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Cameron County

On: Oct 22, 2004 at 04:19P

By:  
Diana Vasquez



**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, October 26, 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

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.

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## NOTICE

### COMMISSIONERS' COURT REGULAR MEETING

TUESDAY, THE 26<sup>TH</sup> DAY OF OCTOBER 2004 AT 9:30 A.M.

## AGENDA

PURSUANT TO GOVERNMENT CODE SECTION 551.041, V.T.C.A., 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. AUGUST 17, 2004-REGULAR MEETING
  - B. AUGUST 24, 2004-REGULAR MEETING
  - C. AUGUST 31, 2004-REGULAR MEETING
4. CONSIDERATION AND POSSIBLE ACTION REGARDING DISTRIBUTION AND PRIORITY PLAN FOR INFLUENZA VACCINATIONS. (YS-HEALTH DEPT.)
5. CONSIDERATION AND ACTION REGARDING FEDERAL MARSHALL REIMBURSEMENT RATE, ADDITIONAL SECURITY MEASURES AT THE DETENTION CENTERS AND THE CREATION OF TEN DETENTION OFFICER POSITIONS FOR THE FEDERAL DETENTION DIVISION. (COMM. COURT)
6. CONSIDERATION AND ACTION REGARDING UPDATE ON BROWNE ROAD REGIONAL PARK. (JM-PARK SYSTEM)
7. CONSIDERATION AND APPROVAL OF ADDENDUM TO THE EXISTING INMATE TELEPHONE CONTRACT WITH T-NETIX INC. (JM-SHERIFF'S DEPT.)

8. CONSIDERATION AND POSSIBLE APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY COMMUNICATIONS DISTRICT (911) TO PROVIDE ADDITIONAL ADMINISTRATIVE SERVICES FOR THE IMPLEMENTATION OF THE COUNTY INTEROPERABLE COMMUNICATIONS SYSTEM. (TH-EMERGENCY MANAGEMENT)
9. CONSIDERATION AND APPROVAL OF PROGRAM DESIGN FOR THE TDHCA HOME FUNDED DISASTER REPAIR PROGRAM, PURSUANT TO THE SEPTEMBER 18-22, 2003 RAIN AND FLOOD EVENT. (FB-PD & M)
10. CONSIDERATION AND ACTION ON REQUEST FROM THE CAMERON AND WILLACY COUNTIES COMMUNITY PROJECTS, INC. THAT CAMERON COUNTY WAIVE BUILDING PERMIT FEES FOR HOME REPAIRS, PURSUANT TO THE TDHCA HOME FUNDED DISASTER ASSISTANCE PROGRAM. (FB-PD & M)
11. CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND COUNTY OF EL PASO FOR THE PURPOSE OF DISBURSING FUNDS AWARDED BY ONDCP CONSOLIDATED PRIORITY ORGANIZATION TARGETING PROGRAM TARGETING DRUG TRAFFICKING ORGANIZATIONS. (MY-AUDITOR)
12. CONSIDERATION AND POSSIBLE ACTION REGARDING THE LIMITING OF EXPENDITURES BY OUTGOING ELECTED OFFICIALS. (COMM. COURT)

**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 POSSIBLE APPROVAL OF LEASE AGREEMENT BETWEEN CAMERON COUNTY AND ARROYO AQUACULTURE ASSOCIATION, INC. FOR A FAMILY LEARNING CENTER. (ET- COMM. PRECINCT 4)
15. CONSIDERATION AND POSSIBLE AUTHORIZATION FOR DIVISION OF EMERGENCY MANAGEMENT TO APPLY FOR FY 2005 TEXAS RURAL ACCESS TO EMERGENCY DEVICES GRANT PROGRAM. (TH-EMERGENCY MANAGEMENT)
16. CONSIDERATION AND POSSIBLE APPROVAL OF REVISED INTER-LOCAL AGREEMENTS BETWEEN CAMERON COUNTY AND THE FOLLOWING ENTITIES FOR AN INTER-OPERABLE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM: BROWNSVILLE ISD, CITY OF COMBES, TOWN OF INDIAN LAKE, CITY OF LA FERIA, CITY OF LOS FRESNOS, LOS FRESNOS CISD, CITY OF PALM VALLEY, CITY OF PORT ISABEL, POINT ISABEL ISD, CITY OF PRIMERA, TOWN OF RANCHO VIEJO, CITY OF RIO HONDO, RIO HONDO ISD, SAN BENITO CISD, CITY OF SANTA ROSA, SANTA ROSA ISD, TOWN OF SOUTH PADRE ISLAND AND TEXAS STATE TECHNICAL COLLEGE. (TH-EMERGENCY MANAGEMENT)

17. CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON AND WILLACY COUNTIES COMMUNITY PROJECTS, INC. TO IMPLEMENT A TDHCA HOME FUNDED DISASTER REPAIR PROGRAM IN RURAL CAMERON COUNTY, PURSUANT TO THE SEPTEMBER 18-22, 2003 RAIN AND FLOOD EVENT. (FB-PD & M)
18. CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS AUTHORIZING A GRANT APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS 2005-2006 TEXAS COMMUNITY DEVELOPMENT PROGRAM COMMUNITY DEVELOPMENT FUND AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S REPRESENTATIVE IN ALL MATTERS DEALING WITH THE COUNTY PARTICIPATION IN THE 2005-2006 TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)
19. CONSIDERATION AND AUTHORIZATION TO PURCHASE HP SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)
20. CONSIDERATION AND AUTHORIZATION TO PURCHASE HP SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)
21. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BID/RFP/RFQ FOR: (MF-PURCHASING)
  - A. VOTING SUPPLIES – ANNUAL BID #2680 A-1 ELECTION DAY VOTING KITS, A-2 EARLY VOTING BALLOT BOARD KITS, AND C BALLOT BY MAIL KITS TO CAPITAL GRAPHICS; B-1 EARLY VOTING, ELECTION DAY BALLOTS, B-2 TEST BALLOTS, B-3 SAMPLE BALLOTS, B-4 FORMATTING-GENERAL BALLOT LAY OUT STYLE, B-5 BALLOT TEMPLATES, AND B-6 PRECINCT CHANGE BALLOT STYLES TO HART FORMS.
22. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)
  - A. SAFETY SUPPLIES – ANNUAL BID #2600 TO DEXTER SAFETY
  - B. TIRES – ANNUAL BID #1997 GRAY'S WHOLESALE
  - C. UNIFORMS: SHERIFF'S / JAIL / INMATE – ANNUAL BID #2660 PATROL UNIFORMS TO LONE STAR UNIFORMS, INMATE COVERALLS AND UNIFORMS TO ROBINSON TEXTILES,
  - D. AUCTIONEER SERVICES – ANNUAL BID #1200 TEXAS AUTO TITLE
  - E. JANITORIAL: PAPER & LINERS – ANNUAL BID #2300-2 TO GULF COAST PAPER
23. CONSIDERATION AND APPROVAL OF THE UTILITY EASEMENT AT THE VETERANS BRIDGE FOR THE BUILDING IMPROVEMENTS AT BRADY'S DUTY FREE STORE. (PS-DEPT. OF TRANSPORTATION)

24. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM OCTOBER 20, 2004 TO OCTOBER 20, 2005 FOR PROVIDING SEWER FACILITIES (WATER WELLS & SEPTIC SYSTEMS) AT EAGLE ESTATES SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
25. CONSIDERATION AND APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER FOR FRONTERA MATERIALS IN THE AMOUNT OF \$3,823.56. (PS-DEPT. OF TRANSPORTATION)
26. CONSIDERATION AND APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER FOR MARTIN MARIETTA MATERIALS IN THE AMOUNT OF \$12,959.79. (PS-DEPT. OF TRANSPORTATION)
27. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT 3- REYES RANCH SUBDIVISION, BEING A 5.437 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE SOUTH 10.874 ACRES OUT OF BLOCK 25, DOUGHERTY & PAILLET SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 25, MAP RECORDS OF CAMERON COUNTY, TEXAS.
  - B. PRECINCT 4- MONTEZUMA ESTATES SUBDIVISION, BEING A 15.375 ACRES TRACT OF LAND, OUT OF BLOCK 54, DAVID & STEPHENSON SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 2, MAP RECORDS OF CAMERON COUNTY, TEXAS.
28. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT 3- GARZA-CANO, BEING A 8.08 ACRES TRACT OF LAND, IN LOT 5, BLOCK 103, EL JARDIN RESUBDIVISION, SHARE 19, ESPIRITU SANTO GRANT SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 26, MAP RECORDS OF CAMERON COUNTY, TEXAS.
29. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT 4- EL ROSAL SUBDIVISION, PHASE I, BEING 35.72 ACRES OF LAND, MORE OR LESS, OUT OF BLOCK 2, TEXAS-MINNESOTA LAND & IRRIGATION COMPANY SUBDIVISION AS RECORDED IN VOLUME 1, PAGE 10, MAP RECORDS OF CAMERON COUNTY, TEXAS.

