



**Cameron County, Texas  
Commissioners' Court  
Cameron County Courthouse, 4<sup>th</sup> Floor  
964 E. Harrison St.  
Brownsville, Texas 78520  
(956) 544-0830 – (956) 544-0801 Fax**

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## **REGULAR MEETING**

The Cameron County Commissioners' Court will meet for a Regular Public Meeting on Tuesday, March 16, 2004, at 9:30 a.m. in the Courtroom on the 4<sup>th</sup> Floor.

**Gilberto Hinojosa  
County Judge  
(956) 544-0830**

**Pedro "Pete" Benavides  
Commissioner, Pct. 1  
(956) 574-8167**

**David A. Garza  
Commissioner, Pct. 3  
(956) 361-8209**

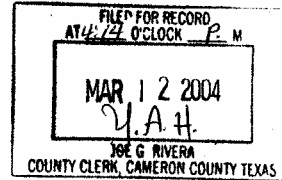
**John Wood  
Commissioner, Pct. 2  
(956) 983-5091**

**Edna Tamayo  
Commissioner, Pct. 4  
(956) 427-8069**

Questions regarding this agenda should be directed to the County Agenda Coordinator at (956) 544-0830.

### **Cameron County Courthouse Accessibility Statement**

This meeting is accessible to disabled persons. There are two (2) parking spaces reserved for the disabled on Harrison Street at the front entrance of the Cameron County Courthouse Administrative Building and an additional two (2) parking spaces in front of the Judicial Building. The buildings are accessible through the front entrance handicapped ramps and elevators located in the first floor of each building.



## NOTICE

### COMMISSIONERS COURT REGULAR MEETING

TUESDAY, THE 16<sup>TH</sup> DAY OF MARCH 2004 AT 9:30 A.M.

## AGENDA

PURSUANT TO GOVERNMENT CODE SECTION 551.041, VTCS, AS AMENDED, NOTICE IS HEREBY GIVEN THAT A **REGULAR PUBLIC MEETING** OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, WILL BE HELD IN THE COMMISSIONERS' COURTROOM AT THE COURTHOUSE, 964 E. HARRISON STREET, FOURTH FLOOR, BROWNSVILLE, TEXAS.

1. PUBLIC COMMENTS.

### PRESENTATIONS:

2. PRESENTATION ON THE STATUS OF THE SOLID WASTE COLLECTION AND DISPOSAL SYSTEM PROJECT. (GS-COUNTY JUDGE)

### ITEMS FOR DISCUSSION AND ACTION:

3. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
4. APPROVAL OF MINUTES FOR:
  - A. FEBRUARY 17, 2004- REGULAR MEETING
  - B. FEBRUARY 24, 2004-REGULAR MEETING
  - C. MARCH 2, 2004-REGULAR MEETING
5. DISCUSSION AND POSSIBLE ACTION IN REGARDS TO A REQUEST FROM SERGEANT ALANIZ, TEXAS DEPARTMENT OF PUBLIC SAFETY, REGARDING THE FILING OF CASES DURING SPRING BREAK. (DG- COMM. PRECINCT 3)

6. CONSIDERATION AND AUTHORIZATION FOR PD&M DEPARTMENT TO CONDUCT A PUBLIC HEARING ON MARCH 24, 2004, PURSUANT TO DISASTER RELIEF GRANT APPLICATION FROM THE 2003 TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD&M)
7. CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF CAMERON, TEXAS, AUTHORIZING THE SUBMISSION OF A 2003 TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE DISASTER RELIEF FUND; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE 2003 TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD&M)
8. CONSIDERATION AND ACCEPTANCE OF FEMA'S 1439-DR-TX, HAZARD MITIGATION GRANT PROJECT #9 AWARD IN THE AMOUNT OF \$938,204 (75%) FOR THE DEL MAR HEIGHTS BUYOUT PROJECT. (GS-COUNTY JUDGE)
9. CONSIDERATION AND AUTHORIZATION TO PROCEED WITH THE NEXT PHASE(S) OF THE PROFESSIONAL SERVICE CONTRACT WITH JEFFERY S. WARD & ASSOCIATES FOR FLOOD MITIGATION AND BUYOUT CONSULTING SERVICES. (GS-COUNTY JUDGE)
10. CONSIDERATION AND POSSIBLE ACTION REGARDING THE INSTALLATION OF PERIMETER SECURITY MEASURES AT THE CARRIZALES-RUCKER DETENTION CENTER, TO POSSIBLY INCLUDE ADDITIONAL CAMERAS, FENCING AND LIGHTING. (COMM. COURT)
11. CONSIDERATION AND IMPLEMENTATION OF POSSIBLE COST SAVING MEASURES AND BUDGET ADJUSTMENTS TO INCLUDE, BUT NOT LIMITED TO, THE ISSUANCE OF FUTURE PURCHASE ORDERS, CONTRIBUTIONS TO THE EMPLOYEE HEALTH FUND AND COUNTY VEHICLE USE. (GH-COUNTY JUDGE)

