



**Cameron County, Texas
Commissioner's 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, February 15, 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

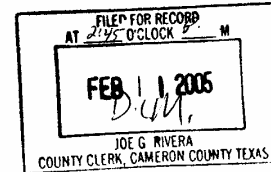
David A. Garza
Commissioner, Pct. 3
(956) 361-8209

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 15TH DAY OF FEBRUARY 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. PRESENTATION OF THE AVAILABLE CAPITAL PROJECT FUNDS AND DISCUSSION OF THE RESOURCES NECESSARY FOR THE COMPLETION OF THE CURRENT CAPITAL PROJECTS. (MY-AUDITOR)

ITEMS FOR DISCUSSION AND ACTION:

3. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
4. APPROVAL OF MINUTES FOR:
 - A. JANUARY 11, 2005-REGULAR MEETING
5. CONSIDERATION AND AUTHORIZATION FOR PRECINCT 2 COMMISSIONER TO WITHDRAW/RESCIND HIS APPOINTMENT TO THE RMA DUE TO STATUTORY CONSTRAINTS. (JW- COMM. PCT. 2)
6. CONSIDERATION AND CONFIRMATION OF APPOINTMENT, BY PRECINCT 2 COMMISSIONER TO THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY. (JW- COMM. PCT. 2)

7. DISCUSSION AND POSSIBLE ACTION REGARDING NEW JUSTICE ASSISTANCE GRANT PROGRAM. (FB-PD & M)
8. CONSIDERATION AND AUTHORIZATION FOR ROBERTO J. RUIZ, DANCY BUILDING PROJECT ARCHITECT, TO PROCEED WITH THE PROJECT'S SITE DESIGN AND DEVELOPMENT PHASE AND DESIGNATION OF FUNDING SOURCE. (FB-PD & M)
9. CONSIDERATION AND SELECTION OF VENDOR(S) FOR SOLID WASTE GARBAGE COLLECTION SERVICES IN CAMERON COUNTY AND TO NEGOTIATE A CONTRACT WITH SUCH VENDOR(S). (GS-COUNTY JUDGE)

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.

10. APPROVAL OF CLAIMS.
11. CONSIDERATION AND ACKNOWLEDGEMENT OF PROPOSED LEGISLATION AUTHORIZING THE APPOINTMENT OF CRIMINAL HEARING OFFICERS IN CAMERON COUNTY. (COMM. COURT)
12. CONSIDERATION AND AUTHORIZATION TO CLOSE AVENIDA'S EDUARDO & DELIA IN CAMERON PARK FROM AVENIDA'S JUANITA TO FLORENCIA FROM 9:30 A.M. TO 3:30 P.M. ON APRIL 17, 2005. (JW- COMM. PCT. 2)
13. CONSIDERATION OF AND AUTHORIZATION FOR THE CIVIL LEGAL DEPARTMENT AND THE PURCHASING DEPARTMENT TO FORMULATE A POLICY FOR THE PLACEMENT OF PRIVATE VENDING MACHINES ON COUNTY PROPERTY AND THE COMPENSATIONS TO BE PAID TO THE COUNTY FOR THIS CONCESSION. (JW-COMM. PCT. 2)
14. CONSIDERATION AND ADOPTION OF RESOLUTION IN SUPPORT OF THE 79TH STATE LEGISLATURE TO FULLY FUND THE IRMA RANGEL SCHOOL OF PHARMACY. (COMM. COURT)
15. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND GALLERY WATCH. (VDL-COUNTY JUDGE)
16. CONSIDERATION AND ACTION IN ALLOWING THE CITY OF BROWNSVILLE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT OT HAVE ACCESS TO THE TAX ASSESSOR-COLLECTOR'S DATA BASE FILE (VIEWING ONLY). (TY-TAX ASSESSOR-COLLECTOR)
17. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING ACCOUNT WITH LONE STAR NATIONAL BANK: CAMERON COUNTY DISTRICT ATTORNEY, EMERGENCY IMPREST ACCOUNT DEBIT CARD ACCOUNT. (EG-TREASURER)