**TRAVEL:**

30. 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 2 AND DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO EL PASO, TX, ON 10/24/04, TO ATTEND A MEETING WITH IBWC & CILA OFFICIALS REGARDING THE WEST RAIL RELOCATION PROJECT.
- B. DISTRICT ATTORNEY'S OFFICE EMPLOYEE, TO TRAVEL TO SAN ANTONIO, TX, ON 10/27-28/04, TO ATTEND THE TEXAS DISTRICT & COUNTIES ASSOCIATION REGIONAL MEETING FOR ELECTED PROSECUTORS.
- C. AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE DIRECTOR, CHIEF OF INVESTIGATIONS, AND ADMINISTRATIVE ASSISTANT, TO TRAVEL TO LUBBOCK, TX, ON 10/25-29/04, TO ATTEND THE "TEXAS ASSOCIATION OF VEHICLE THEFT INVESTIGATORS 2004 ANNUAL TRAINING CONFERENCE."
- D. AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE DIRECTOR, CHIEF OF INVESTIGATIONS, AND INVESTIGATORS (2), TO TRAVEL TO EL PASO, TX, ON 11/9-12/04, TO ATTEND THE "2005 ATPA BORDER SOLUTIONS COMMITTEE MEETING AND BOARD MEETING."
- E. JUSTICE OF THE PEACE PRECINCT 2, PLACE 2, TO TRAVEL TO CORPUS CHRISTI, TX, ON 11/15-18/04, TO ATTEND THE "TEXAS JUSTICE COURT TRAINING CENTER."
- F. JUSTICE OF THE PEACE PRECINCT 3, PLACE 2, TO TRAVEL TO CORPUS CHRISTI, TX, ON 11/15-18/04, TO ATTEND TWENTY HOUR JUSTICE OF THE PEACE SEMINAR.
- G. JUSTICE OF THE PEACE PRECINCT 4, TO TRAVEL TO CORPUS CHRISTI, TX, ON 11/15-18/04, TO ATTEND JUSTICE OF THE PEACE SEMINAR.
- H. JUSTICE OF THE PEACE PRECINCT 7, PLACE 1, TO TRAVEL TO CORPUS CHRISTI, TX, ON 11/15-18/04, TO ATTEND JUSTICE OF THE PEACE SEMINAR.
- I. JUSTICE OF THE PEACE PRECINCT 7, PLACE 2, TO TRAVEL TO CORPUS CHRISTI, TX, ON 11/15-18/04, TO ATTEND JUSTICE OF THE PEACE SEMINAR.
- J. EXTENSION AGENT, TO TRAVEL TO VICTORIA, TX, ON 10/18-19/04, TO ATTEND THE REGIONAL CEA CAREER LEADER REVIEW COMMITTEE MEETING.
- K. EXTENSION AGENTS (4), TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 10/26-29/04, TO ATTEND THE FIFTH BIENNIAL BINATIONAL CONFERENCE ON FAMILIES.
- L. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 5/11-13/05, TO ATTEND DPS "DONATIONS MANAGEMENT" COURSE.
- M. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, 8/8-10/05, TO ATTEND DPS "DISASTER RECOVERY COURSE" COURSE.

- N. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 1/24-28/05, TO ATTEND DPS "EXERCISE DESIGN AND EVALUATION" COURSE.
- O. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 4/19-21/05, TO ATTEND DPS "PRINCIPLES OF EMERGENCY MANAGEMENT" COURSE.
- P. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 2/8-11/05, TO ATTEND DPS "EMERGENCY PLANNING" COURSE.
- Q. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 7/19-21/04, TO ATTEND DPS "BASIC MITIGATION" COURSE.
- R. CHIEF EMERGENCY OFFICER, TO TRAVEL TO AUSTIN, TX, ON 1/11-13/05, TO ATTEND DPS "BASIC EMERGENCY MANAGEMENT" COURSE.
- S. PD & M EMPLOYEE, TO TRAVEL TO WESLACO, TX, ON 10/27/04, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.

**EXECUTIVE SESSION:**

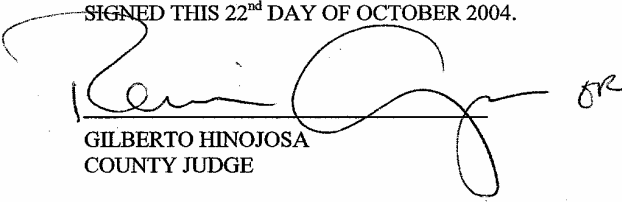
- 31. EXECUTIVE SESSION:
  - A. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 3, FOR THE REPLACEMENT OF SAN VICENTE BRIDGE 368, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
  - B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING PROPOSAL NO. 040401 INVOLVING REAL PROPERTY AT ISLA BLANCA PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2) & 551.072.
  - C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RENE A. GOSSER VS. CAMERON COUNTY IN THE 107<sup>TH</sup> DISTRICT COURT; CAUSE NO. 2003-08-4129-A, FOR DISCUSSION OF CASE STATUS AND SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(B).
  - D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ENEDINA "ANNIE" BARRERA VS. YOLANDA DE LEON, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY AS THE DISTRICT ATTORNEY OF CAMERON COUNTY, TEXAS AND CAMERON COUNTY, TEXAS; CIVIL CAUSE NO. B-04-155, FOR DISCUSSION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A).
  - E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FIRST NATIONAL BANK OF EDINBURG; CAUSE NO. 2001-08-3600-G IN THE 404<sup>TH</sup> DISTRICT COURT, FOR DISCUSSION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).

- F. 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).
- G. 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).
- H. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING OUTSIDE REQUISITION (PURCHASE ORDER NUMBER 77280), 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 THE OPEN MEETINGS ACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).

32. 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 22<sup>nd</sup> DAY OF OCTOBER 2004.

  
GILBERTO HINOJOSA  
COUNTY JUDGE