



**Cameron County, Texas  
Commissioner's 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, February 22, 2005, 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

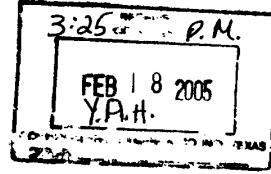
David A. Garza  
Commissioner, Pct. 3  
(956) 361-8209

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.



## NOTICE

### COMMISSIONERS COURT REGULAR MEETING

TUESDAY, THE 22<sup>nd</sup> 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 LEGISLATIVE UPDATE. (VDL-COUNTY JUDGE)

### ITEMS FOR DISCUSSION AND ACTION:

3. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
4. DISCUSSION CONCERNING AGRICULTURE BURNING IN CAMERON COUNTY AND THE PROCESS FOR PERMITTING. (ET- COMM. PCT. 4)
5. CONSIDERATION AND ADOPTION OF A RESOLUTION IMPLEMENTING THE SOLID WASTE MANAGEMENT PROVISION OF SENATE BILL 352 (77<sup>TH</sup>) IN CAMERON COUNTY. (GS-COUNTY JUDGE)
6. CONSIDERATION AND POSSIBLE ACTION RELATING TO VIOLATIONS OF MOBILE AND STATIONARY VENDING PERMITS ON PUBLIC BEACHES. (JM-PARK SYSTEM)

7. CONSIDERATION AND AUTHORIZATION TO EXECUTE A CONTRACT WITH JAMAIL CONSTRUCTION FOR THE CONSTRUCTION OF THE BROWNE ROAD SOCIAL SERVICES BUILDING. (JM-PARK SYSTEM)
8. CONSIDERATION AND ACTION RELATED TO SOUTHWESTERN BELL PAY PHONES LOCATED ON COUNTY PROPERTY. (MF-PURCHASING)
9. CONSIDERATION AND POSSIBLE ACTION REGARDING THE INSTALLATION OF SECURITY VESTIBULES IN THE CAMERON COUNTY DETENTION CENTERS. (COMM. COURT)
10. CONSIDERATION AND AUTHORIZATION TO PURCHASE A BOMAG MPH 362 AND/OR AN ASPHALT ZIPPER AZ480HD UTILIZING H-GAC CONTRACT. (PS-DEPT. OF TRANSPORTATION)
11. CONSIDERATION AND ACTION REGARDING REQUEST BY THE CITY OF BROWNSVILLE REGARDING THE IMPROVEMENTS ON FM 511. (PS-DEPT. OF TRANSPORTATION)
12. CONSIDERATION AND AUTHORIZATION TO CLOSE COUNTY BRIDGE ON TALBERT ROAD NORTHEAST OF RIO HONDO IN THE PRECINCT 4 AREA. (PS-DEPT. OF TRANSPORTATION)
13. CONSIDERATION AND POSSIBLE ACTION REGARDING THE COUNTY CELLULAR PHONE SERVICES AND REQUEST BY CONSTABLE PRECINCTS 1, 3 AND 4, SHERIFF'S DEPARTMENT, PARK SYSTEM AND TAX ASSESSOR-COLLECTOR TO USE ALTERNATIVE SERVICES. (COMM. COURT)
14. CONSIDERATION AND AUTHORIZATION TO FUND (2) TWO DEPUTY SHERIFF'S POSITIONS FOR THE REMAINING OF THE FISCAL YEAR AS REQUIRED BY THE US DEPARTMENT OF JUSTICE COPS GRANT, APPROVED BY THE COMMISSIONERS COURT MARCH 2002. (OL-SHERIFF'S DEPT.)
15. CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF CAMERON, TEXAS PROVIDING TAX ABATEMENT TO CERTAIN HISTORIC PROPERTIES LISTED IN THE 2005 CITY OF BROWNSVILLE, TEXAS HERITAGE PLAN. (FB-PD & M)

