

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 18th day of NOVEMBER, 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. 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 November 14, 1997, at 9:15 A.M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented an additional late claim as Warrant No. 47007, payable to Cameron County Title Company, in the amount of \$20,000.00.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the additional claim as to Warrant No. 47007, in the amount of \$20,000.00.

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

Commissioner Matz moved that the Fiscal Year 1997 Budget Amendment No. 98-02 be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Budget Amendment is as follows:

(3) APPROVAL OF THE MINUTES OF OCTOBER 28, 1997, SPECIAL MEETING AND NOVEMBER 4, 1997, REGULAR MEETING

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Minutes of the Special Meeting held October 28, 1997, at 8:45 A.M., and the Regular Meeting held November 4, 1997, at 9:30 A.M., were approved.

(4) PRESENTATION BY MR. JOAQUIN MUÑOZ, BROWNSVILLE WORK REHABILITATION CENTER, REGARDING WORKER'S COMPENSATION REHABILITATION OPPORTUNITIES IN CAMERON COUNTY

At this time, Mr. Joaquin Muñoz, Brownsville Work Rehabilitation Center, highlighted the functions performed by the Brownsville Work Rehabilitation Center regarding Worker's Compensation and explained the available programs, adding that the form of compensation was based on the functions performed and the job descriptions written for the entities being serviced.

Ms. Margarita Salazar, Personnel/Safety Risk Acting Administrator, stated that similar programs are currently being performed in-house within the County and explained that the provider and/or doctor referred the injured County employees to the Brownsville Work Rehabilitation Center for Work Hardening and Work Strengthening Programs. She confirmed that the Center had worked effectively with the County in the past and added that pre-employment physicals were performed on the County's sensitive positions.

Mr. Doug Wright, Commissioners' Court Legal Counsel, recommended that the job descriptions should be addressed as soon as possible, in order to comply with the ADA and Federal requirements.

Commissioner Cascos recommended that Request for Proposals should be advertised if the Court was taking an active role in encouraging employees and personnel to participate in the effort to reduce the Worker's Compensation claims, in order to select the best qualified entity to provide the services.

Commissioner Matz expressed concern as to the level of the Worker's Compensation premiums and cost, which had a high impact on the County's Budget.

Ms. Salazar stated that the Loss Control Committee was scheduled to meet, in order to implement an Annual Safety Program, which would be based on the different types of trends in the claims.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the presentation by Mr. Joaquin Muñoz, Brownsville Work Rehabilitation Center, regarding Worker's Compensation Rehabilitation Opportunities in Cameron County was acknowledged.

The Reports are as follow:

(5) AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGEMENT SERVICE AGREEMENT FOR THE SOUTH TEXAS BOOT CAMP FACILITY WITH PEACOCK CONSTRUCTION

At this time, Ms. Edna Tamayo, Texas Youth Commission and Boot Camp Advisory Committee, presented Mr. Dwight Harris, Texas Youth Commission, and added that Mr. Harris was responsible for the implementation and evaluation of Boot Camps implemented by the Texas Youth Commission.

Mr. Dwight Harris, Texas Youth Commission, highlighted the functions and effectiveness of the Boot Camps implemented by the Texas Youth Commission. He stated that the operating techniques for the Texas Boot Camps were based on a "Leadership Model" Program performed in the Boot Camps located in Sheffield, Texas, and the State of New York and described the elements needed, in order to maintain a successful Boot Camp. Mr. Harris stated that the Texas Youth Commission would assist the County, as needed, with the programmatic issues.

Commissioner Matz stated that the Boot Camp was a necessity, but expressed concern and requested that the Budget Officer advise the Court as to the funding source for the Camp.

At this time, Mr. Juan Sanchez, Texas Youth Commission, stated that the Commission had submitted a programmatic proposal by Cameron County to the State containing the education, treatment and aftercare components as performed in the Boot Camps located in Sheffield, Texas, and the State of New York, noting that the amount requested was granted by the State due to the model proposed by the County.

Commissioner Cascos stated that not enough information had been presented to the Court and expressed concern as to whether the aftercare costs had been included in the Budget.

