



**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, January 25, 2005, 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**

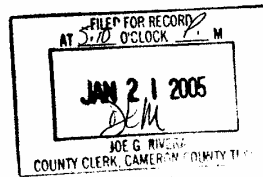
**David A. Garza
Commissioner, Pct. 3
(956) 361-8209**

**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 25th DAY OF JANUARY 2005 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. DISCUSSION REGARDING SUBMITTAL OF PROJECTS FOR FEDERAL FUNDING. (PS-DEPT. OF TRANSPORTATION)

ITEMS FOR DISCUSSION AND ACTION:

3. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
4. APPROVAL OF MINUTES FOR:
 - A. DECEMBER 21, 2004-REGULAR MEETING
5. CONSIDERATION AND APPOINTMENT OF MR. THOMAS D. HUSHEN AS CAMERON COUNTY FIRE MARSHALL AND ACKNOWLEDGING HIS CERTIFICATION BY THE STATE OF TEXAS AS A FIRE INSPECTOR/FIRE INVESTIGATOR. (GH-COUNTY JUDGE)
6. CONSIDERATION AND ADOPTION OF A RESOLUTION CALLING ON THE 79TH LEGISLATURE TO APPROVE LEGISLATION ALLOWING FOR THE APPOINTMENT OF A CRIMINAL HEARING OFFICE IN CAMERON COUNTY. (COMM. COURT)

7. CONSIDERATION AND AUTHORIZATION TO PROVIDE THE 10% MATCHING FUNDS FOR THE INDIGENT HEALTHCARE PROGRAM EXPENDITURES MADE IN EXCESS OF THE COUNTY'S 8% GENERAL REVENUE TAX LEVY LOCAL FUNDS SPENT, AND DESIGNATION OF FUNDING SOURCE. (MY-AUDITOR)
8. CONSIDERATION AND POSSIBLE ACTION TO DETERMINE THE FEE OF RENTAL RATES FOR THE CABANAS AT THE ISLA BLANCA PARK. (JM-PARK SYSTEM)
9. CONSIDERATION AND APPROVAL OF WAIVER FOR SUBMITTAL OF FINAL ENGINEERING REPORT FOR GIOVANNI SUBDIVISION, PRECINCT 4, BEING A 0.756 ACRE TRACT OF LAND OUT OF A 3.039 ACRE TRACT FORMERLY REFERRED TO AS 3 ACRES OF LAND MORE OR LESS, OUT OF THE NORTHEAST CORNER OF BLOCK 70 OF THE WILSON TRACT SUBDIVISION OUT OF SCHOOL LANDS LEAGUE NO. 25 IN CAMERON COUNTY, TEXAS, ACCORDING TO VOL. 9, PG. 28 OF THE MAP AND PLAT RECORDS OF CAMERON COUNTY, TEXAS. (PS-DEPT. OF TRANSPORTATION)
10. CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF PRIMERA FOR THE PRIMERA ROAD EXPANSION PROJECT. (PS-DEPT. OF TRANSPORTATION)
11. CONSIDERATION AND AUTHORIZATION TO ALLOW THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE AN AGREEMENT WITH RABA KISTNER, INC. FOR THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PRIMERA ROAD PROJECT. (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 ACTION IN CLOSING THE CAMERON COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE ON WEDNESDAY MARCH 9, 2005 FROM 8:00 A.M. TO 5:00 P.M. FOR "RED FLAG TRAINING" FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CAMERON COUNTY AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE. (TY-TAX ASSESSOR-COLLECTOR)
14. CONSIDERATION AND POSSIBLE APPROVAL OF SERVICES AGREEMENT WITH CELLULARONE FOR CELL PHONES FOR COUNTY DEPARTMENTS. (DJV-LEGAL)
15. CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN GUY BLATNIK, CHAIRMAN FOR THE ISLAND KITE FESTIVAL & COMPETITION. (JM-PARK SYSTEM)
16. CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN BILL DOAN, CHAIRMAN FO THE SPI KITE FEST. (JM-PARK SYSTEM)