**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.

16. APPROVAL OF CLAIMS.

17. CONSIDERATION AND ADOPTION OF RESOLUTION HONORING MS. LOLITA AYALA ON THE OCCASION OF HER SELECTION AS MR. AMIGO 2005 AND PROCLAIMING FEBRUARY 25, 2005 AS "LOLITA AYALA DAY" IN CAMERON COUNTY. (COMM. COURT)
18. CONSIDERATION AND ADOPTION OF RESOLUTION REGARDING COLON CANCER AWARENESS. (COMM. COURT)
19. CONSIDERATION AND ADOPTION OF RESOLUTION RECOGNIZING THE BROTHERHOOD OF FAITH FOR THEIR SERVICE TO THE COMMUNITY. (COMM. COURT)
20. CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR LEGAL SERVICES BETWEEN CAMERON COUNTY AND LUIS V. SAENZ AND DAVID SANCHEZ TO PROVIDE LEGAL REPRESENTATION AS SPECIAL PROSECUTORS. (RG-COUNTY JUDGE)
21. CONSIDERATION AND ADOPTION OF A RESOLUTION ENCOURAGING AWARENESS OF SEVERE WEATHER IN CAMERON COUNTY. (TH-EMERGENCY MANAGEMENT)
22. CONSIDERATION AND AMENDMENT OF GRANT AGREEMENT (03-032) BETWEEN CAMERON COUNTY AND TEXAS GENERAL LAND OFFICE, TO EXTEND THE TERM OF THE AGREEMENT TO MARCH 31, 2005. (JM-PARK SYSTEM)
23. CONSIDERATION AND POSSIBLE AUTHORIZATION TO SOLICIT PROPOSALS FOR THE CONCESSION BUILDING AT THE ANDY BOWIE COUNTY PARK. (JM-PARK SYSTEM)
24. CONSIDERATION AND AUTHORIZATION TO OPERATE, MAINTAIN AND COLLECT ACCESS FEES ON BEACH ACCESS #6 AND COUNTY BAY ACCESS AKA THE FLATS. (JM-PARK SYSTEM)
25. CONSIDERATION AND APPROVAL OF AN AMENDMENT TO TAX ABATEMENT AGREEMENT BETWEEN CAMERON COUNTY AND PENN ALUMINUM INTERNATIONAL, INC. IN THE HARLINGEN INDUSTRIAL PARK ENTERPRISE ZONE TO INCLUDE OMITTED PROVISION ON THE ABATEMENT ON PERSONAL PROPERTY. (FB-PD & M)
26. CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR FOR THE REQUEST OF MENTORS TO WORK WITH THE PRESENT BOOT CAMP POPULATION TO PROVIDE EDUCATIONAL TUTORING TO CADETS. (TR-JUVENILE)
27. CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR FOR THE REQUEST OF A JUVENILE AND POLICE OFFICER TO WORK A SPECIALIZED PREVENTION AND INTERVENTION PROGRAM IN THE BROWNSVILLE ELEMENTARY SCHOOLS. (TR-JUVENILE)

28. CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS: (MF-PURCHASING)
  - A. ROAD MATERIALS: DRAINAGE – ANNUAL BID #2520
29. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)
  - A. ARMORED CAR SERVICES – ANNUAL BID #1180 TO ROCHESTER ARMORED CARS
30. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)
  - A. LUBES, OIL, GREASES & ANTI-FREEZE – ANNUAL BID #1993 TO HOLLON OIL
31. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/ RFP'S: (MF-PURCHASING)
  - A. LIGHT BULBS & BALLASTS – ANNUAL BID #2004 TO ELECTRIC FIXTURE
32. CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS: (MF-PURCHASING)
  - A. NATURAL GAS SUPPLY & TRANSMISSION (JAIL-OLMITO) - ANNUAL BID #2435
33. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP/ RFQ FOR: (MF-PURCHASING)
  - A. BRUSH TRUCK – 24 C.Y. TO GRANDE TRUCK CENTER
34. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR TAMM LANE NORTH NO. 3 SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS AND WATER WELLS. (PS-DEPT. OF TRANSPORTATION)
35. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT NO. 4- DEL RIOS UNIT 4 SUBDIVISION, BEING A RESUBDIVISION OF 10.629 ACRES OF LAND CONSISTING OF A 9.30 ACRE TRACT, 0.524 ACRE OF ABANDONED RAILROAD RIGHT OF WAY AND LOST 8 THRU 11, DEL RIO SUBDIVISION PHASE III-A, (CABINET 1, PAGE 2026A MAP RECORDS OF CAMERON COUNTY), SAID 9.30 ACRE TRACT BEING THAT SAME TRACT RECORDED IN VOLUME 5570 PAGE 66 OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS ALL BEING OUT OF LOT "E" JAMES DICKINSON SUBDIVISION NO. 1 AS RECORDED IN VOLUME 4, PAGE 32 MAP RECORDS OF CAMERON COUNTY, TEXAS.

36. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
- A. PRECINCT NO. 4- L. AND D. RANCH SUBDIVISION, BEING 12.40 ACRES OF LAND BEING SITUATED OUT OF THE EAST 16.00 ACRES OF THE WEST 20 ACRES OF THE ORANGE GROVE PARK SUBDIVISION, AS RECORDED IN VOLUME 4, PAGE 11 OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS.

**TRAVEL ITEMS:**

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. PARK MANAGER AND PARK KEEPER, TO TRAVEL TO CORPUS CHRISTI, TX, ON 3/7-9/05, TO ATTEND THE NATIONAL PLAYGROUND SAFETY INSPECTOR CERTIFICATION COURSE & EXAM.
- B. PARK SYSTEM DIRECTOR AND DEPUTY DIRECTOR, TO TRAVEL TO MCALLEN, TX, ON 2/24/05, TO ATTEND RIO GRANDE EMPOWERMENT ZONE MEETING.
- C. JUSTICE OF THE PEACE PRECINCT 5, PLACE 2 EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 3/1-4/05, TO ATTEND COURT PERSONNEL SEMINAR.
- D. DIRECTOR OF DEPARTMENT OF TRANSPORTATION AND COMMISSIONER PRECINCT 3, TO TRAVEL TO AUSTIN, TX, ON 2/22-23/05, TO ATTEND MEETINGS IN REGARDS TO THE BORDER COLONIA ACCESS PROGRAM AND TO ATTEND LEGISLATIVE ISSUES IN THE RELATION TO THE BORDER COLONIA ACCESS PROGRAM.
- E. COUNTY JUDGE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 2/21-25/05 AND 2/28-3/4/05, TO ATTEND MEETINGS DURING THE 79<sup>TH</sup> LEGISLATIVE SESSION.

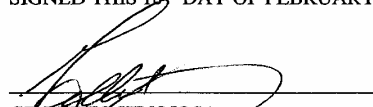
**EXECUTIVE SESSION:**

38. EXECUTIVE SESSION:
- A. 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).
- B. 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).

- C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE DEL MAR HEIGHTS BUYOUT PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 2.
  - D. 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 551.071 (2).
  - E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE POSSIBLE SALE OF COUNTY PROPERTIES IN HARLINGEN AND SAN BENITO, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
  - F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MICHAEL MCGHEE SCOTT VS. YOLANDA DE LEON, CRIMINAL DISTRICT ATTORNEY AND CAMERON COUNTY, TEXAS IN THE 107<sup>TH</sup> DISTRICT COURT; CAUSE NO. 03-01-122-A, FOR DISCUSSION ON STATUS OF CASE AND RATIFICATION OF SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A) & (B) & (2).
  - G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING HILDA TREVINO VS. CAMERON COUNTY IN THE 357<sup>TH</sup> DISTRICT COURT; CAUSE NO. 2002-12-4987-E, AUTHORITY TO HIRE AN EXPERT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
  - H. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM BY CAMERON COUNTY AGAINST FISHER SCIENTIFIC COMPANY L.L.C., 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).
  - I. DELIBERATION REGARDING CONTRACTUAL NEGOTIATIONS FOR SOLID WASTE GARBAGE COLLECTION SERVICES IN CAMERON COUNTY 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).
  - J. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CELLULAR ONE SERVICE AND EXISTING CONTRACT WITH CELLULAR ONE, 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).
34. 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 18<sup>TH</sup> DAY OF FEBRUARY 2005.



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GILBERTO HINOJOSA  
COUNTY JUDGE