



**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, August 17, 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

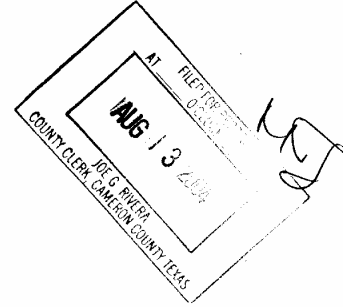
David A. Garza
Commissioner, Pct. 3
(956) 361-8209

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 17th DAY OF AUGUST 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.

ITEMS FOR DISCUSSION AND ACTION:

2. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
3. APPROVAL OF MINUTES FOR:
 - A. JUNE 15, 2004-REGULAR MEETING
4. CONSIDERATION AND CREATION OF A TEMPORARY FULL-TIME LEGAL CLERK I POSITION IN THE JUSTICE OF THE PEACE PRECINCT 2, PLACE 2. (OT-J. P. PRECINCT 2, PLACE 2)
5. CONSIDERATION AND ACTION REGARDING THE DETERMINATION OF AN EMERGENCY EXPENDITURE FOR THE PURCHASE AND INSTALLATION OF A FIRE ALARM SYSTEM FOR DETENTION CENTER TWO. (MI-BUILDING MAINTENANCE)
6. CONSIDERATION AND POSSIBLE APPROVAL OF OWNER WAIVER SUBMITTED BY ENTERPRIZE MANAGEMENT INC. (SCHLITTERBAHN WATERPARK). (DJV-CIVIL)

7. CONSIDERATION AND ACTION TO ESTABLISH THE ADVISORY GRIEVANCE COMMITTEE, AS SET FORTH IN SECTION 14.05 OF THE CAMERON COUNTY PERSONNEL POLICY MANUAL, AND TO APPOINT THREE CAMERON COUNTY EMPLOYEES TO THE ADVISORY GRIEVANCE COMMITTEE. (MV-HUMAN RESOURCES)
8. CONSIDERATION AND RATIFICATION OF THE ACCEPTANCE BY THE COUNTY JUDGE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE GRANT AWARD IN THE AMOUNT OF \$25,000 FOR THE PURPOSE OF CONSTRUCTING THE ARROYO CITY FIRE STATION/POLICE SUBSTATION. (GH-COUNTY JUDGE)
9. CONSIDERATION AND APPROVAL OF GRANT AGREEMENT BETWEEN CAMERON COUNTY AND UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE CONSTRUCTION OF THE ARROYO CITY FIRE STATION/POLICE SUBSTATION. (GH-COUNTY JUDGE)
10. CONSIDERATION AND APPROVAL OF RESOLUTION AUTHORIZING THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING FOR A PORTION OF THE COSTS OF CONSTRUCTION THE ARROYO CITY FIRE STATION/POLICE SUBSTATION. (GH-COUNTY JUDGE)
11. CONSIDERATION AND APPROVAL FOR EMERGENCY MANAGEMENT DIVISION TO DEVELOP A HURRICANE RE-ENTRY PROGRAM FOR LAGUNA HEIGHTS. (TH-EMERGENCY MANAGEMENT)
12. CONSIDERATION AND AUTHORIZATION TO SUBMIT TO TXDOT A LIST OF FIRMS RANKED BY PRIORITY BASED ON PROPOSALS SUBMITTED FOR THE AIRPORT DEVELOPMENT PLAN. (PS-DEPT. OF TRANSPORTATION)
13. DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2004-2005 BUDGET. (XV-BUDGET OFFICER)
14. CONSIDERATION AND APPROVAL OF APPOINTMENTS TO THE CAMERON COUNTY LOCAL LAW ENFORCEMENT BLOCK GRANT ADVISORY BOARD. (FB-PD & M)
15. CONSIDERATION AND APPROVAL TO CREATE THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO INCLUDE THE FOLLOWING DIVISIONS: HEALTH DEPARTMENT, VETERANS SERVICE OFFICE, CENTRO CULTURAL, FAMILY LEARNING CENTERS AND ALL OTHER GRANTS OR PROGRAMS DETERMINED BY THE COMMISSIONERS' COURT TO PROVIDE DIRECT COMMUNITY SERVICES. (COMM. COURT)

