



**Cameron County, Texas  
Commissioners' Court  
Cameron County Courthouse, 2<sup>nd</sup> Floor  
1100 E. Monroe Street  
Brownsville, Texas 78520  
Office (956)982-5414 Fax (956)983-5099**

## **REGULAR MEETING**

The Cameron County Commissioners' Court will meet for a Regular Public Meeting on Tuesday, October 30, 2007 at 5:30 p.m. in the Courtroom on the 2<sup>nd</sup> Floor at the Courthouse, 1100 E. Monroe Street, Brownsville, Texas.

**Carlos H. Cascos, CPA  
County Judge  
(956) 544-0830**

Sofia C. 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 Administrator's Staff at (956) 982-5414.

### **Cameron County Courthouse Accessibility Statement**

This meeting is accessible to disabled persons. There are six (6) parking spaces reserved for the disabled on Monroe Street at the front entrance of the 1912 Cameron County Courthouse, Oscar C. Dancy Building. The building is accessible through the front entrance handicapped ramps and elevators.



ACCEPTED FOR FILING IN:  
CAMERON COUNTY

2007 OCT 25 A 9:15

JOE G. RIVERA  
COUNTY CLERK

## NOTICE

**COMMISSIONERS' COURT REGULAR MEETING**  
**TUESDAY, THE 30<sup>TH</sup> DAY OF OCTOBER 2007 AT 5:30 P.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, 1100 E. MONROE, SECOND FLOOR, BROWNSVILLE, TEXAS.

1. PUBLIC COMMENTS

**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.

2. CONSIDERATION AND APPROVAL OF UTILITY EASEMENT REQUESTED BY THE BROWNSVILLE PUBLIC UTILITIES BOARD. (PSJ-ADMINISTRATOR)
3. CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR DIXIELAND ROAD, PARCELS 9 AND 11. (PSJ-ADMINISTRATOR)
4. CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR FM 732, PARCEL 1. (PSJ-ADMINISTRATOR)
5. CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR FM 732, PARCEL 3. (PSJ-ADMINISTRATOR)
6. CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR FM 732, PARCEL 7. (PSJ-ADMINISTRATOR)
7. CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR FM 732, PARCEL 39. (PSJ-ADMINISTRATOR)
8. CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR FM 511 DRAINAGE OUTFALL EASEMENT FOR PARCEL 8(E). (PSJ-ADMINISTRATOR)