Judge Hinojosa stated that the Aftercare Program costs were not included in the Budget, but noted that the cost was a part of the component to be funded internally, which would not require additional funds.

Mr. Sanchez stated that the Aftercare Program would be funded from State funds through the Community Corrections Program and added that the students from the University of Texas at Brownsville would be utilized to assist with the Aftercare Program.

Commissioner Cascos expressed concern as to the Budget Officer's Comments regarding the impact by the Project on the Budget and stated the Court might have to increase taxes or be conservative with the fiscal expenditures, in order to fund a part of the Project.

At this time, Mr. Amador Rodriguez, Juvenile Probation Director, stated that the Juvenile Department had committed all the funds possible, in order to assist the Court and pointed out that the Juvenile population was predicted to grow from the year 2000 to 2010 by fifty percent (50%), noting that the matter should be anticipated.

Mr. Mark Yates, County Auditor, highlighted the proposed major programs to be implemented and the general growth issues. He stated that the increase in the Judicial System would be required as the population increased and added Texas Juvenile Commission had obligated the amount of \$30,000.00, for start up costs and committed to fund reimbursement of 45% of the 85.00 per day per bed cost, based on 80% capacity which would be the amount of \$200,000.00 per year. Mr. Yates highlighted the Five Year Resource Requirement Projection regarding costs and tax increases as referenced in the South Texas Juvenile Offender Boot Camp and Educational Center Report. He added that the funding had been determined, in order to make a decision, but noted that the information regarding the operation and implementation of the Program was lacking a decision. Mr. Yates reiterated that an aftercare component was important for the solicitation of funding from the Family Works or the Workforce Development Board.

Commissioner Matz expressed his opposition to the Program and noted the high percentage of the General Fund Budget which was allocated to the Criminal Justice and Law Enforcement. He stated that the population and demands of County were growing rapidly and should be addressed in a long term plan. Commissioner Matz highlighted the actions taken by the Court, in order to maintain a low Tax Rate during the Budget Process and expressed his concern as to the Lapsed Salaries Fund being utilized as the funding source for the Boot Camp, noting that in the past, said Fund was utilized as contingency funds for emergency situations. He noted that it would be difficult to fund emergency situations without the Lapsed Salaries Funds and added that the District Attorney had informed the Court that there would not be sufficient funds in Fund 90, in order to continue funding the projects, which were funded in the past from said Fund.

Commissioner Benavides expressed his support for the Program and noted that there would be a higher success rate due to the youths being placed in a Camp close to their homes and families. He stated that action should be taken on the facility, in order to reduce the high cost of hiring additional Law Enforcement in the future.

Commissioner Peña stated that the necessary information had been submitted, in order to determine the necessity of the facility and added that alternative measures of funding the Program had been taken into consideration to proceed with the Program.

Judge Hinojosa stated that the increase in costs incurred had been in the Law Enforcement area and added that the costs were investments made for the future quality of life of the County. He noted that the concerns had been recognized and added that the therapeutic component would add to the success of the Boot Camp.

Commissioner Benavides moved that the Construction Management Service Agreement for the South Texas Boot Camp Facility with Peacock Construction be approved.

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

AYE: Commissioners Benavides, Cascos and Peña

NAY: Commissioner Matz.

The Agreement is as follows:

(26) EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, the Court met in Executive Session at 10:55 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property to negotiate the Concessionaire Agreement of Sea Ranch Marina, referenced to Request for Proposal No. 97-07-03; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding the Real Property concerning the possible Lease or purchase of the adjacent building to the Cameron County Health Department in San Benito, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property concerning the possible sale the Old Cameron County Precinct No. 3 Warehouse located in Los Fresnos, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Deliberation regarding the Real Property concerning the Right-of-Way acquisition for the Villarreal Tract for the West Detention Basin of Los Tomates Bridge Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Deliberation regarding Real Property concerning Parcel No. 39-A, B and C, FM/1419 (Southmost Road); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- f) Confer with County Counsel concerning the litigation involving the Dancy Building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A);
- g) Confer with County Counsel concerning the Sunny Skies Colonia on a matter in which the duty of the Attorney to the Governmental Body conflicts with the Open Records Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- h) Confer with County Counsel concerning the Cameron County Drug Enforcement Task Force Grant No. DB-96-NO47-09578, on a matter in which the duty of the Attorney of the to the Governmental Body conflicts with the Open Meeting Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2).

