



**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, December 7, 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

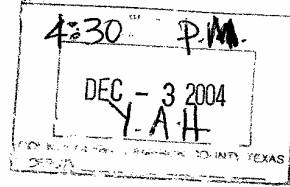
David A. Garza
Commissioner, Pct. 3
(956) 361-8209

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 7TH DAY OF DECEMBER 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 OF A JOINT RESOLUTION HONORING THE STUDENTS OF THE BROWNSVILLE HOMER HANNA HIGH SCHOOL FOR THEIR DEDICATION TO CIVIC RESPONSIBILITY AND FOR ACHIEVING THE HIGHEST VOTER TURNOUT IN THEIR CAMPUS FOR "ROCK THE VOTE DAY". OCTOBER 25, 2004, IN CAMERON COUNTY. (RO-ELECTIONS)

ITEMS FOR DISCUSSION AND ACTION:

3. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
4. APPROVAL OF MINUTES FOR:
 - A. SEPTEMBER 28, 2004-REGULAR MEETING
 - B. OCTOBER 5, 2004-REGULAR MEETING
 - C. OCTOBER 12, 2004-REGULAR MEETING
 - D. OCTOBER 19, 2004-REGULAR MEETING
 - E. OCTOBER 26, 2004-REGULAR MEETING
 - F. NOVEMBER 3, 2004-SPECIAL MEETING
 - G. NOVEMBER 9, 2004-REGULAR MEETING
 - H. NOVEMBER 15, 2004-SPECIAL MEETING
 - I. NOVEMBER 16, 2004-REGULAR MEETING
 - J. NOVEMBER 23, 2004-SPECIAL MEETING

5. CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING LEGISLATIVE EFFORTS TO ALLOW LOCAL OPTION ELECTIONS RELATED TO GAMING. (COMM. COURT)
6. CONSIDERATION AND ADOPTION OF A RESOLUTION OPPOSING ANY REDUCTIONS IN SERVICES AT THE RIO GRANDE STATE CENTER. (VDL-COUNTY JUDGE)
7. 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)
8. CONSIDERATION AND APPROVAL FOR THE SHERIFF'S DEPARTMENT TO PARTICIPATE IN OPERATION STONE GARDEN. (JM-SHERIFF DEPT.)
9. CONSIDERATION AND APPROVAL TO PURCHASE UNIFORMS FOR SHERIFF'S DEPUTIES. (JM-SHERIFF DEPT.)
10. CONSIDERATION AND POSSIBLE APPROVAL OF THIRD ADDENDUM TO CONTRACT FOR PROVIDING A RECORDS MANAGEMENT AND IMAGING SYSTEM FOR THE CAMERON COUNTY CLERK. (DJV-LEGAL)
11. CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE SANTA MARIA CONSOLIDATED INDEPENDENT SCHOOL DISTRICT. (PS-DEPT. OF TRANSPORTATION)

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 TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS, OFFICE OF THE SECRETARY OF STATE WHICH WILL ALLOW THE AWARD OF FUNDS TO CAMERON COUNTY IN THE THREE BASIC PURPOSE AREAS AS IDENTIFIED IN THE TEXAS HAVA STATE PLAN, WHICH WILL INCLUDE THE FOLLOWING: 1) COUNTY EDUCATION FUND, 2) ACCESSIBLE VOTING SYSTEM IN EACH POLLING PLACE, AND 3) GENERAL HAVA COMPLIANCE. (GH-COUNTY JUDGE)
14. CONSIDERATION AND APPROVAL OF THE OFFICIAL BOND FOR THE STATE OF TEXAS IN THE AMOUNT OF \$100,000.00 AND THE OFFICIAL BOND FOR CAMERON COUNTY IN THE AMOUNT OF \$100,000.00 FOR TONY YZAGUIRRE, JR., TAX ASSESSOR COLLECTOR PURSUANT TO V.T.C.A. GOVERNMENT CODE, 6.28(C). (TY-TAX ASSESSOR-COLLECTOR)

15. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNT WITH THE COUNTY BANK DEPOSITORY: TONY YZAGUIRRE, JR., CAMERON COUNTY TAX ASSESSOR, VEHICLE INVENTORY V.I.T. 2005, ACCOUNT NO. 62504436. (EG-TREASURER)
16. CONSIDERATION AND POSSIBLE APPROVAL OF ADDENDUM TO AGREEMENT BETWEEN CAMERON COUNTY AND BEARING POINT TO INCLUDE COUNTY CLERK'S OFFICE FOR THE ELECTRONIC FILING OF DOCUMENTS AS PER THE TEXAS ELECTRONIC FRAMEWORK STANDARD SERVICE LEVEL AGREEMENT. (JR-COUNTY CLERK)
17. CONSIDERATION AND POSSIBLE APPROVAL OF TOWER RENTAL AGREEMENTS BETWEEN CAMERON COUNTY AND O.E. INVESTMENTS, INC. (DJV-LEGAL)
18. CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF CAMERON, TEXAS DESIGNATING FLORESVILLE IN RURAL CAMERON COUNTY AS A COLONIA TO MEET PROGRAM CRITERIA FOR STATE AND FEDERAL FUNDING PURPOSES. (FB-PD & M)
19. CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF CAMERON, TEXAS DESIGNATING LANTANA IN RURAL CAMERON COUNTY AS A COLONIA TO MEET PROGRAM CRITERIA FOR STATE AND FEDERAL FUNDING PURPOSES. (FB-PD & M)
20. CONSIDERATION AND APPROVAL OF AMENDMENT NO. 2 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 722025 TO ACCOMMODATE CHANGE ORDER #1, WHICH WAS APPROVED BY THE COUNTY AND ORCA AND REDUCED THE PROJECT BID PRICE DOWN TO AVAILABLE GRANT FUNDS. (FB-PD & M)
21. CONSIDERATION AND AUTHORIZATION TO PURCHASE A MEMBERSHIP FROM BOOKS24X7. (RJ-COMPUTER CENTER)
22. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND STERICYCLE FOR MEDICAL WASTE DISPOSAL SERVICES. (YS-HEALTH DEPT.)
23. CONSIDERATION AND APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) BETWEEN CAMERON COUNTY HEALTH DEPARTMENT, (CAMERON) AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES, (DSHS). (YS-HEALTH DEPT.)
24. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)
 - A. FOOD MEATS: QUARTERLY BID #2170-1
 - B. PATROL CARS (QTY. 22)
 - C. LETTER OF INTEREST: FAMILY PROTECTION COURT FUNDS

25. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
- A. PRECINCT NO. 4- CERRO SAN PEDRO SUBDIVISION, BEING A SUBDIVISION OF 1.419 ACRES OF LAND COMPRISED OF TRACT I (1.152 AC.) AND TRACT II (0.267 AC.) OUT OF BLOCK 58, ADAMS GARDENS SUBDIVISION "B", CAMERON COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 10, PAGE 2 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.
26. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
- A. PRECINCT NO. 2- INWOOD SUBDIVISION, BEING A SUBDIVISION OF 40 ACRE TRACT OF LAND BEING ALL OF BLOCK 8 EL JARDIN SUBDIVISION, VOLUME 4, PAGE 60, CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS.
27. CONSIDERATION AND APPROVAL OF AMENDMENT NO. 1 TO THE AIRPORT PROJECT PARTICIPATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION TO INCREASE THE AGREEMENT BY \$18,100 BASED ON THE NEGOTIATED FEE. (PS-DEPT. OF TRANSPORTATION)
28. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR LA GLORIA CANAL SUBDIVISION, PHASE II, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
29. CONSIDERATION AND APPROVAL OF THE COUNTY'S SPONSORSHIP AND MEMBERSHIP IN THE BORDER TRACE ALLIANCE. (PS-DEPT. OF TRANSPORTATION)

