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Cameron County

On: Nov 12, 2004 at 04:23P

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, November 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.

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## NOTICE

### COMMISSIONERS' COURT REGULAR MEETING

TUESDAY, THE 16<sup>TH</sup> DAY OF NOVEMBER 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.

#### PRESENTATIONS:

2. PRESENTATION REGARDING CAMERON COUNTY PARTICIPATION IN REGIONAL PUBLIC SAFETY MOBILE DATA PROJECT. (TH-EMERGENCY MANAGEMENT)

#### ITEMS FOR DISCUSSION AND ACTION:

3. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
4. APPROVAL OF MINUTES FOR:
  - A. SEPTEMBER 14, 2004-REGULAR MEETING
  - B. SEPTEMBER 21, 2004-REGULAR MEETING
5. CONSIDERATION AND APPROVAL OF THE 2004-2005 VEHICLE REPLACEMENT LIST. (XV-BUDGET OFFICER)
6. CONSIDERATION AND APPROVAL FOR THE SHERIFF'S DEPARTMENT TO PARTICIPATE IN OPERATION STONE GARDEN. (JM-SHERIFF DEPT.)
7. CONSIDERATION AND ACKNOWLEDGEMENT OF THE YEAR-END DELINQUENT TAX COLLECTION REPORT. (LC-LINEBARGER)

8. CONSIDERATION AND APPROVAL OF PROPOSED GUIDELINES FOR TAX FORECLOSURE AUCTION OF RESALE PROPERTY AND ADOPTION OF RESOLUTION AUTHORIZING THE RESALE OF PROPERTY SHOWN ON THE ATTACHED AND INCORPORATED EXHIBITS "A" THRU "U" WHICH WERE FORECLOSED UPON FOR FAILURE TO PAY AD VALOREM TAXES AND MISCELLANEOUS LIENS, FOR MINIMUM OPENING BID AMOUNT LISTED IN EXHIBITS "A" THRU "U". (LC-LINEBARGER)

**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.

9. APPROVAL OF CLAIMS.
10. CONSIDERATION AND ADOPTION OF A RESOLUTION CALLING ON THE UNITED STATE DEPARTMENT OF HOMELAND SECURITY TO DELAY THE IMPLEMENTATION OF THE 'US-VISIT' PROGRAM. (COMM. COURT)
11. CONSIDERATION AND ADOPTION OF A PROCLAMATION SUPPORTING THE SALVATION ARMY KETTLE PROGRAM. (ET- COMM. PRECINCT 4)
12. CONSIDERATION AND REAPPOINTMENT OF TONY GUTIERREZ AND SANTIAGO SANCHEZ TO THE CAMERON COUNTY HOUSING AUTHORITY. (ET- COMM. PRECINCT 4)
13. CONSIDERATION AND ACKNOWLEDGMENT OF DISTRICT CLERK'S JULY, AUGUST, SEPTEMBER'S MONTHLY FEE, CRIMINAL AND FINES REPORT. (ADLG-DISTRICT CLERK)
14. CONSIDERATION AND AUTHORIZATION TO PURCHASE REPLACEMENT K-9 CAGE WITH INSURANCE PROCEEDS FOR CONSTABLE PRECINCT 4 K-9 UNIT. (JL- CONSTABLE PCT. 4)
15. CONSIDERATION AND ADOPTION OF AN AGREEMENT BETWEEN CAMERON COUNTY AND THE CITIES OF SAN BENITO, HARLINGEN AND BROWNSVILLE RELATED TO THE IMPLEMENTATION OF THE INTEROPERABLE PUBLIC SAFETY COMMUNICATION SYSTEM. (TH-EMERGENCY MANAGEMENT)
16. CONSIDERATION AND ADOPTION OF AN AGREEMENT BETWEEN CAMERON COUNTY AND O.E. INVESTMENTS, INC. FOR TOWER RENTAL AT PORT ISABEL, TEXAS RELATED TO THE IMPLEMENTATION OF THE INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS SYSTEM. (TH-EMERGENCY MANAGEMENT)
17. CONSIDERATION AND ADOPTION OF AN AGREEMENT BETWEEN CAMERON COUNTY AND O.E. INVESTMENTS, INC. FOR TOWER RENTAL AT RANCHO VIEJO, TEXAS RELATED TO THE IMPLEMENTATION OF THE INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS SYSTEM. (TH-EMERGENCY MANAGEMENT)