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 12:02 P.M.

(26) ACTION RELATIVE TO EXECUTIVE SESSION

- f) Confer with County Counsel concerning the litigation involving the Dancy Building.

Commissioner Cascos moved that the Status Report by County Counsel be acknowledged regarding the litigation involving the Dancy Building.

The motion was seconded by Commissioner Matz and carried unanimously.



(6) AUTHORIZATION TO AWARD THE LOW BID AND NEGOTIATE CONSTRUCTION CONTRACT WITH CUBCO CONSTRUCTION COMPANY, INCORPORATED, FOR THE OLMITO WATER SUPPLY CORPORATION WATER LINE IMPROVEMENT PROJECT (TCDP CONTRACT NO. 716151)

Commissioner Cascos moved that the low bid be awarded for the Construction Contract and negotiated with Cubco Construction Company, Incorporated, for the Olmito Water Supply Corporation Water Line Improvement Project, that being the Texas Community Development Program (TCDP) Contract No. 716151.

The motion was seconded by Commissioner Matz and carried unanimously.



(7) ADOPTION OF THE 1998 CAMERON COUNTY CRIMINAL JUSTICE COMMUNITY PLAN, PURSUANT TO GRANT FUNDING REQUIREMENTS OF THE CRIMINAL JUSTICE DIVISION

At this time, Mr. Frank Bejarano, Program Development and Management, stated that the adoption of the Plan was a requirement of the Criminal Justice Division, in order to allow the County to apply for Criminal Justice Division Grants, noting that it would also allow other communities to apply for Grants.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the 1998 Cameron County Criminal Justice Community Plan was adopted, pursuant to Grant funding requirements of the Criminal Justice Division.

The Plan is as follows:

- (8) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE SHERIFF'S DEPARTMENT'S OCCUPANT PROTECTION (OP) SELECTIVE TRAFFIC ENFORCEMENT PROJECT (STEP) GRANT AND DESIGNATION OF THE FUNDING SOURCE FOR THE REQUIRED MATCH**
- (9) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE SHERIFF'S DEPARTMENT'S DRIVING WHILE INTOXICATED (DWI) SELECTIVE TRAFFIC ENFORCEMENT PROJECT (STEP) GRANT AND DESIGNATION OF THE FUNDING SOURCE FOR THE REQUIRED MATCH**
- (10) **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A CONTINUATION APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE SHERIFF'S DEPARTMENT'S SPEED SELECTIVE TRAFFIC ENFORCEMENT PROJECT (STEP) GRANT AND DESIGNATION OF THE FUNDING SOURCE FOR THE REQUIRED MATCH**

At this time, Commissioner Cascos recommended that the continuation Grants be approved, subject to the matching funds for the following Fiscal Year being allocated from the Sheriff's Department Budget.

Judge Hinojosa stated that the matching funds were continually approved with the understanding that the revenues collected from the fines would offset the matching funds.

Mr. Mark Yates, County Auditor, stated that the tickets issued by the Sheriff's Department could not be appropriately determined whether they applied to said Programs and added that many of the tickets issued were also dismissed.

Commissioner Cascos suggested that the funding for the Programs could be partially allocated from the proposed Inmate Phone System's revenues.

Commissioner Cascos moved that the Resolutions be adopted authorizing the submission of Continuation Applications to the Texas Department of Transportation (TxDOT) for the Sheriff's Department's Occupant Protection (OP), the Driving While Intoxicated (DWI) Selective Traffic Enforcement Project (STEP) Grants and the Speed Selective Traffic Enforcement Project (STEP) Grant, subject to future funding for the continuation of the Programs being allocated from the Sheriff's Department Office.

The motion was seconded by Commissioner Matz and carried unanimously.