17. CONSIDERATION AND APPROVAL TO ACCEPT PROPOSAL FROM NORTHROP GRUMMAN IT, PERCEPTICS AND AUSTIN TRAFFIC SIGNAL AS A SOLE SOURCE PROVIDER FOR A CHECKPOINT LICENSE PLATE READER SYSTEM. (MY-AUDITOR)
18. CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF INFORMATION RESOURCES TO ACQUIRE HARDWARE NECESSARY TO OPERATE THE COUNTY'S INTERGRATED FINANCIAL SYSTEM. (MY-AUDITOR)
19. CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SUNGUARD BI-TECH TO UPGRADE THE COUNTY'S INTERGRATED FINANCIAL ACCOUNTING SYSTEM. (MY-AUDITOR)
20. CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY PROGRAM DEVELOPMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON FEBRUARY 2, 2005 FOR THE PURPOSE OF SUBMITTING ONE OR MORE GRANT APPLICATION (S) TO THE 2004 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM. (FB-PD & M)
21. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS / RFP'S / RFQ FOR: (MF-PURCHASING)
 - A. ASBESTOS REMOVAL AND DISPOSAL COUNTY BUILDING - SAN BENITO (FORMER LEVIT'S BLDG.) BID #041202
22. CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS: (MF-PURCHASING)
 - A. ROAD MATERIALS: FLEXIBLE BASE - ANNUAL BID #2560
 - B. ROAD MATERIALS: SURFACING - ANNUAL BID #2580
23. CONSIDERATION AND ACKNOWLEDGMENT OF CERTIFICATE OF COMPLETION AWARDED TO MR. JOE G. RIVERA, CAMERON COUNTY CLERK, FOR COMPLETING 20 HOURS OF CONTINUING EDUCATION FOR 2004 AS REQUIRED BY SECTION 51.605 OF THE TEXAS GOVERNMENT CODE. (JGR-COUNTY CLERK)
24. PRESENTATION AND ACKNOWLEDGMENT OF THE 2004 CERTIFICATE OF COMPLIANCE, WITH AN EXPIRATION DATE OF DECEMBER 31, 2005, ISSUED TO THE CAMERON COUNTY INVESTMENT OFFICER FOR SUCCESSFULLY COMPLETING THE INVESTMENT EDUCATION THAT SATISFIES SECTION 2256.008 OF THE TEXAS PUBLIC FUNDS INVESTMENT ACT. (EG-TREASURER)
25. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VILLA DE RAMOS SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
26. CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY AND CUBCO CONSTRUCTION FOR THE CAMERON PARK COLONIA PROJECT ROAD AND DRAINAGE IMPROVEMENT PROJECT. (PS-DEPT. OF TRANSPORTATION)

27. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
 - A. PRECINCT NO. 4- LA GLORIA CANAL SUBDIVISION, PHASE III, BEING A SUBDIVISION OUT OF ABSTRACT 10 TRACT "G" OF THE LA GLORIA TRACT, CAMERON COUNTY, TEXAS.
28. CONSIDERATION AND AUTHORIZATION TO ACCEPT WOLF LN, KELLY CT. NORTH, AND KELLY CT. SOUTH LOCATED IN THE LOBITAS ESTATES SUBDIVISION II, PRECINCT 4, INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)
29. CONSIDERATION AND APPROVAL OF TIME EXTENSION, FROM JANUARY 9, 2005 TO JANUARY 9, 2006, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LA GLORIA CANAL SUBDIVISION PHASE II, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
30. CONSIDERATION AND AUTHORIZATION TO CLOSE SOUTHBOUND TRAFFIC AT GATEWAY BRIDGE DURING CHARRO DAYS FESTIVITIES ON THE FOLLOWING DATES: FEBRUARY 24, 2005 FROM 10:00 A.M. TO 11:00 A.M. AND FROM 2:00 P.M. TO 4:00 P.M., FEBRUARY 25, 2005 FROM 6:00 P.M. TO 8:00 P.M. AN FEBRUARY 26, 2005 FROM 12:00 NOON TO 4:00 P.M. (PS-DEPT. OF TRANSPORTATION)
31. CONSIDERATION AND SELECTION OF SIERRA TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR FM 106 (GENERAL BRANT ROAD) FROM FM 1847 ON GENERAL BRANT ROAD, EAST AND SOUTH OF FM 510. (PS-DEPT. OF TRANSPORTATION)
32. CONSIDERATION AND SELECTION OF SIERRA TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR FM 732 FROM BUSINESS 77 SOUTH TO SOUTH OF FM 1577. (PS-DEPT. OF TRANSPORTATION)
33. CONSIDERATION AND SELECTION OF SIERRA TITLE COMPANY TO DO TITLE COMMITMENTS AND TITLE POLICIES FOR THE WEST RAIL PROJECT FROM NORTH OF US 281 TO SOUTH OF US 77/83. (PS-DEPT. OF TRANSPORTATION)

TRAVEL:

34. 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. ADMINISTRATIVE ASSISTANT FOR INTERGOVERNMENTAL AFFAIRS, TO TRAVEL TO AUSTIN, TX, ON 1/30-2/4/05, TO ATTEND MEETINGS DURING THE 79TH TEXAS LEGISLATIVE SESSION.
 - B. ASSISTANT COUNTY ADMINISTRATOR AND EMERGENCY MANAGEMENT ASSISTANT COORDINATOR, TO TRAVEL TO AUSTIN, TX, ON 2/1-3/05, TO ATTEND "TEXAS ASSOCIATION OF COUNTIES" TECHNOLOGY CONFERENCE.