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. COUNTY JUDGE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 12/14-16/04, TO ATTEND THE TEXAS BORDER INFRASTRUCTURE COALITION ANNUAL CONFERENCE AND THE TEXAS TRANSPORTATION COMMISSION MEETING.
- B. COMMISSIONER PRECINCT 2, TO TRAVEL TO AUSTIN, TX, ON 12/15-16/04, TO ATTEND THE TEXAS HIGHWAY COMMISSION MEETING.
- C. COUNTY CLERK AND DEPUTY CLERKS (4), TO TRAVEL TO COLLEGE STATION, TX, ON 1/10-13/05, TO ATTEND THE "33RD ANNUAL COUNTY AND DISTRICT CLERKS' CONTINUING EDUCATION SEMINAR."
- D. COUNTY CLERK'S OFFICE WARRANT OFFICER, TO TRAVEL TO EDINBURG, TX, ON 12/10/04, TO ATTEND THE "SOUTH TEXAS JUVENILE LAW CONFERENCE."

- E. CONSTABLE-ELECT, PRECINCT 1, TO TRAVEL TO MCALLEN, TX, ON 12/13/04, TO ATTEND PREP COURSE FOR NEW OFFICIALS.
- F. WEB MASTER, TO TRAVEL TO MCALLEN, TX, ON 12/13/04, TO ATTEND A CONFERENCE FOR ADOBE PHOTOSHOP USERS.
- G. HEALTH DEPARTMENT EPIDEMIOLOGIST AND LVN, TO TRAVEL TO AUSTIN, TX, ON 12/13-15/04, TO ATTEND A TECHNICAL ASSISTANCE CONFERENCE FOR CONTRACTORS RECEIVING CDC PUBLIC HEALTH PREPAREDNESS FUNDS IN FY05.
- H. PD & M CD COORDINATOR, TO TRAVEL TO MERCEDES, TX, ON 12/8/04, TO ATTEND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL MEETING.

EXECUTIVE SESSION:

31. EXECUTIVE SESSION:

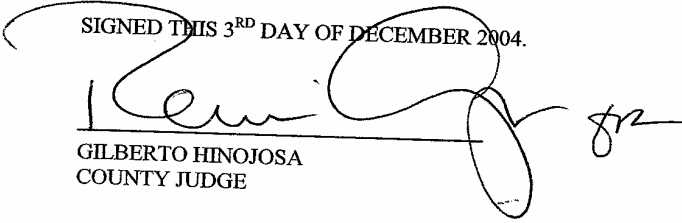
- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- C. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
- D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MICHAEL MCGHEE SCOTT VS. YOLANDA DELEON, CRIMINAL DISTRICT ATTORNEY AND CAMERON COUNTY, TEXAS IN THE 107TH DISTRICT COURT; CAUSE NO. 03-01-122-A, FOR DISCUSSION OF REPORT ON MEDIATION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(B).
- E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ENEDINA "ANNIE" BARRERA VS. YOLANDA DELEON, 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 CASE STATUS AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(B).
- F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AN OPTION CONTRACT WITH LAGUNA MADRE ENHANCEMENT GROUP REGARDING PROPERTY AT ISLA BLANCA PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

- G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL RESPECTING THE VIABILITY OF A SEXUALLY-ORIENTED BUSINESS REGULATION AS TO UNINCORPORATED AREAS OF THE COUNTY, 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 POSSIBLE AMENDMENTS TO THE CURRENT TERMS OF THE CONCESSION WITH COSTA RICA BAR & GRILL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
- I. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF 1048 E. MONROE ST., BROWNSVILLE, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2) & 551.072.
- J. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF ADDITIONAL PROPERTY FOR THE COUNTY ANNEX IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

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.
- I. POSSIBLE ACTION.
- J. POSSIBLE ACTION.

SIGNED THIS 3RD DAY OF DECEMBER 2004.


GILBERTO HINOJOSA
COUNTY JUDGE