TRAVEL:

16. 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 ADMINISTRATOR AND COURT COORDINATOR, TO TRAVEL TO GALVESTON, TX, ON 9/28-10/1/04, TO ATTEND THE TEXAS ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE.
- B. 197TH DISTRICT COURT ADMINISTRATOR AND COURT COORDINATOR, TO TRAVEL TO GALVESTON, TX, ON 9/28-10/1/04, TO ATTEND YEARLY TACA CONFERENCE FOR EDUCATION HOURS.
- C. 357TH DISTRICT COURT ADMINISTRATOR AND COURT COORDINATOR, TO TRAVEL TO GALVESTON, TX, ON 9/28-10/1/04, TO ATTEND THE TEXAS ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE.
- D. 404TH DISTRICT COURT ADMINISTRATOR AND COURT COORDINATOR, TO TRAVEL TO GALVESTON, TX, ON 9/28-10/1/04, TO ATTEND THE ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE.

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.

- 17. APPROVAL OF CLAIMS.
- 18. ACKNOWLEDGEMENT OF DISTRICT CLERK'S APRIL, MAY AND JUNE MONTHLY FEE AND FINES REPORT. (ADLG-DISTRICT CLERK)
- 19. CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING MS. TIFFANY LEAH RUBINSTEIN FOR HER OUTSTANDING ACADEMIC ACHIEVEMENT. (GH-COUNTY JUDGE)
- 20. CONSIDERATION AND AUTHORIZATION TO FILL TWO (2) VACANCIES IN THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE. (TY-TAX ASSESSOR-COLLECTOR)
- 21. CONSIDERATION AND POSSIBLE APPROVAL OF INTERLOCAL AGREEMENT WITH THE SANTA ROSA INDEPENDENT SCHOOL DISTRICT FOR THE USE OF THE COUNTY PARK IN SANTA ROSA FOR FOOTBALL PRACTICE. (DJV-CIVIL)
- 22. CONSIDERATION AND POSSIBLE APPROVAL OF LEGAL SERVICES AGREEMENT WITH PAUL FORT TO PROVIDE REPRESENTATION FOR THE INDIGENT DEFENDANTS OF THE CAMERON COUNTY COURT AT LAW NO. 3. (DR-COUNTY COURT AT LAW NO. 3)
- 23. CONSIDERATION AND AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN MAURICIO ATILANO, D/B/A MAURICIO ATILANO CO. AND THE CAMERON COUNTY (PARKS) FOR THE CONSTRUCTION OF PIERS TO SUPPORT THE EXISTING FOUNDATION FOR THE CABANAS AT ISLA BLANCA PARK. (JM-PARK SYSTEM)

24. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR:
 - A. BUILDING SUPPLIES: PAINT, STAIN, VARNISH – ANNUAL BID #2008
 - B. DIETARY SOAP / CLEANER DISHES – ANNUAL BID #2060
 - C. FOOD: PAN DULCE – ANNUAL BID #2200
 - D. TIRE REPAIRS – ANNUAL BID #1850
25. CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING ANNUAL BIDS/PROPOSALS F.Y. 04-05:
 - A. PAPER: COPIER, PRINT SHOP, ENVELOPES – ANNUAL BID #2460
26. CONSIDERATION AND APPROVAL OF ARCHITECT AGREEMENT BETWEEN CAMERON COUNTY AND GOMEZ MENDEZ ARCHITECTS FOR THE CAMERON COUNTY/PORT ISABEL ANNEX BUILDING. (PS-DEPT. OF TRANSPORTATION)
27. CONSIDERATION AND APPROVAL OF TIME EXTENSION FOR PROVIDING WATER (WATER WELLS) AND SEWER FACILITIES (SEPTIC SYSTEMS) AT CANO ESTATES NO. 3 SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
28. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR TAMM LANE NO. 3 SUBDIVISION, PRECINCT 4, FOR UNBUILT WATER WELLS SYSTEMS AND SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
29. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 5, LOCATED AT THE CORNER OF GLENNWAY DRIVE AND FM 800, FOR FM 800. (PS-DEPT. OF TRANSPORTATION)
30. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 13, LOCATED AT THE CORNER OF HOSS LANE AND FM 800, FOR FM 800. (PS-DEPT. OF TRANSPORTATION)
31. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 1, LOCATED JUST SOUTH OF BUSINESS 77 AND ON THE NORTH SIDE OF IOWA GARDENS ROAD, FOR IOWA GARDENS ROAD BRIDGE #882. (PS-DEPT. OF TRANSPORTATION)
32. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 2, LOCATED JUST SOUTH OF BUSINESS 77 AND ON THE NORTH SIDE OF IOWA GARDENS ROAD, FOR IOWA GARDENS ROAD BRIDGE #882. (PS-DEPT. OF TRANSPORTATION)
33. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 2, LOCATED JUST SOUTH OF FM 106 AND OFF OF BROWN TRACT ROAD, FOR THE SAN VICENTE OUTFALL DRAIN BRIDGE #367. (PS-DEPT. OF TRANSPORTATION)
34. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 1, LOCATED JUST SOUTH OF FM 106 AND OFF OF BROWN TRACT ROAD, FOR THE SAN VICENTE OUTFALL DRAIN BRIDGE #368 AT ORTEGA ROAD. (PS-DEPT. OF TRANSPORTATION)

35. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 4, LOCATED JUST SOUTH OF FM 106 AND OFF OF BROWN TRACT ROAD, FOR THE SAN VICENTE OUTFALL DRAIN BRIDGE #368 AT ORTEGA ROAD. (PS-DEPT. OF TRANSPORTATION)
36. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
 - A. PRECINCT NO. 4- MARIPOSA RANCH SUBDIVISION, PHASE III, BEING 14.55 ACRES OF LAND, MORE OR LESS, COMPRISED OF 4.75 ACRES OUT OF BLOCK 7 AND 9.79 ACRES OUT OF BLOCK 8, BLACK BROS. SUBDIVISION, RECORDED IN VOLUME 2, PAGE 37, MAP RECORDS OF CAMERON COUNTY, TEXAS.

TRAVEL (NO DIRECT COST TO GENERAL FUND):

37. 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. HEALTH DEPARTMENT WIC DIRECTOR AND NUTRITION EDUCATION COORDINATOR, TO TRAVEL TO AUSTIN, TX, ON 8/26-27/04, TO ATTEND THE FIFTH ANNUAL GRADUATION CEREMONY HONORING THE 2004 DIETETIC INTERNSHIP CLASS.

EXECUTIVE SESSION:

38. EXECUTIVE SESSION:
 - A. DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF THE CAMERON COUNTY COMPUTER CENTER DIRECTOR, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.074 (A)(1).
 - B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING VICENTA CANTU; FELIX R. MUNOZ, RUTH WEAVER AND DIAMANTINA ALVARADO VS. CAMERON COUNTY AND TONY YZAGUIRRE, JR.; CIVIL ACTION NO. B-03-096 IN THE UNITED STATES DISTRICT COURT, FOR DISCUSSION OF STATUS OF CASE AND SETTLEMENT OFFER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(B)&(2).
 - C. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE SALE OF CERTAIN COUNTY PROPERTY AT THE FREE TRADE BRIDGE AT LOS INDIOS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

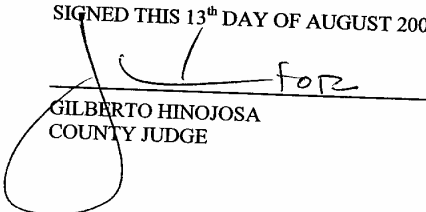
- D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING A SUBDIVISION ON WHICH THE DUTIES OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2) AND 551.072.
 - E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE DEL MAR HEIGHTS BUYOUT PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
 - F. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE SALE OF COUNTY PROPERTIES IN HARLINGEN, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
 - G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. LANDMARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).
 - H. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
 - I. TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.076.
 - J. TO CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING THE ARROYO CITY FIRE STATION PROJECT, ON WHICH THE DUTIES 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).
39. 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.

J. POSSIBLE ACTION.

SIGNED THIS 13th DAY OF AUGUST 2004.


GILBERTO HINOJOSA
COUNTY JUDGE