SERVICES OF CHRIS ROYAL TO PROVIDE CAMERON COUNTY TRUSTEE DEED RESEARCH, PLAT MAPS AND EXACT LEGAL DESCRIPTIONS**

At this time, Judge Hinojosa expressed concern as to whether the deed research should have been performed on the foreclosed properties.

Mr. Doug Wright, Commissioners= Court Legal Counsel, noted that the title work and the identification of properties were performed on a mass basis, which resulted in incorrect information. He stated that the County sold the properties, as recommended by the Property Tax Attorneys, but added that the properties were misidentified, the descriptions were incorrect and other problems were noted. Mr. Wright stated that the proposed Services were for the properties to be researched correctly for accurate information before the properties were sold.

Mr. Mark Yates, County Auditor, recommended that the services be paid by the County upon sale of each property or that a separate appropriation be created for the services.

Judge Hinojosa stated that several payments could be made from the sale of one (1) property.

Mr. Joseph Ardito, Property Management Coordinator, noted that the excess funds from the sale of a property could not be utilized to pay the balance of other properties.

The suggestion was made to perform the researches in batches of twenty (20) properties based on the properties to be sold and allocate the distribution from the proceeds of the sold properties.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Contract negotiations were approved to retain the services of Chris Royal to provide Cameron County Trust Deed Research, Plat Maps and exact Legal descriptions.

**(13) APPROVAL TO ESTABLISH AN ADVISORY BOARD, TO DESIGNATE BOARD MEMBERS AS REQUIRED BY THE BUREAU OF JUSTICE ASSISTANCE LOCAL LAW ENFORCEMENT BLOCK GRANT AND TO CONDUCT A PUBLIC HEARING ON THE WEEK OF OCTOBER 19TH**

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated the County had applied for the amount of \$38,745.00, to purchase police vehicles and related equipment for the Sheriff's Department and noted that the Grant required the County to designate representative from specific groups.

Commissioner Matz moved that an Advisory Board be established including the following Board Members as required by the Bureau of Justice Assistance Local Law Enforcement Block Grant and that a Public Hearing be conducted on the week of October 19, 1997:

- Law Enforcement: Sheriff Omar Lucio, Cameron County Sheriff;
- Prosecution: Mr. William Hagen, Chief Felony Prosecutor, District Attorney's Office;
- Courts: Ms. Stella Cavazos, Court Administrator, 107th District Court;
- Non-Profits: Ms. Olga Montes De Oca, Advocate, Friendship of Women, Incorporated; and
- School District: Mr. Michael Pimentel, Brownsville Independent School District Chief of Police.

The motion was seconded by Commissioner Peña and carried unanimously.



**(14) IN THE MATTER OF AWARDING THE BIDS FOR THE ISLA BLANCA PARK PAVING REPAIRS AND THE NEW PARKING LOT TO PEACOCK CONSTRUCTION (NO ACTION TAKEN)**

At this time, Mr. Kenneth Conway, Parks System Director, stated that the amount recommended for award to Peacock Construction was within Budget and noted that there concerns regarding a potential litigation with the subcontractor.

Commissioner Cascos explained that the County might have a potential litigation with Peacock Construction's Subcontractor, that being Peterson Construction, due to Flor de Mayo Road being damaged by the hauling of dirt from a sand pit.

Judge Hinojosa stated that the County was required by Law to accept the lowest bid, unless there was a justification for not accepting the low bid.

There was some discussion regarding the covenant for the Bond issue and the obligation of the County to accept or reject the Bid.

████████████████████

(15) **AUTHORIZATION TO SUBMIT THE  
EMERGENCY MANAGEMENT FISCAL YEAR  
1997/1998 WORKPLAN TO THE STATE  
DIVISION OF EMERGENCY MANAGEMENT**

Commissioner Benavides moved that the Emergency Management Fiscal Year 1997/1998 Workplan be submitted to the State Division of Emergency Management.

The motion was seconded by Commissioner Peña and carried unanimously.