**TRAVEL ITEMS:**

12. CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
  - A. COMMISSIONER PRECINCT 3, TO TRAVEL TO EL PASO, TX, ON 3/3/04, TO ATTEND THE TEXAS BORDER INFRASTRUCTURE COALITION MEETING.
  - B. AUDITOR'S OFFICE EMPLOYEES (5), TO TRAVEL TO AUSTIN, TX, ON 5/18-21/04, TO ATTEND MANDATORY TRAINING SESSIONS AT THE ANNUAL COUNTY AUDITORS INSTITUTE.
  - C. COUNTY CLERK AND DEPUTY CLERKS (2), TO TRAVEL TO AUSTIN, TX, ON 4/28-30/4, TO ATTEND THE " COUNTY AND DISTRICT CLERKS LEGAL EDUCATION CONFERENCE".

- D. DISTRICT CLERK AND DEPUTY CLERKS (2), TO TRAVEL TO SAN ANTONIO, TX, ON 5/25-27/04, TO ATTEND THE COUNTY AND DISTRICT CLERKS' REGION 4 CONFERENCE.
- E. DEPARTMENT OF TRANSPORTATION DIRECTOR, TO TRAVEL TO WASHINGTON, D.C., ON 3/21-24/04, TO ATTEND BORDER TRADE ALLIANCE CONFERENCE AND MEETINGS REGARDING THE RAIL CONSOLIDATION PLAN.

**CONSENT ITEMS:**

ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.

- 13. APPROVAL OF CLAIMS.
- 14. CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING APRIL 2004, AS "CHILD ABUSE PREVENTION AND AWARENESS MONTH" IN CAMERON COUNTY, TEXAS. (COMM. COURT)
- 15. CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING APRIL 2004, AS "SEXUAL ASSAULT AWARENESS MONTH" IN CAMERON COUNTY, TEXAS. (COMM. COURT)
- 16. CONSIDERATION AND APPROVAL OF LEASE AGREEMENT BETWEEN CAMERON COUNTY AND B. P. NEWMAN TO PROVIDE OFFICES FOR THE HIDTA WHITE SANDS TASK FORCE. (YDL-DA)
- 17. CONSIDERATION AND APPROVAL TO PURCHASE A CELL PHONE AND SERVICE FOR CRIMINAL INTERDICTION OFFICER. (RL-SHERIFF DEPT.)
- 18. CONSIDERATION AND APPROVAL OF A GRANT PROPOSAL TO BE SUBMITTED TO THE MEADOWS FOUNDATION FOR FUNDING THE CAMERON COUNTY YOUTH AND FAMILY LEARNING CENTER PROGRAM FOR PROGRAM YEAR 2004-2005. (HD-TITLE V)
- 19. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF NEHEMIAS BARRERA FOR RESERVE DEPUTY CONSTABLES FOR PRECINCT #1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)
- 20. CONSIDERATION AND AUTHORIZATION TO OPEN THE OPERATION OF BEACH ACCESS #6 AND COUNTY BAY ACCESS A/K/A "THE FLATS". (JM-PARK SYSTEM)
- 21. CONSIDERATION AND AUTHORIZATION TO RENEW A CONCESSION LEASE AGREEMENT BETWEEN CAMERON COUNTY (PARKS) AND ALEJANDRO GONZALEZ D/B/A THE KRUSTY KRAB. (JM-PARK SYSTEM)

22. CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND RIO HONDO INDEPENDENT SCHOOL DISTRICT TO COLLABORATE EMERGENCY MASS IMMUNIZATION SERVICES. (YS-HEALTH DEPT.)
23. CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND LA FERIA INDEPENDENT SCHOOL DISTRICT TO COLLABORATE EMERGENCY MASS IMMUNIZATION SERVICES. (YS-HEALTH DEPT.)
24. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND THE VALLEY PROUD ENVIRONMENTAL COUNCIL FOR THE ANTI-ILLEGAL DUMPING PSAS PROJECT. (FB-PD&M)
25. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND THE LOWER RIO GRANDE VALLEY ENVIRONMENTAL COUNCIL FOR THE ANTI-ILLEGAL DUMPING PSAS PROJECT. (FB-PD&M)
26. CONSIDERATION AND APPROVAL OF GRANT CONTRACT BETWEEN CAMERON COUNTY AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE DISTRICT CLERK'S RECYCLING PROGRAM. (FB-PD&M)
27. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL AND CAMERON COUNTY FOR AN ENVIRONMENTAL AWARENESS EDUCATION AND TRAINING PROJECT FOR THE SHERIFF'S DEPARTMENT. (FB-PD&M)
28. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE SHERIFF'S DEPARTMENT'S SOLID WASTE LOCAL ENFORCEMENT PROJECT. (FB-PD&M)
29. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR: (MF-PURCHASING)
  - A. JANITORIAL SUPPLIES: CHEMICALS & CLEANING – ANNUAL BID #2300-1
30. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR: (MF-PURCHASING)
  - A. POLICE SUPPLIES & BODY ARMOR – ANNUAL BID #2505
31. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS /RFP'S/RFQ FOR: (MF-PURCHASING)
  - A. BUILDING: LIGHT BULBS & BALLASTS – ANNUAL BID #2004
  - B. ROAD MATERIALS: DRAINAGE – CORRUGATED METAL PIPE – ANNUAL BID #2520
  - C. TRANSPORTATION OF INMATES – ANNUAL BID #1890
  - D. TRUCKS DUMP & WATER – BID #040201

32. CONSIDERATION AND AUTHORIZATION TO ALLOW CAMERON COUNTY TO APPLY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AS AN ECONOMICALLY DISADVANTAGED COUNTY (EDC) FOR THE REPLACEMENT OF A BRIDGE AT SEARCY ROAD IN THE PRECINCT 4 AREA. (PS-ENGINEERING)
33. CONSIDERATION AND ACKNOWLEDGEMENT OF AUDIT REPORT CONDUCTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE FEDERAL HIGHWAY ADMINISTRATION OF THE CAMERON COUNTY'S RIGHT OF WAY FILES. (PS-DEPT. OF TRANSPORTATION)
34. CONSIDERATION AND AUTHORIZATION TO PROVIDE A 10% MATCH FOR A GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN AIRPORT DEVELOPMENT PLAN. (PS-DEPT. OF TRANSPORTATION)
35. CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND ISLAND DELIVERY FOR THE USE OF AIRPORT PROPERTY. (PS-DEPT. OF TRANSPORTATION)
36. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT #4- EAGLE ESTATES SUBDIVISION, BEING A 21.156 ACRE TRACT OF LAND OUT OF BLOCK TWENTY-SIX (26), AND PART OF BLOCK TWENTY-FIVE (25), OF RICE TRACT SUBDIVISION, AND THE RE-SURVEY OF THE RICE TRACT SUBDIVISION, CAMERON COUNTY, TEXAS.
37. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT #4- C & S RODRIGUEZ RANCH SUBDIVISION, BEING A 5.660 ACRE TRACT OF LAND OUT OF BLOCK TWO HUNDRED NINETY-SEVEN (297), ADAMS GARDENS SUBDIVISION "D", CAMERON COUNTY, TEXAS.

**TRAVEL ITEMS (GRANT FUNDED):**

38. CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
  - A. SHERIFF'S DEPARTMENT EMPLOYEE, TO TRAVEL TO HUNTSVILLE, ALABAMA, ON 3/28-5/7/04, TO ATTEND CANINE TRAINING.
  - B. U.N.I.T. DIRECTOR, TO TRAVEL TO SAN ANTONIO, TX, ON 3/22-23/04, TO ATTEND AN EXECUTIVE COMMITTEE MEETING.

