



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

REGULAR MEETING

The Cameron County Commissioners' Court will meet for a Regular Public Meeting on
Tuesday, May 11, 2004, at 9:30 a.m. in the Courtroom on the 4th Floor.

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

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

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

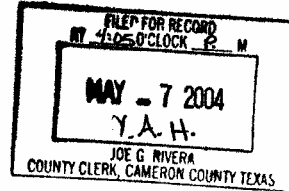
David A. Garza
Commissioner, Pct. 3
(956) 361-8209

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 11th DAY OF MAY 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 OF MID-YEAR BUDGET REVIEW BY BUDGET OFFICER AND COUNTY AUDITOR. (XV-BUDGET OFFICER)
3. PRESENTATION AND ACKNOWLEDGEMENT OF THE FISCAL YEAR 2002-2003 COMPREHENSIVE ANNUAL FINANCIAL REPORT. (MY-AUDITOR)

ITEMS FOR DISCUSSION AND ACTION:

4. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
5. APPROVAL OF MINUTES FOR:
 - A. MARCH 23, 2004-REGULAR MEETING
6. CONSIDERATION AND AUTHORIZATION TO NAME A STUDY COMMITTEE TO PREPARE GUIDELINES TO BE FOLLOWED IN PREPARATION FOR THE 2010 FEDERAL CENSUS. (COMM. COURT)
7. DISCUSSION AND POSSIBLE ACTION ON "VALUE ENGINEERING" ITEMS ON LOW BID FOR THE DANCY BUILDING INTERIOR RESTORATION AND RELATED ITEMS. (FB-PD&M)

8. CONSIDERATION AND AUTHORIZATION TO UTILIZE JAMAIL CONSTRUCTION, WHICH IS UNDER THE "BUYBOARD" METHOD OF PROCURING CONSTRUCTION TO REPLACE THE ROOF AT THE JUVENILE PROBATION BUILDING AT 35 ORANGE STREET, BROWNSVILLE, TEXAS. (MI-BUILDING MAINTENANCE)
9. CONSIDERATION AND AUTHORIZATION TO UTILIZE TEXAS BUILDING AND PROCUREMENT COMMISSION (TBPC) TEXAS MASTER AGREEMENT SCHEDULE (TXMAS) – GSA (GENERAL SERVICES ADMINISTRATION) CONTRACT #35F-0645K WITH LENSEC CO. FOR SURVEILLANCE CAMERAS, RECORDING, MONITORING, AND RELATED SECURITY SYSTEMS. (ML-SHERIFF'S DEPT.)
10. CONSIDERATION AND POSSIBLE ACCEPTANCE OF DONATION BY BOGGUS FORD OF A VEHICLE TO THE CAMERON COUNTY SHERIFF'S DEPARTMENT COURTESY VEHICLE PROGRAM. (DW-CIVIL)

TRAVEL:

11. 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. 103RD DISTRICT COURT, 138TH DISTRICT COURT, 404TH DISTRICT COURT , 197TH DISTRICT COURT, AND 357TH DISTRICT COURT EMPLOYEES, TO TRAVEL TO PLANO, TX, ON 6/24-27/04, TO ATTEND THE TEXAS COURT REPORTER ASSOCIATION'S ANNUAL CONVENTION/SEMINAR.
 - B. 107TH DISTRICT COURT EMPLOYEES (3), TO TRAVEL TO PLANO, TX, ON 6/24-27/04, TO ATTEND THE TEXAS COURT REPORTER ASSOCIATION'S ANNUAL CONVENTION/SEMINAR.
 - C. TAX ASSESSOR-COLLECTOR AND ADMINISTRATIVE ASSISTANT, TO TRAVEL TO LAREDO, TX, ON 5/15-20/04, TO ATTEND THE "TEXAS ASSESSOR COLLECTORS ASSOCIATION ANNUAL CONFERENCE".
 - D. JUSTICE OF THE PEACE PRECINCT 5, PLACE 1, TO TRAVEL TO HOUSTON, TX, ON 6/4-9/04, TO ATTEND THE ANNUAL STATE CONFERENCE OF JUSTICES OF THE PEACE & CONSTABLES ASSOCIATION.
 - E. COMPUTER CENTER COMMUNICATIONS SPECIALIST AND SUPPORT HELP, TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 6/23-25/04, TO ATTEND THE NATIONAL ASSOCIATION OF PURCHASING MANAGEMENT SEMINAR.
 - F. PD & M EMPLOYEE, TO TRAVEL TO MERCEDES, TX, ON 5/12/04, TO ATTEND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL MEETING.

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.