- C. DISTRICT ATTORNEY'S OFFICE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 2/1-3/05, TO ATTEND "TEXAS ASSOCIATION OF COUNTIES" TECHNOLOGY CONFERENCE.
- D. DISTRICT ATTORNEY'S OFFICE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 2/1-3/05, TO ATTEND 18TH ANNUAL JUVENILE LAW CONFERENCE.
- E. COUNTY TREASURER, TO TRAVEL TO AUSTIN, TX, ON 4/5-8/05, TO ATTEND COUNTY TREASURER'S CONTINUING EDUCATION.
- F. CONSTABLE PRECINCT 1, TO TRAVEL TO AUSTIN, TX, ON 1/23-28/05, TO ATTEND MANDATORY TRAINING SEMINAR ON NEWLY ELECTED CONSTABLE.
- G. ASSISTANT DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO AUSTIN, TX, ON 2/16-17/05, TO ATTEND THE ALLIANCE FOR I-69 MEETING.
- H. EMERGENCY MANAGEMENT ASSISTANT COORDINATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 1/26/05, TO ATTEND THE EXECUTIVE BOARD MEETING OF TEXAS SHRIMP ASSOCIATION.
- I. EMERGENCY MANAGEMENT ASSISTANT COORDINATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 1/27/05, TO ATTEND BIENNIAL STRATEGY IMPLEMENTATION REVIEW FOR 2004 STATE HOMELAND SECURITY GRANT.
- J. SHERIFF AND CHIEFS (2), TO TRAVEL TO AUSTIN, TX, ON 2/2-4/05, TO ATTEND THE TEXAS COMMISSION ON JAIL STANDARDS.
- K. ELECTIONS ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 1/27-28/05, TO PARTICIPATE IN A MEETING AS A MEMBER OF A FOCUS GROUP TO ASSIST IN THE DEVELOPMENT OF THE NEW TEXAS ELECTION ADMINISTRATIVE MANAGEMENT (TEAM) APPLICATION.
- L. JUVENILE PROBATION OFFICER, TO TRAVEL TO AUSTIN, TX, ON 2/1-3/05, TO ATTEND THE 18TH ANNUAL JUVENILE LAW CONFERENCE.

EXECUTIVE SESSION:

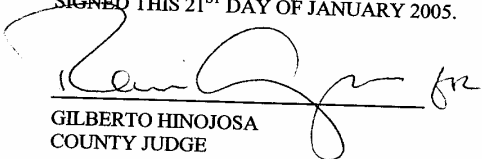
- 35. EXECUTIVE SESSION:
 - A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JUAN JOSE MIRELES VS. CAMERON COUNTY, TEXAS AND CONRADO CANTU; CAUSE NO. 2004-12-6113-E, TO DISCUSS STATUS OF CASE AND AUTHORIZATION TO REMOVE THE CASE TO FEDERAL COURT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).
 - B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MICHAEL MCGHEE SCOTT VS. YOLANDA DE LEON, CRIMINAL DISTRICT ATTORNEY AND CAMERON COUNTY, TEXAS IN THE 107TH DISTRICT COURT; CAUSE NO. 03-01-122-A, FOR DISCUSSION ON STATUS OF CASE AND SETTLEMENT OFFER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(B)&(2).

- C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF ANTHONY MENA FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).
- D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF JOSE LUIS HERNANDEZ, JR., FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).
- E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF ROBERT DAVID JOHNSON, FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).
- F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF PATRICIA ANN TRINIDAD, FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).
- G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BOBO CONSTRUCTION COMPANY IN THE 404TH DISTRICT COURT; CAUSE NO. 2002-05-2015-G, FOR AUTHORITY TO HIRE AN ATTORNEY TO ASSIST IN TRIAL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- H. 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.
- I. 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).
- J. 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).
- K. 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).
- L. DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE SALE OF COUNTY PROPERTIES IN HARLINGEN AND SAN BENITO, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

36. 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.
- K. POSSIBLE ACTION.
- L. POSSIBLE ACTION.

SIGNED THIS 21ST DAY OF JANUARY 2005.



GILBERTO HINOJOSA
COUNTY JUDGE