9. CONSIDERATION AND AUTHORIZATION TO AWARD CONTRACT TO CUBCO CONSTRUCTION FOR THE OLMITO SUBDIVISION PIPELINE CROSSING PROJECT. (EH-CCDoT)
10. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM SEPTEMBER 30, 2007 TO OCTOBER 10, 2010 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT WEBSTER PLACE SUBDIVISION, PCT. 4. (EH-CCDoT)
11. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM AUGUST 16, 2007 TO SEPTEMBER 30, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LA BRECHA SUBDIVISION, PHASE 1, PHASE 2 AND PHASE 3, PCT. 3. (EH-CCDoT)
12. CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM OCTOBER 1, 2007 TO OCTOBER 1, 2010 FOR PROVIDING WATER WELLS AND SEWER FACILITIES (SEPTIC SYSTEMS) AT NORTH POMELO SUBDIVISION, NO. 2, PCT. 4. (EH-CCDoT)
13. CONSIDERATION AND AUTHORIZATION TO ACCEPT LAS CIPRES BLVD., REBECCA LANE, VIRGINIA STREET AND COUNTY ROAD 408 LOCATED IN VALLE DEL CIPRES SUBDIVISION, NO. 3A, PCT. 4, AS RECORDED IN CABINET 1 PG. 2741-B, 2742-A AND 2742-B OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (EH-CCDoT)
14. CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR INWOOD SUBDIVISION, SECTION II, PCT. 2, BEING A 41.21 ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF 40.25 ACRES OUT OF BLOCK SIX (6), EL JARDIN SUBDIVISION AND 0.964 ACRE TRACT SAID TRACT BEING RESERVE AREA "B" OUT OF INWOOD SUBDIVISION, CAMERON COUNTY, TEXAS. (EH-CCDoT)
15. CONSIDERATION AND APPROVAL OF RENEWAL TO SERVICE AGREEMENT BETWEEN THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 (CCESD) AND CAMERON COUNTY TO PROVIDE "FIRE MARSHAL SERVICES" THROUGH THE CAMERON COUNTY JUDGE'S DIVISION OF EMERGENCY MANAGEMENT. (JC-EMERGENCY MANAGEMENT)
16. CONSIDERATION AND APPROVAL OF RENEWAL TO SERVICE AGREEMENT BETWEEN THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 (CCESD) AND CAMERON COUNTY TO PROVIDE "EMERGENCY SERVICES CONSULTING" THROUGH THE CAMERON COUNTY JUDGE'S DIVISION OF EMERGENCY MANAGEMENT. (JC-EMERGENCY MANAGEMENT)
17. CONSIDERATION AND ACCEPTANCE OF SHSP GRANT FUNDING IN THE AMOUNT OF \$70,000.00 FOR THE CAMERON COUNTY JUDGE'S DIVISION OF EMERGENCY MANAGEMENT TO BE USED TOWARD THE EMERGENCY OPERATIONS CENTER (EOC) PHASE I. (JC-EMERGENCY MANAGEMENT)
18. CONSIDERATION AND APPROVAL OF PURCHASE FOR RADIOS AND ASSOCIATED EQUIPMENT FOR CAMERON COUNTY EMERGENCY OPERATIONS CENTER (EOC) OUT OF SHSP GRANT FUNDING USING THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENT (HGAC). (JC-EMERGENCY MANAGEMENT)
19. CONSIDERATION AND ACTION FOR THE APPOINTMENT OF JESUS ROSAS, JR. DEPUTY CONSTABLE FOR PCT. #2 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 WHICHEVER ENDS SOONER. (MV-HUMAN RESOURCES)

20. CONSIDERATION AND APPROVAL TO PURCHASE CUVETTES FROM HEMOCUE, A SOLE SOURCE SUPPLIER TO OUR CURRENT HEMOGLOBIN PROCEDURE. (YS-HEALTH)
21. CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE AND HEALTH SERVICES, CHS – FEE FOR SERVICE – FAMILY PLANNING. (YS-HEALTH)
22. CONSIDERATION AND APPROVAL OF AMENDMENT TO CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TB PREVENTION AND CONTROL. (YS-HEALTH)
23. CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TB PREVENTION AND CONTROL. (YS-HEALTH)
24. CONSIDERATION AND AUTHORIZATION TO EXEMPT FROM THE COUNTY PURCHASING ACT THE PURCHASE OF ONLINE RESEARCH (WEST LAW OR LEXIS NEXIS), SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (A)(7)(A)(COPYRIGHT). (ROB-LEGAL)
25. CONSIDERATION AND AUTHORIZATION TO APPROVE A LICENSE AGREEMENT WITH THE TOWN OF SOUTH PADRE ISLAND FOR JAIL SERVICES & DISPATCHING SERVICES. (JM-PARKS)
26. CONSIDERATION AND POSSIBLE APPROVAL OF ADDENDUM NO. 1 IN THE AMOUNT OF \$69,756.00 TO THE OWNER/ARCHITECT AGREEMENT BETWEEN CAMERON COUNTY AND GOMEZ, MENDEZ, SAENZ, INC. (JM-PARKS)
27. DISCUSSION AND POSSIBLE ACTION ON THE PREPARATION AND ISSUANCE OF A CONSERVATION EASEMENT ON LAND LOCATED AT ANDY BOWIE PARK (CONVENTION CENTER NATURE BOARDWALK). (JM-PARKS)
28. CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY PD&M DEPARTMENT TO ASSIST THE LOS FRESNOS BOYS AND GIRLS CLUB WITH AN APPLICATION FOR A HUD GRANT OF \$198,000 AND IMPLEMENTATION OF GRANT ACTIVITIES. (FB-PD&M)
29. CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUDGE TO EXECUTE AN AFFIDAVIT AFFIRMING THE COUNTY'S ENFORCEMENT OF THE MODEL SUBDIVISION RULES, PURSUANT TO A GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD BY THE OLMITO WATER SUPPLY CORPORATION. (FB-PD&M)
30. CONSIDERATION AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY, TEXAS AND THE COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE. (FB-PD&M)
31. CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT WITH CORNETT CONSTRUCTION COMPANY PURSUANT TO THE PEDERSON SUBDIVISION SANITARY SEWER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 725165). (FB-PD&M)

32. CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)
- A. SAFETY SUPPLIES – ANNUAL BID #2600 (SEA GARDEN SALES & FISHER SCIENTIFIC)
  - B. LAUNDRY SUPPLIES – ANNUAL BID #2320 (ECOLAB)
  - C. OVERHEAD LIGHTS – ANNUAL BID #0500 (SOUTH TEXAS COMMUNICATION)
  - D. IMAGING VARIOUS DEPTS. – ANNUAL RFP #1455V (QUALITY DATA IMAGING)
33. CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)
- A. AB #1996C AUTOMOTIVE PARTS O.E.M. – CHRYSLER.
  - B. AB #1996F AUTOMOTIVE PARTS O.E.M. – FORD.
  - C. AB #1996G AUTOMOTIVE PARTS O.E.M. – G.M.
  - D. AB #2001 FILTERS – AIR CONDITIONERS: BUILDERS SUPPLIES
  - E. AB #1444 GENERATOR REPAIRS.
34. CONSIDERATION AND AUTHORIZATION TO REJECT BIDS/RFP'S RECEIVED AND AUTHORIZATION TO RE-ADVERTISE FOR BIDS: (MF-PURCHASING)
- A. LABORATORY SERVICES: DRUG & ALCOHOL TESTING – ANNUAL BID #1475-1.
35. CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S, RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)
- A. MOPS & MATS RENTAL & CLEANING – ANNUAL BID #1535 (UNIFIRST)
36. CONSIDERATION AND ADOPTION OF A RESOLUTION ACKNOWLEDGING THE 2007 TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY ANNUAL CONFERENCE IN CAMERON COUNTY, BROWNSVILLE, TEXAS, NOVEMBER 4 THROUGH NOVEMBER 7, 2007. (TY-TAC)
37. CONSIDERATION AND AUTHORIZATION TO ALLOW TEXAS STATE BANK TO SUBSTITUTE SECURITY HELD BY THE FEDERAL RESERVE BANK ON THE COUNTY'S BEHALF WITH ANOTHER SECURITY OF SAME AMOUNT. (DAB-TREASURER)

**TRAVEL ITEMS:**

38. CONSIDERATION 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 ADMINISTRATOR TO TRAVEL TO AUSTIN, TEXAS, ON 11/1/07, TO ATTEND THE TEXAS COMMISSION ON JAIL STANDARDS BOARD MEETING.

- B. DISTRICT CLERKS OFFICE STAFF (3) TO TRAVEL TO BEEVILLE, TEXAS, ON 11/14 TO 11/16/07, TO ATTEND THE REGION 8 CONFERENCE FOR THE COUNTY & DISTRICT CLERKS' ASSOCIATION.
- C. HEALTH DEPARTMENT STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 11/13/07, TO ATTEND THE TEXAS WIC DIETETIC INTERNSHIP PLANNING AND EVALUATION COMMITTEE MEETING.
- D. JUVENILE PROBATION OFFICE STAFF (4) TO TRAVEL TO EDINBURG, TEXAS, ON 10/30/07, TO ATTEND THE SEXUAL MISCONDUCT BY HEALTHCARE & HUMAN SERVICE PROFESSIONALS SEMINAR.
- E. SHERIFF'S OFFICE STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 10/31 TO 11/1/07, TO ATTEND THE COMMISSION ON JAIL STANDARDS MEETING.
- F. SHERIFF'S OFFICE STAFF (2) TO TRAVEL TO DEL RIO, TEXAS, ON 10/23 TO 10/24/07, TO ATTEND THE COALITION MEETING.
- G. TAX OFFICE ASSESSOR COLLECTOR TO TRAVEL TO BROWNSVILLE, TEXAS, ON 11/4 TO 11/7/07, TO HOST THE 2007 AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY ANNUAL CONFERENCE.
- H. VICTIMS ASSISTANCE PROGRAM STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 11/12 TO 11/15/07, TO ATTEND THE OAG CRIME VICTIMS' SERVICES CONFERENCE.