18. CONSIDERATION AND AUTHORIZATION TO ALLOW INMATES TO PARTICIPATE IN THE WINDOW OF JOY PILOT PROGRAM SPONSORED BY UTB/TSC, THE CENTER FOR CIVIC ENGAGEMENT UNDER THE COMMUNITY OUTREACH PARTNERSHIP CENTER GRANT. (ML-FEDERAL DIVISION)
19. CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FROM MEDICAL PROVIDERS: OFFICE SPACE FOR CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM. (LM-HEALTH DEPT.)
20. CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY HEALTH DEPARTMENT WIC PROGRAM AND TEXAS MIGRANT COUNCIL INC. HEAD START DAY CARE FOR THE PURPOSE OF INSURING COORDINATION OF PROGRAM OPERATIONS. (LM-HEALTH DEPT.)
21. CONSIDERATION AND AUTHORIZATION TO ACCEPT AN OTHER VICTIM ASSISTANCE GRANT (OVAG) AWARD FROM THE ATTORNEY GENERAL OF TEXAS FOR THE 2005 DISTRICT ATTORNEY'S VICTIM ASSISTANCE PROGRAM. (FB-PD & M)
22. CONSIDERATION AND AUTHORIZATION TO ACCEPT GRANT AWARD FROM GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE 2005 DISTRICT ATTORNEY'S VICTIM ASSISTANCE PROGRAM. (FB-PD & M)
23. CONSIDERATION AND AUTHORIZATION TO EXECUTE A TEMPORARY EASEMENT TO FACILITATE RIGHT OF ENTRY FOR THE SOUTH PADRE ISLAND BEACH RENOURISHMENT PROJECT. (JM-PARK SYSTEM)
24. CONSIDERATION AND AUTHORIZATION TO UTILIZE THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENT (HGAC) INTERLOCAL COOPERATIVE PURCHASING AGREEMENT TO PURCHASE TWO (2) VANS FOR THE RESTITUTION CENTER. (RS-ADULT PROBATION)
25. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)
  - A. BUILDING SUPPLIES: AIR CONDITIONER FILTERS – ANNUAL BID #2001 TO JOE W. FLY CO.
26. CONSIDERATION AND AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO REQUEST LETTERS OF INTEREST FOR THE PREPARATION OF THE ENVIRONMENTAL ASSESSMENT FOR THE GRIMES ROAD PROJECT. (PS-DEPT. OF TRANSPORTATION)
27. CONSIDERATION AND APPROVAL OF RESOLUTION AUTHORIZING THE SUBMISSION OF THE ADVANCE FUNDING AGREEMENT TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE WEST RAIL PROJECT. (PS-DEPT. OF TRANSPORTATION).
28. CONSIDERATION AND APPROVAL OF AGREEMENT WITH CHEMICAL RESPONSE AND REMEDIATION CONTRACTORS, INC. FOR THE LEVIS BUILDING PROJECT. (PS-DEPT. OF TRANSPORTATION)

29. CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND THE PORSCHE CLUB FOR THE USE OF THE AIRPORT PROPERTY TO CONDUCT MOTOR SPORTS EVENTS LIMITED TO: INSTRUCTOR'S CERTIFICATION, DRIVER EDUCATION COURSES, FIRE DRILL EXERCISES, AUTOCROSS, AND TIME TRIALS. (PS-DEPT. OF TRANSPORTATION)
30. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM AUGUST 9, 2004 TO NOVEMBER 14, 2007 FOR PROVIDING SEWER FACILITIES (WATER WELLS & SEPTIC SYSTEMS) AT R & S FARMS SUBDIVISION, PHASE I, PRECINCT 3. (PS-DEPT. OF TRANSPORTATION)
31. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM AUGUST 15, 2006 TO NOVEMBER 14, 2007 FOR PROVIDING SEWER FACILITIES (WATER WELLS AND SEPTIC SYSTEMS) AT R & S FARMS SUBDIVISION, PHASE II-A, PRECINCT 3. (PS-DEPT. OF TRANSPORTATION)
32. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM FEBRUARY 1, 2006 TO NOVEMBER 14, 2007 FOR PROVIDING SEWER FACILITIES (WATER WELLS AND SEPTIC SYSTEMS) AT R & S FARMS SUBDIVISION, PHASE II-B, PRECINCT 3. (PS-DEPT. OF TRANSPORTATION)
33. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 1, 2005 TO NOVEMBER 14, 2007 FOR PROVIDING SEWER FACILITIES (WATER WELLS AND SEPTIC SYSTEMS) AT R & S FARMS SUBDIVISION, PHASE III, PRECINCT 3. (PS-DEPT. OF TRANSPORTATION)
34. CONSIDERATION AND APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER FOR FRONTERA MATERIALS IN THE AMOUNT OF \$3823.56. (PS-DEPT. OF TRANSPORTATION)
35. CONSIDERATION AND AUTHORIZATION TO ACCEPT PARCEL 19, FOR FM 800, LOCATED AT THE CORNER OF EWING DRIVE AND FM 800, IN THE HARLINGEN PRECINCT 4 AREA. (PS-DEPT. OF TRANSPORTATION)
36. CONSIDERATION AND AUTHORIZATION TO OPEN VETERANS BRIDGE 24 HOURS ON DECEMBER 17-18, 2004 FOR PAISANO TRAFFIC. (PS-DEPT. OF TRANSPORTATION)

**TRAVEL:**

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. COUNTY/DISTRICT ATTORNEY EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 12/8-10/04, TO ATTEND THE TEXAS DISTRICT & COUNTY ATTORNEYS ASSOCIATION ELECTED PROSECUTOR CONFERENCE.
  - B. JUSTICE OF THE PEACE PRECINCT 6, TO TRAVEL TO CORPUS CHRISTI, TX, ON 11/15-18/04, TO ATTEND THE 20-HOUR JUSTICE OF THE PEACE SEMINAR.

- C. SHERIFF'S DEPARTMENT LIEUTENANT AND INVESTIGATOR, TO TRAVEL TO SAN ANTONIO, TX, ON 11/28-12/1/04, TO ATTEND TRAINING ON RAID AND HIGH RISK WARRANT PLANNING AND EXECUTION.
- D. JUVENILE PROBATION EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 11/14-19/04, TO ATTEND "TRAINING DEVELOPMENT & DESIGN" PRESENTED BY NATIONAL INSTITUTE OF CORRECTIONS.
- E. EXTENSION AGENT, TO TRAVEL TO BRYAN, TX, ON 11/30-12/3/04, TO ATTEND THE PROFESSIONAL CAREER LADDER SYSTEM FOR COUNTY EXTENSION AGENTS STATE REVIEW COMMITTEE.

**EXECUTIVE SESSION:**

38. EXECUTIVE SESSION:

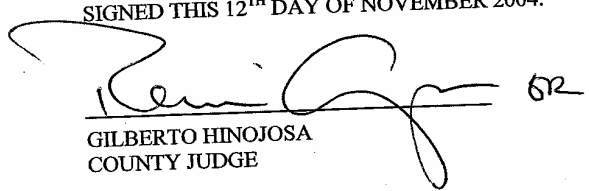
- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- C. 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.
- D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF ANTONIA CARRILLO, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).
- E. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE GRANTING OF A LICENSE TO PLACE A SHOE SHINE STAND ON COUNTY PROPERTY PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
- F. 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 OF SETTLEMENT OFFER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(B).
- G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO THE DANCY BUILDING RENOVATION PROJECT 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, SECTION 551.071(2).

H. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUIRING ADDITIONAL SPACE FOR THE CAMERON COUNTY ANNEX IN PORT ISABEL, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

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.

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

  
GILBERTO HINOJOSA  
COUNTY JUDGE