- C. ATPA TASK FORCE DIRECTOR, CHIEF OF INVESTIGATIONS, ADMINISTRATIVE ASSISTANT AND INVESTIGATOR, TO TRAVEL TO HOUSTON, TX, ON 4/4-7/04, TO ATTEND THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY 2004 ANNUAL CONFERENCE.

**EXECUTIVE SESSION:**

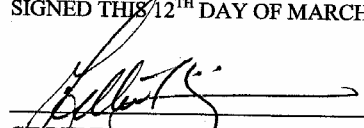
- 39. EXECUTIVE SESSION:
  - A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JUAN CORTEZ VS. CAMERON COUNTY AND CONRADO CANTU, SHERIFF OF CAMERON COUNTY, IN THE 197<sup>TH</sup> DISTRICT COURT; CAUSE NO. 2004-02-1059-C, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).
  - B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING THE CAMERON COUNTY JAIL SYSTEM ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A., GOVERNMENT CODE 551.071 (1)(A)&(2).
  - C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING POSSIBLE LITIGATION INVOLVING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).
  - D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE AGREEMENT FOR LEGAL SERVICES BETWEEN CAMERON COUNTY AND MARTINEZ, BARRERA AND MARTINEZ FOR THE INVESTIGATION CONCERNING THE CARRIZALEZ-RUCKER DETENTION CENTER ISSUES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
  - E. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE ACQUISITION OF PROPERTY IN THE LAGUNA MADRE AREA FOR A COUNTY ANNEX IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
  - F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING REAL PROPERTY CONCERNING: THE POSSIBLE ACQUISITION OF LEVI STRAUSS & CO.-SAN BENITO PROPERTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2) & 551.072.
- 40. ACTION RELATIVE TO EXECUTIVE SESSION:
  - A. POSSIBLE ACTION.
  - B. POSSIBLE ACTION.
  - C. POSSIBLE ACTION.

D. POSSIBLE ACTION.

E. POSSIBLE ACTION.

F. POSSIBLE ACTION.

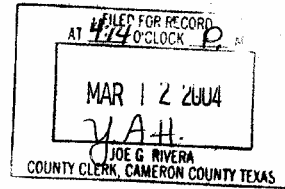
SIGNED THIS 12<sup>TH</sup> DAY OF MARCH 2004.



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GILBERTO HINOJOSA  
COUNTY JUDGE





## **SUPPLEMENTAL NOTICE**

### **COMMISSIONERS COURT REGULAR MEETING**

**TUESDAY, THE 16<sup>TH</sup> DAY OF MARCH 2004 AT 9:30 A.M.**

### **AGENDA**

PURSUANT TO GOVERNMENT CODE SECTION 551.041, V.T.C.S., AS AMENDED, NOTICE IS HEREBY GIVEN THAT A **REGULAR PUBLIC MEETING** OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS, WILL BE HELD IN THE COMMISSIONERS' COURTROOM AT THE COURTHOUSE, 964 E. HARRISON STREET, FOURTH FLOOR, BROWNSVILLE, TEXAS.

#### **CONSENT ITEMS:**

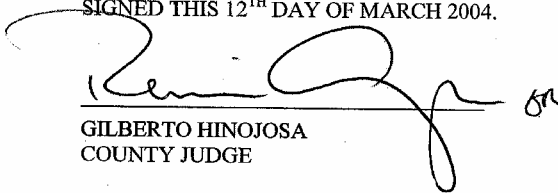
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1. CONSIDERATION AND APPROVAL OF THE ADDITION OF JUDGE BENNIE OCHOA TO THE COLLECTION SERVICES FOR DELINQUENT COURT COSTS AND FINES REVIEW COMMITTEE. (RG-COUNTY JUDGE)

#### **TRAVEL ITEMS (GRANT FUNDED):**

2. CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
  - A. JUVENILE PROBATION EMPLOYEES (2), TO TRAVEL TO AUSTIN, TX, ON 4/20-22/04, TO ATTEND "CASEWORKER 5 TRAINING".

SIGNED THIS 12<sup>TH</sup> DAY OF MARCH 2004.

  
GILBERTO HINOJOSA  
COUNTY JUDGE