12. APPROVAL OF CLAIMS.
13. CONSIDERATION AND ADOPTION OF A RESOLUTION DECLARING MAY 16, 2004 THROUGH MAY 22, 2004 AS "HURRICANE AWARENESS WEEK" IN CAMERON COUNTY. (TH-EMERGENCY MANAGEMENT)
14. CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH KORINA BARRAZA TO PROVIDE LEGAL REPRESENTATION FOR PATIENTS IN MENTAL COMMITMENT HEARINGS. (DJV-CIVIL)
15. CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND ELADIO CUELLAR, E.C. DESIGNS, RELATING TO THE SUBMITTAL OF PLANS TO THE TEXAS DEPARTMENT OF LICENSING AND REGULATING FOR COMPLIANCE WITH THE AMERICAN DISABILITY ACT. (JM-PARKS DEPT.)
16. CONSIDERATION AND AUTHORIZATION OF AMENDMENT TO THE CONTRACT BETWEEN CAMERON COUNTY AND ST. XAVIER CATHOLIC CHURCH FOR CHANGE OF ADDRESS. (LM-HEALTH DEPT.)
17. CONSIDERATION AND AUTHORIZATION TO APPROVE PAYMENT FOR METROPLEX CONTROL SYSTEMS, INC. FOR PURCHASE WITHOUT PURCHASE ORDER IN THE AMOUNT OF \$665.00. (TR-JUVENILE PROBATION)
18. CONSIDERATION AND AUTHORIZATION TO APPROVE PAYMENT FOR HANDLE WITH CARE BEHAVIOR MANAGEMENT SYSTEMS, INC. FOR PURCHASE WITHOUT PURCHASE ORDER IN THE AMOUNT OF \$2465.73. (TR-JUVENILE PROBATION)
19. CONSIDERATION AND ACCEPTANCE OF CONTINUATION GRANT AWARD FOR GRANT 2004-WS-Q4-0069 (WEED AND SEED) IN THE AMOUNT OF \$175,000. (TR-JUVENILE PROBATION)
20. CONSIDERATION AND APPROVAL OF AMENDMENT NO. 2 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 721101 TO ADJUST THE PROJECT BUDGET TO REFLECT ACTUAL CONSTRUCTION COSTS. (FB-PD&M)
21. CONSIDERATION AND AUTHORIZATION TO FILL AUTO/TAX CLERK VACANCY IN THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE. (TY-TAX OFFICE)
22. CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S FOR THE FOLLOWING: (MF-PURCHASING)
 - A. BUILDING SUPPLIES: CARPENTRY MATERIALS – ANNUAL BID #2000 TO SOUTH TEXAS MOULDING.
23. CONSIDERATION AND AUTHORIZATION TO AWARD BIDS / RFP'S FOR THE FOLLOWING: (MF-PURCHASING)
 - A. AUTOMOTIVE SUPPLIES: BATTERIES – ANNUAL BID #1980 TO CONTINENTAL BATTERY.

24. CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S FOR THE FOLLOWING: (MF-PURCHASING)
 - A. ROAD MATERIALS: COLD PATCH (UPM) – ANNUAL BID #2566 TO BALLINGER CONSTRUCTION.
 - B. ROAD MATERIALS: STABILIZER LIQUID – ANNUAL BID #2574 TO ROADBOND USA FOR CATEGORY A, TO ARROW MAGNOLIA FOR CATEGORY B, AND TO J. B. INDUSTRIES FOR CATEGORY C
 - C. WATER-DRINKING – ANNUAL BID #2250 TO ST. JOSEPH'S WATER.
25. CONSIDERATION AND AUTHORIZATION TO EXTEND CONSTRUCTION DATE FROM MARCH 24, 2004 TO SEPTEMBER 15, 2007 FOR PROVIDING WATER (WATER WELLS) AND SEWER FACILITIES (SEPTIC SYSTEMS) AT POMELO-THOMPSON ROAD ESTATES SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
26. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR FERIA-ROSA SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
27. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR MAGNOLIA ESTATES SUBDIVISION, NO. II, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
28. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR PABLO GONZALES SUBDIVISION, NO. 2, PRECINCT 4, FOR UNBUILT SEPTIC AND WATER WELL SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
29. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (MF-PURCHASING)
 - A. PRECINCT 4- RANCHO GRANDE SOUTH SUBDIVISION, SECTION X, BEING A 41.170 ACRES CONSISTING OF PART OF 392.50 ACRES PER ACTUAL SURVEY, SAME PROPERTY DESCRIBED AS A 389.2 ACRE TRACT IN DEED GRANTING A 30 FT. WATER TRANSMISSION CANAL EASEMENT, FROM E. D. PALMER TO W. B. MOBLEY, DATED FEB. 9, 1955 (CAMERON COUNTY DEED RECORDS VOLUME 206, PAGE 432) AND ALL OF TRACTS 1 (107.53 AC. REC., 107.41 MEAS.), 2 (98.48 AC. REC. 98.76 AC. MEAS.), AND 3 (46.67 AC. REC., 46.64 AC. MEAS.), OF A PLAT OF A PORTION OF SAN PEDRO DE CARRICITOS GRANT SHOWING ELEVEN TRACTS OF LAND OUT OF SUBDIVISION "E", "F", "G", "H" OF SHARES 7 AND 8 DATED MARCH 6, 1944 (CAMERON COUNTY MAP RECORDS VOLUME 11, PAGE 22), IN SHARES 6, 7, AND 8, SAN PEDRO DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS.

30. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (MF-PURCHASING)
- A. PRECINCT 4- ROSAS ESTATES SUBDIVISION, BEING A 0.61 ACRE TRACT OUT OF BLOCK TWENTY-FOUR (24), JUAN GONZALES SUBDIVISION, CAMERON COUNTY, TEXAS.

TRAVEL (NO DIRECT COST TO GENERAL FUND):

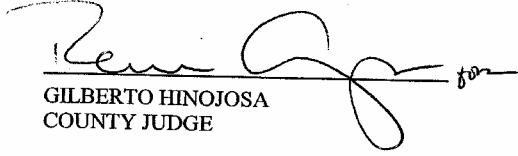
31. CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
- A. COMMISSIONER PRECINCT 3, TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 5/17-20/04, TO ATTEND THE 70TH ANNUAL SOUTH TEXAS COUNTY JUDGE'S AND COMMISSIONERS' ASSOCIATION CONFERENCE.
- B. DRUG ENFORCEMENT TASK FORCE EMPLOYEES (4), TO TRAVEL TO FALFURRIAS, TX, ON 5/4/04, TO TAKE VEHICLES TO THE BROOKS COUNTY AUCTION.
- C. JUVENILE PROBATION EMPLOYEES (2), TO TRAVEL TO AUSTIN, TX, ON 6/24-25/04, TO ATTEND "BUDGET WORKSHOP 2004".
- D. JUVENILE PROBATION EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 6/28-7/2/04, TO ATTEND "E TEXAS GANG INVESTIGATORS ASSOCIATION, 2004 TRAINING CONFERENCE".

EXECUTIVE SESSION:

32. EXECUTIVE SESSION:
- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FIRST NATIONAL BANK OF EDINBURG; CAUSE NO. 2001-08-3600-G IN THE 404TH DISTRICT COURT, FOR DISCUSSION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY/FEDERAL DETENTION DIVISION "TRANSITION PLAN" PERTAINING TO THE SECURITY AND MOVEMENT OF FEDERAL INMATES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM MADE BY DAVID L. TUMLINSON, ON 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 THE OPEN MEETINGS ACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).

- D. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE ACQUISITION OF PROPERTY ADJACENT TO THE DANCY BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
 - E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL ON LEGAL ISSUES REGARDING CERTAIN TAX ABATEMENT AGREEMENTS APPROVED BY CAMERON COUNTY, ON MATTERS 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 THE OPEN MEETINGS ACT, PURSUANT TO V.T.C.A. GOVERNMENT ACT, SECTION 551.071(2).
 - F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING PENDING LITIGATION INVOLVING GEORGE L. GARCIA VS. RUMALDO RODRIGUEZ IN THE 138TH DISTRICT COURT; CAUSE NO. 2004-03-1575-B, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(2).
 - G. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE REQUEST FOR PROPOSALS FOR DETENTION CENTER I, II AND THE OLD COUNTY JAIL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
 - H. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
 - I. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING GILBERT SALAZAR VS. CAMERON COUNTY AND CONRADO CANTU IN HIS OFFICIAL AND INDIVIDUAL CAPACITY IN THE 103RD DISTRICT COURT; NO. 02-12-5172-D, FOR POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(B).
33. ACTION RELATIVE TO EXECUTIVE SESSION:
- A. POSSIBLE ACTION.
 - B. POSSIBLE ACTION.
 - C. POSSIBLE ACTION.
 - D. POSSIBLE ACTION.
 - E. POSSIBLE ACTION.
 - F. POSSIBLE ACTION.
 - G. POSSIBLE ACTION.
 - H. POSSIBLE ACTION.
 - I. POSSIBLE ACTION

SIGNED THIS 7TH DAY OF MAY 2004.

A handwritten signature in cursive script, appearing to read "Gilberto Hinojosa", is written over a horizontal line. The signature is fluid and extends to the right of the line, ending in a small flourish.

GILBERTO HINOJOSA
COUNTY JUDGE