The Resolution is as follows:

- (11) **AUTHORIZATION TO ISSUE A DUNE PROTECTION PERMIT (RENEWAL) FOR THE TEXAS DEPARTMENT OF TRANSPORTATION**
- (12) **AUTHORIZATION TO ISSUE A LARGE PROJECT DUNE PROTECTION PERMIT FOR CAMERON COUNTY PARKS SYSTEM (SITE C AND D)**
- (14) **AUTHORIZATION TO ISSUE A SMALL PROJECT DUNE PROTECTION PERMIT FOR MR. ROBERT D. AND MARTHA J. BRADLEY**

At this time, Judge Hinojosa clarified that information had been provided to Mr. Javier Mendez, County Engineer's Office, for a large project development submitted by the Texas Department of Transportation (TxDOT) and that the Dune Protection Committee was making the recommendations, noting that the Minutes of the Dune Protection Committee and the letter from the Texas General Land Office (GLO) concerning the comments regarding the Proposal were attached to the Resolution.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that Mr. Javier Mendez, County Engineer's Office, and Mr. Kenneth Conway, Parks System Director, should make the recommendations based on the reports of the Parks Advisory Committee and that they recommended that the appropriate documents be signed.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Dune Protection Permit (Renewal) for the Texas Department of Transportation, the Large Project Dune Protection Permit for the Cameron County Parks System (Site C and D) and the Small Project Dune Protection Permit for Mr. Robert D. and Martha J. Bradley, were issued, based on the findings in the Resolution as recommended by Mr. Javier Mendez, County Engineer's Office, Mr. Kenneth Conway, Parks System Director, and Commissioners' Court Legal Counsel.

The Resolutions and Permits are as follow:

(13) ACTION RELATIVE TO THE APPLICATION FOR THE BEACH CONSTRUCTION CERTIFICATE FOR VARIOUS PLANNED OR PROPOSED IMPROVEMENTS IN ISLA BLANCA PARK

At this time, Mr. Kenneth Conway, Parks System Director, clarified that the Permit was for Beach Construction Certificate and stated that the Parks Board had visited both sites as required by Statutes, noting that a unanimous vote had been taken regarding the approval of both applications.

Commissioner Matz questioned how the utilities would be obtained at said site and Mr. Javier Mendez, County Engineer's Office, responded that the Solar System would be utilized and that the water would be hauled in and retained in a storage tank.

Judge Hinojosa clarified that the matter concerning Item No. 13 was an Order granting the Beach Construction Certificate and stated that "The Court further finds that the proposed projects do no (directly or indirectly) reduce the size or encroach on the public beach in any manner, or impair or adversely affect public use of or access to and from a public beach, and moreover, the proposed walkway area will in fact improve and enhance public access to and use of adjacent nearby public beach, and the proposed Recreation Vehicles (R.V.) campsites will afford increased public camping opportunities of the public beach."

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Application for the Beach Construction Certificate for various planned or proposed improvements in Isla Blanca Park was approved, with the following findings made:

"That the proposed projects do no (directly or indirectly) reduce the size or encroach on the public beach in any manner, or impair or adversely affect public use of or access to and from a public beach, and moreover, the proposed walkway area will in fact improve and enhance public access to and use of adjacent nearby public beach, and the proposed Recreation Vehicles (R.V.) campsites will afford increased public camping opportunities of the public beach."

The Order is as follows:

**(15) ACTION RELATIVE TO THE APPLICATION BY
ROBERT D. AND MARTHA J. BRADLEY FOR
THE BEACH CONSTRUCTION CERTIFICATE
FOR PRIVATE RESIDENCE ON A 7.3 ACRE
TRACT ON SOUTH PADRE ISLAND**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Application by Robert D. and Martha J. Bradley for the Beach Construction Certificate for private residence on a 7.3 acre tract on South Padre Island was approved, with the following findings:

"That the proposed Project does not (directly or indirectly) reduce the size or encroach on the public beach in any manner, or impair or adversely affect public use of or access to and from a public beach, and moreover, the proposed residence is located approximately two hundred (200) landward of the line of vegetation, and is completely removed from the public beach."

The Order is as follows:

**(16) APPROVAL OF THE TEXAS DEPARTMENT OF
HEALTH DOCUMENT NO. 7460004207A98-01-A;
ATTACHMENT NO. 01A: BCNS-TITLE V FEE
FOR SERVICE**

Commissioner Matz moved that the Texas Department of Health Document No. 7460004207A98-01-A;
Attachment No. 01A: BCNS-Title V Fee for Service, be approved.