████████████████████

(16) **AUTHORIZATION OF THE UNIVERSITY OF  
TEXAS HEALTH SCIENCE CENTER (UTHSC)  
MEMORANDUM OF AGREEMENT BETWEEN  
UTHSC AND THE CAMERON COUNTY HEALTH  
DEPARTMENT FOR THE MASTER OF PUBLIC  
HEALTH TRAINING PROGRAM**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the University of Texas Health Science Center (UTHSC) Memorandum of Agreement between with the Cameron County Health Department for the Master of Public Health Training Program was approved.

**The Agreement is as follows:**

(17) **AUTHORIZATION OF THE ADDENDUM TO  
PROJECT AGREEMENT BETWEEN THE RIO  
GRANDE VALLEY EMPOWERMENT ZONE AND  
BM NO. 3.02 HEALTH CENTER - CAMERON  
COUNTY**

Commissioner Matz moved that the Addendum to the Project Agreement between the Rio Grande Valley Empowerment Zone and BM No. 3.02 Health Center - Cameron County, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Agreement is as follows:**



**(18) ADOPTION OF A RESOLUTION APPOINTING  
CAMERON COUNTY'S REPRESENTATIVE TO  
THE CAMERON COUNTY APPRAISAL  
DISTRICT'S BOARD OF DIRECTORS**

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Resolution appointing Commissioner Carlos H. Cascos, Precinct No. 2, to the Cameron County Appraisal District's Board of Directors was adopted.

**The Resolution is as follows:**

**(19) IN THE MATTER OF THE HOTEL REIMBURSEMENT POLICY FOR THE 75TH ANNUAL COUNTY JUDGES AND COMMISSIONERS ASSOCIATION OF TEXAS CONFERENCE (TABLED)**

Upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED**.

**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 Peña, seconded by Commissioner Benavides and carried unanimously, the AConsent® Agenda Items were approved as follow:

**(20) APPROVAL OF TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET:**

- a) Assistant District Attorney to attend the ALegal Writing Seminar® in Austin, Texas, on October 30-31, 1997;
- b) Eight (8) County Drug Enforcement Task Force Agents to burn narcotics in Bishop, Texas, on October 1, 1997;
- c) Three (3) Program Development and Management Staff Members to attend a ALower Rio Grande Valley Development Council Solid Waste Advisory Committee Meeting® in Weslaco, Texas;
- d) Health Department employee to attend the ACounty Indigent Meeting® in Laredo, Texas, on October 8, 1997;
- e) Health Department employee to attend a ACollecting Your Accounts Seminar® in Harlingen, Texas, on October 23, 1997;
- f) Four (4) Health Department employees to attend the A Texas Perinatal Association Conference® in South Padre Island, Texas;
- g) Commissioner Precinct No. 3 to attend a AMeeting of the United States Government Advisory Committee to the Environmental Protection Agency Administrator as a Representative to the Trilateral Commission for Environmental Cooperation® in Alexandria, Virginia, on October 29, 1997, through November 2, 1997;
- h) County Auditor and Assistant to attend the ASoftware Set up and Training on new Software System® in Chico, California, on October 13-17, 1997;
- I) County Auditor to attend the AComputer Training on New Software System® in Houston, Texas, on October 5-10, 1997;

- j) County Court at Law No. 2 Judge to attend the A20th Annual Advanced Civil Trial Course® in Houston, Texas, on November 12-14, 1997;
- k) Chief Juvenile Probation Officer to make mandatory monitor visits to Desert Hills and Hope Residential Treatment Center® in Houston, Texas, on October 23, 1997; and
- l) Assistant Program Specialist to make mandatory monitor visits to Coastal Bend Youth City in Driscoll, Texas, Scan and Raises Emergency and Drug Treatment Center in Laredo, Texas; Boot Camp in Cotulla, Texas, Shoreline in Taft, Texas, and Kid, Incorporated in McAllen, Texas, on October 15-16, 1997;