**EXECUTIVE SESSION ITEMS:**

39. EXECUTIVE SESSION:

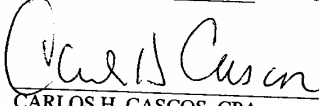
- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DISPUTED MONIES REGARDING THE LEASE AGREEMENT WITH GS MORGAN PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (2).
- B. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF LOTS 1A AND 1B, BLOCK 122, BROWNSVILLE ORIGINAL TOWNSITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
- C. DELIBERATION REGARDING LEASE OF LAND FOR THE RIGHT OF WAY EASEMENT ON PROPERTY OWNED BY CAMERON COUNTY AT THE FREE TRADE BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.
- D. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCELS 9 AND 11, FOR RIGHT OF WAY FOR DIXIELAND ROAD PROJECT, PURSUANT TO V.T.C.A., GOVERNMENT CODE, SECTION 551.072.
- E. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A., GOVERNMENT CODE, SECTION 551.072.
- F. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 3, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A., GOVERNMENT CODE, SECTION 551.072.

- G. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 7, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A., GOVERNMENT CODE, SECTION 551.072.
  - H. DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 39, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A., GOVERNMENT CODE, SECTION 551.072.
  - I. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING REQUEST FROM THE FIRST BAPTIST CHURCH OF SOUTH PADRE ISLAND TO OPEN A ROAD ON COUNTY PROPERTY NORTH OF THE CONVENTION CENTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (2).
  - J. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A; BFI WASTE SERVICES OF TEXAS, LP AND WASTE MANAGEMENT OF TEXAS, INC. VS. COUNTY OF CAMERON, IN THE THIRTEENTH COURT OF APPEALS, CORPUS CHRISTI, TEXAS CAUSE NO. 13-06-623-CV; AND BFI WASTE SERVICES OF TEXAS, L.P. VS. COUNTY OF CAMERON AND RED RIVER SERVICE CORPORATION OF TEXAS, INC., CASE NO. B-05-279, FOR DISCUSSION OF STATUS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (B).
  - K. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT ISSUE OF NONCOMPLIANCE OR OF DEFAULT AND POSSIBLE LITIGATION, 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 (A) & (2).
40. 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.

**ITEMS FOR DISCUSSION AND ACTION:**

41. BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.
42. APPROVAL OF CLAIMS.
43. APPROVAL OF MINUTES FOR:
  - A. OCTOBER 2, 2007 – REGULAR MEETING
44. CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH THOMSON WEST FOR ONLINE LEGAL RESEARCH. (ROB-LEGAL)
45. CONSIDERATION AND ADOPTION OF AN ORDER CREATING THE CAMERON COUNTY/PORT ISABEL AIRPORT ZONING BOARD. (PSJ-ADMINISTRATOR)
46. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF MEMBERS TO THE CAMERON COUNTY/PORT ISABEL AIRPORT ZONING BOARD. (PSJ-ADMINISTRATOR)
47. CONSIDERATION AND POSSIBLE ACTION TO ALLOW ROVAN CONTRACTORS TEMPORARY USE OF LAND FOR A LAY DOWN YARD TO STORE CONSTRUCTION EQUIPMENT AND MATERIAL AT ANDY BOWIE PARK FOR THE WORLD BIRDING CENTER BOARDWALK PROJECT. (JM-PARKS)
48. DISCUSSION AND POSSIBLE ACTION REGARDING THE COUNTY'S STATE AND FEDERAL LEGISLATIVE AGENDA. (PSJ-ADMINISTRATOR)

SIGNED THIS 26<sup>th</sup> DAY OF OCTOBER 2007.

  
CARLOS H. CASCOS, CPA  
COUNTY JUDGE