



**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 31, 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.

Accepted for Filing in:
Cameron County

On: Aug 27, 2004 at 03:22P

By,
Liliana Pizana



NOTICE

COMMISSIONERS COURT REGULAR MEETING

TUESDAY, THE 31st 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.

PRESENTATIONS:

2. PRESENTATION BY LINEBARGER GOGGAN BLAIR & SAMPSON REGARDING THE DELINQUENT TAX ACTIVITY REPORT. (COMM. COURT)
3. PRESENTATION OF RESOLUTION RECOGNIZING MR. SANTIAGO YBARRA, JR. ON THE OCCASION OF HIS RETIREMENT. (COMM. COURT)

ITEMS FOR DISCUSSION AND ACTION:

4. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
5. APPROVAL OF MINUTES FOR:
 - A. JUNE 15, 2004- REGULAR MEETING
 - B. JUNE 22, 2004- REGULAR MEETING
 - C. JUNE 29, 2004-SPECIAL MEETING
 - D. JULY 6, 2004-SPECIAL MEETING

6. DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2004-2005 BUDGET. (XV-BUDGET OFFICER)
7. DISCUSSION AND POSSIBLE ACTION REGARDING THE PUBLIC HEARING TO SET COUNTY TAX RATES FOR THE 2004-2005 FISCAL YEAR. (XV-BUDGET OFFICER)
8. CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY TO JOIN THE TEXAS FEDERATION OF HUMANE SOCIETIES. (JW- COMM. PRECINCT 2)
9. CONSIDERATION AND POSSIBLE APPROVAL TO ALLOW UNIVERSITY OF TEXAS-BROWNSVILLE CRIMINAL JUSTICE INTERNS TO VOLUNTEER 120 HOURS TOWARDS SENIOR CREDITS AT DETENTION CENTER I. (ML-FEDERAL DIVISION)
10. CONSIDERATION AND APPROVAL OF RESOLUTION/ORDER AUTHORIZING THE IMPOSITION OF THE ADDITIONAL PENALTY AS PROVIDED BY TEXAS TAX CODE §§33.07 AND 33.08. (COMM. COURT)
11. CONSIDERATION AND APPROVAL OF CONTRACT RENEWAL WITH LINEBARGER GOGGAN BLAIR & SAMPSON. (COMM. COURT)
12. CONSIDERATION AND ADOPTION OF A RESOLUTION APPROVING THE RELOCATION OF THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT HEALTH CARE FACILITY TO THE LAW ENFORCEMENT COUNTY COMPLEX IN OLMITO, TX. (GH-COUNTY JUDGE)
13. CONSIDERATION AND AUTHORIZATION TO ORDER THE NOVEMBER 2, 2004 ELECTION FOR THE PURPOSE OF ELECTING COUNTY AND PRECINCT OFFICERS AS REQUIRED BY ARTICLE XVI, SECTION 65 OF THE TEXAS CONSTITUTION. (RG-COUNTY JUDGE)
14. CONSIDERATION AND ACTION REGARDING THE AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY COMMUNICATION DISTRICT FOR THE IMPLEMENTATION OF THE CAMERON COUNTY PUBLIC SAFETY RADIO COMMUNICATION SYSTEM. (TH-EMERGENCY MANAGEMENT)
15. CONSIDERATION AND POSSIBLE ACTION RELATED TO THE DEVELOPMENT OF THE PROPOSED BOYS AND GIRLS CLUB OF SANTA ROSA PARK. (JM-PARK SYSTEM)
16. CONSIDERATION AND POSSIBLE AUTHORIZATION TO ALLOW THE CAMERON COUNTY PARK SYSTEM TO AWARD BID TO MCCOY'S LUMBER FOR BUILDING MATERIALS FOR THE CONSTRUCTION OF THE CABANAS IN ISLA BLANCA PARK IN THE AMOUNT GREATER THAT \$15,000.00, BUT LESS THAN \$25,000.00. (JM-PARK SYSTEM)
17. CONSIDERATION AND AUTHORIZATION TO AWARD INFORMAL BID TO DOOLEY TACKABERRY TO PURCHASE SCOTT AIR PACKS WITH CABINETS FOR THE COUNTY JAIL IN THE AMOUNT GREATER \$15,000.00 BUT LESS THAN \$25,000.00. (AR-JAIL DIVISION)

18. CONSIDERATION AND APPROVAL OF SUPPLEMENTAL AGREEMENT 2 TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY AND S & B INFRASTRUCTURE, LTD. (PS- DEPT. OF TRANSPORTATION)

TRAVEL:

19. 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. 197TH DISTRICT JUDGE, TO TRAVEL TO DALLAS, TX, ON 9/12-15/04, TO ATTEND THE JUDGE'S JUDICIAL CONFERENCE.
 - B. COUNTY JUDGE ASSISTANT ADMINISTRATOR, TO TRAVEL TO HOUSTON, TX, ON 9/29/04, TO TOUR HARRIS COUNTY DISTRICT ATTORNEY INTAKE AND GRAND JURY PROCESS.

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.

