



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, March 15, 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

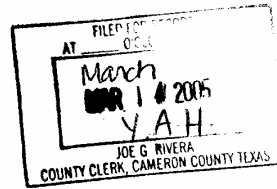
David A. Garza  
Commissioner, Pct. 3  
(956) 361-8209

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 15<sup>TH</sup> DAY OF MARCH 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. CONSIDERATION AND ACKNOWLEDGEMENT OF THE RACIAL PROFILE REPORT COMPILED BY THE CAMERON COUNTY SHERIFF'S OFFICE FOR MARCH 1, 2004 THRU MARCH 1, 2005. (OL-SHERIFF)
3. CONSIDERATION AND POSSIBLE ACTION REGARDING THE CAMERON COUNTY LEGISLATIVE AGENDA, TO INCLUDE PASSAGE OF RESOLUTIONS IN SUPPORT OF OR IN OPPOSITION TO CERTAIN LEGISLATION AFFECTING THE COUNTY'S INTEREST. (VDL-COUNTY JUDGE)

### **ITEMS FOR DISCUSSION AND ACTION:**

4. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
5. APPROVAL OF MINUTES FOR:
  - A. JANUARY 25, 2005-REGULAR MEETING

6. CONSIDERATION AND ACTION REGARDING A JOINT PUBLIC HEARING BETWEEN THE CAMERON COUNTY COMMISSIONERS COURT AND THE BROWNSVILLE CITY COMMISSION TO CONSIDER AVAILABLE GRANT FUNDING FOR 2005 FROM THE BUREAU OF JUSTICE ASSISTANCE AND DISCUSS POSSIBLE USE OF FUNDS. (FB-PD & M)
7. CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE FOR THE 2005 JUSTICE ASSISTANCE GRANT PROGRAM. (FB-PD & M)
8. CONSIDERATION AND APPROVAL TO AWARD CONTRACT TO RED RIVER SERVICE CORPORATION FOR SOLID WASTE GARBAGE COLLECTION SERVICES IN CAMERON COUNTY. (GS-COUNTY JUDGE)
9. CONSIDERATION AND AUTHORIZATION TO AWARD THE FOOD SERVICE CONTRACT TO ARAMARK INC. FOR THE CAMERON COUNTY DETENTION DIVISION. (OL-SHERIFF)
10. CONSIDERATION AND ACTION REGARDING RENAMING OF THE CAMERON COUNTY PARK SYSTEM TO THE CAMERON COUNTY PARKS AND RECREATION DEPARTMENT. (JM-PARK SYSTEM)
11. CONSIDERATION AND APPROVAL OF RESOLUTION SETTING THE MAXIMUM SPEED LIMIT ON CARMEN AVENUE FROM AVENIDA ESCANDON TO FM 1732, FOR THE PORTION OF THE ROAD THAT LIES WITHIN THE CAMERON COUNTY JURISDICTION. (PS-DEPT. OF TRANSPORTATION)
12. CONSIDERATION AND ADOPTION OF A RESOLUTION REGARDING THE LOCATION OF AN EADS, NORTH AMERICA TANKER AIRCRAFT FACILITY IN CAMERON COUNTY. (COMM. COURT)
13. CONSIDERATION AND APPOINTMENT OF MR. TOMAS GONZALEZ TO THE TROPICAL MENTAL HEALTH AND MENTAL RETARDATION BOARD OF DIRECTORS. (RG-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.

14. APPROVAL OF CLAIMS.
15. CONSIDERATION AND POSSIBLE APPROVAL OF AN EASEMENT TO ALLOW CRAIG ATCHISON PROPER INGRESS AND EGRESS THROUGH BROWNE ROAD PARK. (JM-PARK SYSTEM)
16. CONSIDERATION AND AUTHORIZATION TO REQUEST PROPOSALS FOR DEMOLITION AND ASBESTOS REMEDIATION OF THE FORMER JEREMIAHS RIVERRIDE PROPERTY LOCATED AT THE ISLA BLANCA PARK. (JM-PARK SYSTEM)

17. CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND BRENDA DAVOREN, PRESIDENT AND SOUTH PADRE ISLAND KITEBOARDING INC. (JM-PARK SYSTEM)
18. CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 TO CONSTRUCTION CONTRACT WITH CORNETT CONSTRUCTION, INC. FOR THE ARROYO COLORADO WATERLINE REPLACEMENT PROJECT (TCDP CONTRACT NO. 723109). (FB-PD & M)
19. CONSIDERATION AND AUTHORIZATION TO PURCHASE MASS STORAGE TAPE DRIVE UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS (TDIR). (RJ-COMPUTER CENTER)
20. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF ALEX G. MENDOZA AS DEPUTY CONSTABLE IN PRECINCT 5 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE 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 JOSE CARLOS JUAREZ AS RESERVE DEPUTY CONSTABLE IN 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)
22. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)
  - A. ROAD MATERIALS: LIQUID STABILIZER - ANNUAL BID #2574 WITH ROADBOND USA/J.B. INDUSTRIES/ARROW MAGNOLIA
  - C. ROAD MATERIALS: COLD PATCH - ANNUAL BID #2566 WITH BALLENGER
  - B. DRINKING WATER - ANNUAL BID #2550 WITH ST. JOSEPH'S WATER
23. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/ RFQ FOR: (MF-PURCHASING)
  - A. ROAD MATERIALS: DRAINAGE - ANNUAL BID #2520
  - B. FOOD: MEATS - ANNUAL BID #2170-2
  - C. RECYCLER/RECLAIMER MACHINE - BID #050202
  - D. NATURAL GAS SUPPLY & TRANSMISSION (COUNTY JAIL OLMITO) - ANNUAL BID #2435
24. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR PALOMAR SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)

25. CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR THE HEATHER SUBDIVISION, PRECINCT 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)
26. CONSIDERATION AND APPROVAL OF TIME EXTENSION, FROM MARCH 7, 2005 TO SEPTEMBER 30, 2007, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT COTTON ACRES SUBDIVISION, PRECINCT 4. (PS-DEPT. OF TRANSPORTATION)
27. CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
  - A. PRECINCT 3- SOUTH BOWIE SUBDIVISION PHASE II, BEING A 56.896 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCK (105) ONE HUNDRED FIVE, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS AS PER PLAT RECORDED IN VOLUME 1, PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

**TRAVEL ITEMS:**

28. 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. JUSTICE OF THE PEACE PRECINCT 2, PLACE 1 EMPLOYEES (2), TO TRAVEL TO LAKEWAY, TX, ON 3/21-23/05, TO ATTEND THE TEXAS JUSTICE COURT TRAINING SEMINAR.
  - B. UNIFIED NARCOTICS INTELLIGENCE TASK FORCE DIRECTOR, TO TRAVEL TO SAN ANTONIO, TX, ON 3/28-30/05, TO ATTEND THE FINANCIAL REVIEW COMMITTEE FOR FY 06 BUDGETS.
  - C. COUNTY AND DISTRICT ATTORNEY, TO TRAVEL TO SAN ANTONIO, TX, ON 3/28-29/05, TO ATTEND FINANCIAL REVIEW COMMITTEE FOR FY 06 BUDGETS.
  - D. JUVENILE PROBATION DEPARTMENT AND BROWNSVILLE POLICE DEPARTMENT EARLY INTERVENTION OFFICERS (2), TO TRAVEL TO RENO, NV, ON 4/11-15/05, TO ATTEND THE "SCHOOL RESOURCE OFFICER TRAINING."
  - E. COUNTY EXTENSION AGENTS (2), TO TRAVEL TO ALPINE, TX, ON 4/11-15/05, TO ATTEND THE JOINT RIO GRANDE BASIN INITIATIVES ANNUAL CONFERENCE.
  - F. COUNTY EXTENSION AGENT, TO TRAVEL TO POINT CLEAR, AL, ON 3/14-16/05, TO ATTEND THE GULF STATES COMMISSION 55<sup>TH</sup> ANNUAL SPRING MEETING.

- G. DEPARTMENT OF HEALTH AND HUMAN SERVICES PEER COUNSELORS (2), TO TRAVEL TO CORPUS CHRISTI, TX, ON 4/28-29/05, TO ATTEND A LACTATION COUNSELING AND PROBLEM SOLVING TRAINING.
- H. DEPARTMENT OF HEALTH AND HUMAN SERVICES REGISTERED DIETITIAN/CERTIFYING AUTHORITY, TO TRAVEL TO AUSTIN, TX, ON 4/18-21/05, TO ATTEND THE TEXAS WIC 2005 NUTRITION AND BREASTFEEDING CONFERENCE/OBTAIN CONTINUING EDUCATION.
- I. ELECTIONS ADMINISTRATOR AND ELECTIONS EMPLOYEES (2), TO TRAVEL TO AUSTIN, TX, ON 3/22/05, TO ATTEND FOCUS GROUP MEETING.
- J. PD & M EMPLOYEE TO TRAVEL TO WESLACO, TX, ON 3/23/05, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.

**EXECUTIVE SESSION:**

29. EXECUTIVE SESSION:

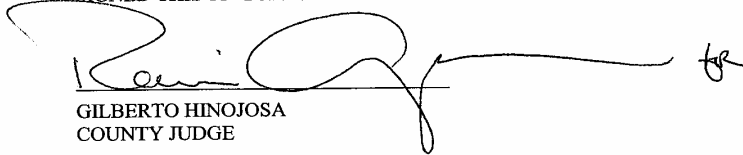
- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (2).
- B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION 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 ROLANDO GARZA VS. CAMERON COUNTY IN THE 103<sup>RD</sup> DISTRICT COURT; CAUSE NO. 2004-11-5547-D, FOR APPROVAL OF SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A) & (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. 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).
- F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING TRAFFIC REGULATIONS-WEIGHT AND LOAD LIMITS, 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).

G. TO DELIBERATE ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING PROJECT FOXTROT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.087 (1) & (2).

30. 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.

SIGNED THIS 11<sup>th</sup> DAY OF MARCH 2005.



GILBERTO HINOJOSA  
COUNTY JUDGE