**(21) APPROVAL OF THE FOLLOWING PURCHASE WITHOUT PURCHASES ORDERS**

- a) **COOPER EQUIPMENT - IN THE AMOUNT OF \$907.28, COMMISSIONER PRECINCT NO. 1;**
- b) **EL VALLE LAND COMPANY - IN THE AMOUNT OF \$480.00, COMMISSIONER PRECINCT NO. 1;**
- c) **CARQUEST AUTO PART STORES - IN THE AMOUNT OF \$622.02, COMMISSIONER PRECINCT NO. 1;**
- d) **ALAMO IRON WORKS COMPANY - IN THE AMOUNT OF \$272.28; COMMISSIONER PRECINCT NO. 4; AND**
- e) **DON BROWN OFFICE SYSTEMS - IN THE AMOUNT OF \$226.00, JUVENILE PROBATION DEPARTMENT.**

**(22) PRELIMINARY AND FINAL APPROVAL**

**a) Precinct No. 3**

Benavides Subdivision - being 19.00 acres of land out of the South 20.0 acres in Block No. 248, San Benito Irrigation Company; and

**b) Precinct No. 4**

Hoverson Subdivision - being a subdivision of 1.285 acres of land out of Lot No. 12, Block No. 2, CapiSallo District Subdivision.

**(23) PRELIMINARY APPROVAL**

**a) Precinct No. 3**

NPE Subdivision - being a resubdivision of 1.0 acre of land out of the North 25.0 acres of Block No. 8, Lee Minner Subdivision.



**(1) AUTHORIZATION TO OPEN BIDS**

At this time, Judge Hinojosa questioned whether said Bids had been agreed upon to be deferred and Mr. Mark Yates, County Auditor, responded that the plan was for the County Auditor to submit a finance plan upon awarding of the Bids.

Mr. Yates recommended that the vehicles be financed for a two (2) year period through GE Capital or that the County award the Bids after the possible reimbursement of alien inmates in December 1997.

Commissioner Matz moved that the following Bids be opened:

- a) Patrol Cars - Sheriff's Department.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Bids received and opened are as follow:**

(2) **IN THE MATTER OF THE COUNTY CLAIMS  
(NO ACTION TAKEN)**

At this time, Mr. Mark Yates, County Auditor, presented the following additional late claims for approval:

Warrant No. 44604, as to Hamer Enterprises, in the amount of \$33,000.00;

Warrant No. 44605, as to Cameron County Title Company, Incorporated, in the amount of \$50,090.00; and

Warrant No. 44606, as to Cameron County General Fund, in the amount of \$1,308,244.00.

Commissioner Cascos expressed concern as to Warrant Nos. 44602 through 44604, Warrant Nos. 44496 and 44209.

Mr. Yates suggested that this Item be recessed until the concerns as to said warrants were resolved.

██

(3) **IN THE MATTER OF THE BUDGET  
AMENDMENTS AND/OR SALARY SCHEDULES  
(NO ACTION TAKEN)**

At this time, the County Auditor noted that there were no Budget Amendments and/or Salary Schedules for approval.

██

(14) **IN THE MATTER OF AWARDING THE BIDS  
FOR THE ISLA BLANCA PARK PAVING  
REPAIRS AND THE NEW PARKING LOT TO  
PEACOCK CONSTRUCTION (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, this Item was **TABLED** for one (1) week.

██

**NOTE: COMMISSIONER MATZ LEFT THE COURT ROOM.**

(9) **ACTION ON THE RECOMMENDATIONS OF A  
SALARY GRIEVANCE COMMITTEE**

At this time, Mr. Mark Yates, County Auditor, presented and highlighted the Salary Grievance Committee results.

Commissioner Cascos stated it was his understanding, based on the Commissioners= Court Legal Counsel, that the Salary Grievance Committee could approve up to the amount that was requested by the Elected Official.

Mr. Doug Wright, Commissioners= Court Legal Counsel, stated that the Statute read Atthe Committee=s authority is limited to consideration of increases in salaries or personal expenses of County; increase is optional. The Committee may not set Policy or add new items to the Proposed County Budget.@ He stated that the amount could be increased above the Elected Official-s requested amount and added that the Statute contained mandatory language that

stated that the request must be in writing with the desired change in salary, submitted to the chairman five (5) days after the date the Official received notice of the salary.