18. CONSIDERATION AND APPROVAL OF PURCHASE OF 13 DESKTOP COMPUTERS FOR SOUTHWEST BORDER HIDTA, SOUTH TEXAS REGION INTELLIGENCE CENTER. (MY-AUDITOR)
19. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF JOSE F. VALDEZ FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT #1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE RESERVE 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)
20. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF JOSE H. FLORES III FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT #7 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE RESERVE 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)
21. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF JEFFERY ALLAN JOHNSTON FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT #2 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE RESERVE 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)
22. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)
 - A. ROLLERS BID #050301 TO J.C. BROWN
 - B. DUMP TRUCKS 12- 14 C.Y. (QTY. -2) TO SOUTH TEXAS FREIGHTLINER
 - C. DUMP TRUCK 2 - 3 C.Y. (QTY. - 1) TO PHILPOTT FORD
 - D. MOTORGRADER (QTY. - 1) TO J.C. BROWN
 - E. TRACTORS (QTY. - 2) TO HARLINGEN IMPLEMENT
 - F. BACKHOES/LOADER (QTY. - 2) TO HOLT CAT.
23. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)
 - A. BRUSH TRUCK – BID #050108
 - B. WATER TRUCK – BID #050107
 - C. ROAD MATERIALS: FLEXIBLE BASE – ANNUAL BID #2560
 - D. ROAD MATERIALS: SURFACING – ANNUAL BID #2580

24. CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND HAWK PROMOTIONS FOR THE USE OF THE COUNTY AIRPORT TO OPERATE AERIAL BANNER TOWING ACTIVITIES. (PS-DEPT. OF TRANSPORTATION)
25. CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND TEMPLO SHEKINA FOR THE USE OF THE TRACT OF LAND KNOWN AS OSCAR DANCY PARK, LOCATED ACROSS FROM GATEWAY INTERNATIONAL BRIDGE OFFICE, COUNTY PROPERTY, DURING CHARRO DAYS FESTIVITIES. (PS-DEPT. OF TRANSPORTATION)
26. CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND MILE HIGH ADVERTISING FOR THE USE OF THE COUNTY AIRPORT TO OPERATE AERIAL BANNER TOWING ACTIVITIES. (PS-DEPT. OF TRANSPORTATION)
27. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (JW-COMM. PCT. 2)
 - A. PRECINCT NO. 2- SUMMERHILL SUBDIVISION SECTION I, BEING A 29.055 ACRE TRACT OF LAND OUT OF A 568.836 ACRES TRACT OUT OF A 1094.754 ACRE TRACT OF LAND BEING THE PORTION LYING SOUTH OF THE CENTERLINE OF FM 1732 AND NORTH OF A 130 ACRE TRACT CONVEYED BY G. PHILLIP WARDNER, TRUSTEE TO CAMERON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 6 IN A WARRANTY DEED RECORDED IN VOL. 463, PAGE 503, C.C.D.R., CAMERON COUNTY, TEXAS. SAID DESCRIBED 568.836 ACRE TRACT RECORDED IN VOL. 9773, PAGE 310, O.R.C.C., CAMERON COUNTY, TEXAS.
28. CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
 - A. PRECINCT NO. 4- PELICAN POINTE COMMERCIAL SUBDIVISION BEING A 6.329 ACRES OF LAND MORE OR LESS, OUT OF A 223.61 ACRE TRACT OF LAND, (223.59 ACRE DEED) SHARE 22, ESPIRITU SANTO GRANT, AS RECORDED IN VOLUME 10229, PAGE 188, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
 - B. PRECINCT NO. 4- PELICAN POINTE, SUBDIVISION, PHASE II, BEING A 5.564 ACRE TRACT OF LAND OUT OF A 223.569 ACRE TRACT OF LAND (223.59 ACRES-DEED) SHARE 22, ESPIRITU SANTO GRANT, AS RECORDED IN VOLUME 10229, PAGE 188, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

29. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
 - A. PRECINCT NO. 4- GIOVANNI SUBDIVISION, 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.
30. CONSIDERATION AND AUTHORIZATION TO ACCEPT RESACA VISTA DR., KRETZ ROAD, KRETZ CIRCLE AND RESACA VISTA CIRCLE LOCATED IN THE LA RESACA COUNTRY ESTATES SUBDIVISION PHASE II, PRECINCT #3, INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)
31. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM FEBRUARY 27, 2005 TO FEBRUARY 27, 2006 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VILLA DE RAMOS SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
32. CONSIDERATION AND SELECTION OF ROBINSON, DUFFY & BARNARD, L.L.P., AN APPRIASAL FIRM, TO DO APPRIASAL REPORTS FOR THE WEST RAIL PROJECT FROM NORTH OF US 281 TO SOUTH OF US 77/83 EXPRESS WAY. (PS-DEPT. OF TRANSPORTATION)
33. CONSIDERATION AND SELECTION OF HARVEY L. HEERSSEN, AN APPRIASAL FIRM, TO DO REVIEW APPRIASAL REPORTS FOR THE WEST RAIL PROJECT NORTH OF US 281 TO SOUTH OF US 77/83 EXPRESSWAY. (PS-DEPT. OF TRANSPORTATION)