20. APPROVAL OF CLAIMS.
21. CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR LEGAL SERVICES WITH NATHANIEL C. PEREZ, JR. TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 107TH JUDICIAL DISTRICT COURT. (BE-107TH DISTRICT COURT)
22. CONSIDERATION AND APPOINTMENT OF MICHAEL SEIFERT AND GUSTAVO STERN, M.D. TO THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT BOARD. (VDL-COUNTY JUDGE)
23. CONSIDERATION AND APPROVAL OF RESOLUTION TO APPROACH THE LEGISLATIVE BRANCH OF THE FEDERAL GOVERNMENT TO MODIFY CERTAIN LAWS WHICH INCLUDE BENEFITS TO THE EMERGENCY RESPONSE PERSONNEL AND/OR THEIR HEIRS AS A RESULT OF PERFORMANCE OF DUTIES DURING INTERNATIONAL RESPONSE. (RG-COUNTY JUDGE)
24. CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT AN AMENDED GRANT APPLICATION TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR. (TR-JUVENILE PROBATION)
25. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF OMAR LUCIO RESERVE DEPUTY CONSTABLES FOR PRECINCT #6 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 VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE

OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)

26. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF DANIEL CHAVEZ FROM RESERVE DEPUTY CONSTABLE FOR PRECINCT #3 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 VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)
27. CONSIDERATION AND AUTHORIZATION TO FILL THREE (3) VACANCIES IN THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE. (TY-TAX ASSESSOR-COLLECTOR)
28. CONSIDERATION AND AUTHORIZATION TO FILL PROGRAMMER VACANCY IN THE CAMERON COUNTY COMPUTER CENTER. (RJ-COMPUTER CENTER)
29. CONSIDERATION AND AUTHORIZATION TO HIRE ONE (1) MEDICATION AIDE FOR THE JAIL INFIRMARY. (YS-HEALTH DEPT.)
30. CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY AND RIO HONDO INDEPENDENT SCHOOL DISTRICT TO PROVIDE WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM SERVICES. (YS-HEALTH DEPT.)
31. CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND NEIGHBORS IN NEED OF SERVICES, INC. HEAD START PROGRAM (NINOS) FOR THE PURPOSE OF INSURING COORDINATION OF PROGRAM OPERATIONS. (YS-HEALTH DEPT.)
32. CONSIDERATION AND APPROVAL FOR RENEWAL OF LEASE AGREEMENT BETWEEN CAMERON COUNTY AND OUR HEAVENLY FATHER CHURCH TO RENT SPACE FOR WIC PROGRAM SERVICES. (YS-HEALTH DEPT.)
33. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)
 - A. FARM LAND LEASE - BID #1477-12
34. CONSIDERATION AND AUTHORIZATION TO REJECT AND RE-ADVERTISE THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)
 - A. FUEL-ANNUAL BID #2280-1
35. CONSIDERATION AND AUTHORIZATION FOR A VARIANCE ON UNCONFORMING PLAT OF DEL REY ESTATES SUBDIVISION, PRECINCT 3. (PS-DEPT. OF TRANSPORTATION)

TRAVEL ITEMS: (NO DIRECT COST TO GENERAL FUND):

36. 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 SAN ANTONIO, TX, ON 9/15-16/04, TO ATTEND "TEXAS JUVENILE PROBATION COMMISSION'S 2ND ANNUAL DATA COORDINATORS WORKSHOP."
 - B. HEALTH DEPARTMENT EMPLOYEES (6), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 9/10/04, TO ATTEND THE 2ND ANNUAL HIDALGO & STARR CASE MANAGEMENT COALITION CONFERENCE.

EXECUTIVE SESSION:

37. EXECUTIVE SESSION:
- A. 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).
 - B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).
 - C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DISCUSSION ON PUBLIC OFFICIAL AND LAW ENFORCEMENT LIABILITY COVERAGE FOR LITIGATION, 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 CODE, SECTION 551.071(2).
 - 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 CONTRACT FOR COLLECTION FOR DELINQUENT TAXES WITH LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
 - F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING POSSIBLE CONTRACT WITH UNIVERSITY OF TEXAS MEDICAL BRANCH OF

GALVESTON TO PROVIDE MEDICAL SERVICES TO THE COUNTY JAIL SYSTEM, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).

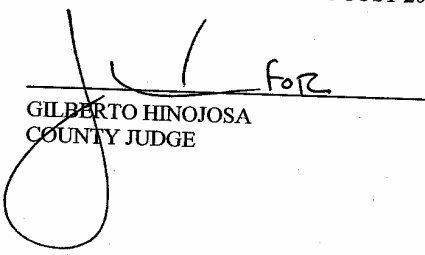
G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF JOSE LOREDO, JR. CONCERNING MEDICAL AND HOSPITALIZATION EXPENSE AND FURTHER MEDICAL CARE IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).

H. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE USE OF THE FLATS NEXT TO THE SOUTH PADRE ISLAND CONVENTION CENTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

38. 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.

SIGNED THIS 27TH DAY OF AUGUST 2004.


GILBERTO HINOJOSA
COUNTY JUDGE