Judge Hinojosa stated that some Elected Officials had submitted a grievance letter without an amount and noted that an amended letter was submitted after the deadline, specifying the amount.

Mr. Wright noted that there was not a limit as to the amount the Committee could recommend over the requested amount and explained that the County could challenge the jurisdiction of the Salary Grievance Committee, regarding the nine (9) to zero (0) votes by a law suit. He noted that the Grievance Committee had been notified throughout the Hearing of the rules and regulations of the nine (9) to (0) vote which meant that the Committee would be exercising control of the County Budget concerning the salaries of the Elected Officials.

At this time, Commissioner Benavides moved that the annual salary of Judge Tony Torres, Justice of the Peace Precinct No. 2, Place No. 1, be increased by the amount of \$3,124.00.

The motion died for lack of a second.

Commissioner Cascos moved that the annual salary of Judge Tony Torres, Justice of the Peace Precinct No. 2, Place No. 1, be increased by four percent (4%).

The motion was seconded by Commissioner Benavides and carried unanimously.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the salary for Judge Gualberto Weaver, Justice of the Peace Precinct No. 7, Place No. 2, was increased to the amount of \$20,000.00.

At this time, Mr. Yates noted that the funding source should be designated by either increasing the Toll Bridge transfer or decreasing the General Fund Budget.

Commissioner Cascos questioned whether the funding for the salary increases could be allocated from within the appropriate Budgets and Mr. Yates responded that the allocations would leave the Department at a point where they could not operate.

Mr. Yates stated that a criteria for the salaries of the Elected Officials should be set on compensation based area, population or generated revenue and recommended that the funding source for the salary increases should be allocated from the Toll Bridge transfer, noting that the Budget Amendment would be presented at the next Meeting.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the following Salary Grievance results by the unanimous vote of nine (9) to zero (0) were acknowledged:

Sheriff Omar Lucio, salary increase, in the amount of \$7,265.00;

Constable Mike Barberena, Precinct No. 1, salary increase, in the amount of \$2,000.00;

Constable Robert Lopez, Precinct No. 4, salary increase, in the amount of \$5,000.00;

Constable Jose Alfredo Jimenez, Precinct No. 7, salary increase, in the amount of \$4,216.00;

Judge Benito Ochoa, Justice of the Peace Precinct No. 1, Auto Allowance, in the amount of \$1,200.00;

Judge Tony Torres, Justice of the Peace Precinct No. 2, Place No. 1, Auto Allowance, in the amount of \$1,200.00;

Judge Ed Sarabia, Justice of the Peace Precinct No. 2, Place No. 2, in the amount of \$1,200.00;

Judge Oscar de la Fuente, Justice of the Peace Precinct No. 3, Precinct No. 1, salary increase, in the amount of \$10.45.00, and Auto Allowance, in the amount of \$1,200.00;

Judge Rolando Muñiz, Justice of the Peace Precinct No. 4, salary increase, in the amount of \$1,200.00, and Auto Allowance, in the amount of \$1,200.00;

Judge Sallie Gonzalez, Precinct No. 5, Place No. 1, salary increase, in the amount of \$1,248.00, and Auto Allowance, in the amount of \$1,200.00;

Judge David Wise, Justice of the Peace Precinct No. 5, Place No. 2, Auto Allowance, in the amount of \$1,200.00, 9-0;

Judge Luis Romero, Justice of the Peace Precinct No. 6, Place No. 1, Auto Allowance, in the amount of \$1,200.00; and

Judge Arturo Salas, Justice of the Peace Precinct No. 7, Place No. 1, salary increase, in the amount of \$946.00, and Auto Allowance, in the amount of \$1200.00.

**NOTE: COMMISSIONER MATZ RETURNED TO THE COURT ROOM.**

At this time, Commissioner Matz suggested that the Salary Grievance Committee should be given a briefing before the meeting, in order to understand the overall County Budget situation and be made aware of the differential in salaries regarding the Justices of the Peace and Constables.