TRAVEL ITEMS:

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. TAX OFFICE ADMINISTRATIVE ASSISTANT, TO TRAVEL TO AUSTIN, TX, ON 2/20-24/05, TO ATTEND THE "24TH ANNUAL TAAD CONFERENCE."
 - B. COUNTY JAIL EMPLOYEES (12), TO TRAVEL TO MCALLEN, TX, ON 2/22-23/05, TO ATTEND 2005 SPRING LAW ENFORCEMENT WORKSHOP (TEXAS ASSOCIATION OF COUNTIES).
 - C. JUSTICE OF THE PEACE PRECINCT 2, PLACE 2 EMPLOYEES (2), TO TRAVEL TO AUSTIN, TX, ON 3/2-4/05, TO ATTEND THE "JUSTICE COURT SEMINAR."
 - D. JUSTICE OF THE PEACE PRECINCT 3, PLACE 1 EMPLOYEES (2), TO TRAVEL TO AUSTIN, TX, ON 3/2-4/05, TO ATTEND 18 HOUR EXPERIENCED COURT CLERK SEMINAR.

- E. JUSTICE OF THE PEACE PRECINCT 3, PLACE 1, TO TRAVEL TO AUSTIN, TX, ON 1/23-28/05, TO ATTEND STAGE 2 OF NEW JUDGES FORTY HOUR JUSTICE OF THE PEACE SEMINAR.
- F. JUSTICE OF THE PEACE PRECINCT 7, PLACE 2, TO TRAVEL TO LAREDO, TX, ON 11/11-12/04, TO ATTEND JUSTICE OF THE PEACE SEMINAR
- G. JUSTICE OF THE PEACE PRECINCT 7, PLACE 2 EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 3/2-4/05, TO ATTEND EXPERIENCE CLERK SEMINAR.
- H. JUSTICE OF THE PEACE PRECINCT 5, PLACE 1, TO TRAVEL TO AUSTIN, TX, ON 3/2-4/05, TO ATTEND COURT PERSONNEL SEMINAR.
- I. DEPUTY CONSTABLE PRECINCT 6, TO TRAVEL TO HOUSTON, TX, ON 2/24-3/1/05, TO ATTEND CANINE TRAINING.
- J. JUVENILE PROBATION EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 1/30-31/05, TO ATTEND "FIRST 9TH ANNUAL DRILL INSTRUCTORS INSTITUTE PLANNING MEETING."
- K. JUVENILE PROBATION EMPLOYEES (4), TO TRAVEL TO AUSTIN, TX, ON 2/7-9/05, TO ATTEND "TITLE IV-E BASIC TRAINING."
- L. PD & M EMPLOYEE, TO TRAVEL TO WESLACO, TX, ON 2/16/05, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.
- M. COUNTY EXTENSION AGENT, TO TRAVEL TO COLLEGE STATION, TX, ON 2/8-11/05, TO ATTEND THE TEXAS AQUICULTURE ASSOCIATION 35TH ANNUAL CONFERENCE & TRADE.
- N. ASSISTANT HEALTH ADMINISTRATOR, TO TRAVEL TO WACO, TX, ON 3/20-25/05, TO ATTEND STATE EMERGENCY MANAGEMENT CONFERENCE.

EXECUTIVE SESSION:

- 35. EXECUTIVE SESSION:
 - A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROLANDO GARZA VS. CAMERON COUNTY IN THE 103RD DISTRICT COURT; CAUSE NO. 2004-11-5547-D, DISCUSSION OF STATUS AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A) (B) & (2).
 - B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING POSSIBLE ANNEXATION BY THE TOWN OF SOUTH PADRE ISLAND AND THE CITY OF PORT ISABEL, 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).

- C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BOBO CONSTRUCTION COMPANY IN THE 404TH DISTRICT COURT; CAUSE NO. 2002-05-2015-G, TO DISCUSS STATUS OF CASE AND INSURANCE COVERAGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
 - D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, TO DISCUSS STATUS OF CASE AND INSURANCE COVERAGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).
 - E. 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).
36. ACTION RELATIVE TO EXECUTIVE SESSION:
- A. POSSIBLE ACTION.
 - B. POSSIBLE ACTION.
 - C. POSSIBLE ACTION.
 - D. POSSIBLE ACTION.
 - E. POSSIBLE ACTION.

SIGNED THIS 11th DAY OF FEBRUARY 2005.



GILBERTO HINOJOSA
COUNTY JUDGE