The motion was seconded by Commissioner Peña and carried unanimously.

The Contract is as follows:

(17) PRESENTATION BY THE COUNTY ENGINEER CONCERNING THE STATUS AND CONDITION OF THE COUNTY'S ROAD EQUIPMENT

(18) AUTHORIZATION TO REPLACE CERTAIN PIECES OF EQUIPMENT, DEEMED NECESSARY, FOR CONTINUED OPERATION OF THE COUNTYWIDE ROAD SYSTEM

At this time, Mr. Juan Bernal, County Engineer, briefly highlighted the status and conditions of the County's Road Equipment and noted the equipment which needed to be replaced.

Mr. Mark Yates, County Auditor, reported that the amount of \$311,000.00, was budgeted for debt service and interest in the Maintenance and Operation Fund No. 15-621 and noted that the amount of \$128,000.00 was required. He added that the appropriated amount of \$190,000.00, was available for the equipment requested in the 1997-1998 Fiscal Year.

Commissioner Peña moved that the presentation by the County Engineer concerning the status and condition of the County's road equipment be acknowledged and that certain pieces of equipment, deemed necessary, for the continued operation of the Countywide Road System be replaced.

The motion was seconded by Commissioner Benavides and carried unanimously.



(19) APPROVAL OF THE CONTRACTS (RENEWAL) FOR COURT APPOINTED ATTORNEYS RICK CANALES AND ALBERT GARCIA

At this time, Judge Hinojosa expressed concern as to the high amounts of the Contracts being spent in the County Courts at Law noting that the District Courts' rate for Court Appointed Attorneys were lower.

Upon motion by Commissioner Peña, seconded by Commissioner Matz and carried unanimously, the Contracts (renewal) for Court Appointed Attorneys Mr. Rick Canales and Mr. Albert Garcia were approved.

The Contracts are as follow:

CONSENT AGENDA ITEM

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

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the "Consent" Agenda Items were approved as follow:

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

- a) District Attorney to attend the "Southwest Borders Prosecutor Meeting" in Dallas, Texas, on November 16-17, 1997;
- b) Drug Enforcement Task Force Director/Field Supervisor to attend the "Texas Narcotics Control Program Operation Command Group Meeting" in Austin, Texas, on December 19, 1997;
- c) Unit Assistant Director and Tactical Intelligence Agent to trade in two (2) vehicles from CAPPS Car Rental in San Antonio, Texas, on November 25, 1997;
- d) County Auditor and Assistant County Auditor to attend the "Texas Practitioner Workshop - Interactive Video Grant Application Workshop "Ethics for Texas CPA's" in Weslaco, Texas, on December 1, 1997;
- e) Four (4) Courthouse Securities to attend the "Court Security Seminar" in San Antonio, Texas, on November 23, 1997; and
- f) Emergency Management Coordinator to attend the "Class on Developing Volunteer Resource" in Austin, Texas, on December 8-10, 1997.

(21) AUTHORIZATION TO REJECT BID FOR RECREATIONAL VEHICLE (RV): SITES ELECTRICAL BOXES INSTALLATION AND WATER/SEWER RENOVATIONS

(22) AUTHORIZATION TO OPEN ANNUAL BID NO. 1586 FOR PAGER SERVICES

(23) AUTHORIZATION TO OPEN ANNUAL REQUEST FOR PROPOSAL NO. 97-10-06-1473 FOR JUVENILE JUSTICE RESIDENTIAL PLACEMENT SERVICES AND APPROVAL OF THE EVALUATION COMMITTEE

The Request for Proposal received and opened is as follows:

(24) PRELIMINARY AND FINAL APPROVAL

a) Precinct No. 4

Plat revision of Luz del Cielo Subdivision, Section II - being a resubdivision of 5.41 acres of Storm Water Storage Easement.

(25) FINAL APPROVAL

b) Precinct No. 4

La Iglesia Vieja Subdivision - being a tract of land containing 13.80 acres, out of Block No. 23 of Rancho De Santa Maria Subdivision.