Judge Hinojosa clarified that a briefing regarding the salaries and the funding source was presented before the Salary Grievance Committee Meeting, but noted that the overall Budget issue was not presented.

Mr. Yates suggested that the Meetings be scheduled in the afternoon, in order to utilize the morning to present the Budget, salaries and the intent of the Auto Allowance.



**(2) IN THE MATTER OF THE COUNTY CLAIMS  
(NO ACTION TAKEN)**

At this time, Mr. Mark Yates, County Auditor, noted that Warrant No. 44496 was canceled and replaced with the manual Warrant No. 44209.



**(24) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 2:30 P.M. to discuss the following matters:

- a) Confer with County Counsel regarding the status of the case styled Heard, Goggan, Blair and Williams vs. Tony Yzaguirre, Cause No. 97-08-5499-C; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- b) Confer with County Counsel regarding the discussion of the Convention Center Lease with South Padre Island; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- c) Deliberation regarding the Real Property to discuss the possible Lease of the 14.9 acres tract in the Isla Blanca County Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Confer with County Counsel concerning the litigation regarding the Detention Center II; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- e) Confer with County Counsel concerning the litigation regarding the Darrell Hester Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A);
- f) Confer with County Counsel regarding the locating of a Concrete Batch Plant in the County Right-of-Way for the U.S. 77/83 Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- g) Confer with County Counsel on the consideration and authorization to file Amicus Brief on Matagorda County, Texas and Keith Kilgore vs. Texas Association of Counties County Government Risk Management Pool, Cause No. 13-97-074-CV; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.0710(1)(A).

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 4:15 P.M.





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

- a) Confer with County Counsel on taxes owed on Property Lot No. 1, Block No. 118- Brownsville, Texas.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Status Report by County Counsel was acknowledged regarding the case styled Heard, Goggan, Blair and Williams vs. Tony Yzaguirre, Cause No. 97-08-5499-C.

- b) Confer with County Counsel regarding the discussion of the Convention Center Lease with South Padre Island.

Commissioner Cascos moved that the Status Report by County Counsel be acknowledged regarding the Convention Center Lease with South Padre Island.

The motion was seconded by Commissioner Peña and carried unanimously.

- c) Deliberation regarding the Real Property to discuss the possible Lease of the 14.9 acres tract in the Isla Blanca County Park.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the County Judge, Commissioner Precinct No. 2, the Parks System Director, the Commissioners=Court Legal Counsel and the County Auditor were authorized to negotiate the concessions with the owners of Schlitterbahn concerning the Lease of the 14.9 acres tract in the Isla Blanca County Park.

- d) Confer with County Counsel concerning the litigation regarding the Detention Center II.

Commissioner Benavides moved that the Status Report by County Counsel be acknowledged concerning the litigation regarding the Detention Center II.

The motion was seconded by Commissioner Peña and carried unanimously.

- e) Confer with County Counsel concerning the litigation regarding the Darrell Hester Building.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Status Report by County Counsel was acknowledged concerning the litigation regarding the Darrell Hester Building.

- f) Confer with County Counsel regarding the locating of a Concrete Batch Plant in the County Right-of-Way for the U.S. 77/83 Project.

Commissioner Benavides moved that the locating of a Concrete Batch Plant in the County Right-of-Way for the U.S. 77/83 Project be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

- g) Confer with County Counsel on the consideration and authorization to file Amicus Brief on Matagorda County, Texas and Keith Kilgore vs. Texas Association of Counties County Government Risk Management Pool, Cause No. 13-97-074-CV.

Commissioner Cascos moved that the Amicus Brief be filed on Matagorda County, Texas, and Keith Kilgore vs. Texas Association of Counties, County Government Risk Management Pool, Cause No. 13-97-074-CV.

The motion was seconded by Commissioner Peña and carried unanimously.

██

There being no further business to come before the Court, upon motion by Commissioner Peña, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED**.

═══

**APPROVED** this **28th** day of **October, 1997**.

\_\_\_\_\_  
**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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