(26) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 12:25 P.M. to discuss the following matters:

- a) Deliberation regarding the Real Property to negotiate the Concessionaire Agreement of Sea Ranch Marina, referenced to Request for Proposal No. 97-07-03; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding the Real Property concerning the possible Lease or purchase of the adjacent building to the Cameron County Health Department in San Benito, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property concerning the possible sale the Old Cameron County Precinct No. 3 Warehouse, located in Los Fresnos, Cameron County, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Deliberation regarding the Real Property concerning the Right-of-Way acquisition for the Villarreal Tract for the West Detention Basin of Los Tomates Bridge Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- e) Deliberation regarding Real Property concerning Parcel No. 39-A, B and C, FM/1419 (Southmost Road); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- g) Confer with County Counsel concerning the Sunny Skies Colonia, on a matter in which the duty of the Attorney to the Governmental Body conflicts with the Open Records Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2); and
- h) Confer with County Counsel concerning the Cameron County Drug Enforcement Task Force Grant No. DB-96-NO47-09578, on a matter in which the duty of the Attorney of the to the Governmental Body conflicts with the Open Meeting Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2).

Supplemental Agenda

(1) EXECUTIVE SESSION

- a) Confer with employees in the Cameron County Health Department for purposes of receiving information from the employees and/or question the employees; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.075.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, the Court reconvened in Regular Session at 2:10 P.M.

(26) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Deliberation regarding the Real Property to negotiate the Concessionaire Agreement of the Sea Ranch Marina, referenced to Request for Proposal No. 97-07-03.

Upon motion by Commissioner Matz, seconded by Commissioner Benavides and carried unanimously, County Counsel was authorized to continue negotiations and report to the Court regarding the Real Property Concessionaire Agreement of the Sea Ranch Marina, referenced to Request for Proposal No. 97-07-03.

- b) In the matter of the deliberation regarding the Real Property concerning the possible Lease or purchase of the adjacent building to the Cameron County Health Department in San Benito, Cameron County, Texas; and **(TABLED)**
- c) In the matter of the deliberation regarding the Real Property concerning the possible sale of the Old Cameron County Precinct No. 3 Warehouse, located in Los Fresnos, Cameron County, Texas. **(TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Matz and carried unanimously, these Items were **TABLED**.

- d) Deliberation regarding the Real Property concerning the Right-of-Way acquisition for the Villarreal Tract for the West Detention Basin of Los Tomates Bridge Project.

Commissioner Matz moved that the payment, in the amount of \$63,735.00, be approved for the Real Property concerning the Right-of-Way acquisition for the Villarreal Tract for the West Detention Basin of Los Tomates Bridge Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

- e) Deliberation regarding the Real Property concerning Parcel No. 39-A, B and C, FM/1419 (Southmost Road).

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the payment and settlement including the transfer of the existing Right-of-Way concerning Parcel No. 39-A, B and C, FM/1419 (Southmost Road) was approved, subject to a Right-of-Reversion over a five (5) year period.

- g) Confer with County Counsel concerning the Sunny Skies Colonia, on a matter in which the duty of the Attorney to the Governmental Body conflicts with the Open Records Act.

Upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the settlement to Mr. Ovidio Farias, Jr., and Ms. Elisa Farias, property lienholders, in the amount of \$32,000.00, was approved, regarding the interest in the property in the Sunny Skies Colonia.

- h) Confer with County Counsel concerning the Cameron County Drug Enforcement Task Force Grant No. DB-96-NO47-09578, on a matter in which the duty of the Attorney to the Governmental Body conflicts with the Open Records Act.

Commissioner Matz moved that the Status Report by County Counsel be acknowledged regarding the Cameron County Drug Enforcement Task Force Grant No. DB-96-NO47-09578, on the matter in which the duty of the Attorney to the Governmental Body conflicts with the Open Records Act.

The motion was seconded by Commissioner Peña and carried unanimously.



(2) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Confer with employees in the Cameron County Health Department for purposes of receiving information from the employees and/or question the employees.

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Status Report of the Cameron County Health Department employees was acknowledged.

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

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APPROVED this **23rd** day of **December, 1997**.

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GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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