

**REGULAR MEETING – MARCH 25, 2003**

BE IT REMEMBERED, that on this 25<sup>th</sup> day of March, A.D., 2003, there was begun and held a REGULAR MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present,

to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOSE FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

and **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS'**

**COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 25, 2003 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**1. Roll Call**

All Members of the Court were counted present.

**2. Pledge of Allegiance**

At this time, Judge Ramon Garcia, led the Court and Audience in the Pledge of Allegiance.

**3. Prayer**

At this point, Judge R. Garcia called on Commissioner Sylvia Handy to lead the Court and Audience in Prayer.

**4. Open Forum**

NO ACTION taken on this item.

**5. Approval of Consent Agenda**

At this point, the Court proceeded with the Consent Agenda.

**6. Approval to Proclaim the month of April 2003 as "Child Abuse Awareness and Prevention" Month in Hidalgo County – CASA (SEE EXHIBIT H)**

NO ACTION taken on this item.

**7. Appointments to the Hidalgo County Historical Commission – Ann Washington, Chairperson (SEE EXHIBIT I)**

Mrs. Ann Washington presented the court with a list of persons she wishes be appointed to the Hidalgo County Historical Commission. She did verbally add Gertrude Schaleben Butcher to the list.

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval of the list presented with the addition of Gertrude Schaleben Butcher.

Commissioner Garza left the meeting.

**8. Budget Office: (SEE EXHIBIT J)**

**A. Presentation - Status of 2003 Budget**

NO ACTION taken on this item.

**B. Constable Pct. #3 – STOP Project:**

**1. Approval to create obj. 684 (tires) & approval of line item transfer - \$ 402.36**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Garza joined the meeting.

**C. Jail Project:****1. Approval of budget amendment - \$ 990.10**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Handy left the Courtroom.

**2. Approval of line item transfer - \$ 7,460.00**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

**D. WIC:****1. Approval to create obj.(s) 421, 560 & approval of line item transfer - \$ 4,138.00**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Handy joined the meeting.

**2. Approval of budget amendment - \$ 148,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Handy returned to the meeting.

**E. DPS – License & Weight:****1. Approval to create Administrative Tech. Position and set salary**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

Commissioner Garza was not present during this vote, but returned shortly after the motion had been given.

**F. Computer Department – CIP:****1. Approval of line item transfer - \$ 40,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

Valde Guerra did state, for the record, that the funds were originally requested to be used to purchase vehicles and now they would like the funds to be used for equipment. He pointed out that the Computer department should not come back to Court requested additional funds for vehicles at a later date.

**9. Elections Department: (SEE EXHIBIT K)****A. Approval, discussion and possible action of the following, but not limited to:****1. Early Voting Locations for the Nov. 4, 2003 Constitutional Amendment Election (Exhibit B)**

**As per Teresa Navarro: The Election Commissioner met last week and has considered all items on the Agenda for today.**

On motion of Commissioner Palacios to accept the list with the understanding that it can be amended, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval with a correction on the exhibit provided to read "Delta Area Substation" instead of Elsa-Edcouch, and with the addition of Donna to the list, and any other amendments.

**2. Election Day Locations for the Nov. 4, 2003 Constitutional Amendment Election (Exhibit C)**

Teresa Navarro: there are 53 locations that have been consolidated as much as possible, as to be in compliance with the Department of Justice

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**3. Appointment of Central Counting Station Judge, Manager and Tabulation Supervisor (Exhibit D) (Texas Election Codes 127.002 & 127.005)**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**4. Approval to authorize the Central Counting Station's number of clerks (5) (Texas Election Code Section 127.006)**

Teresa Navarro: We are not contracted with any city or school elections in May, to conduct their elections. We are only contracted for their machines, 144.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

**5. Approval to authorize the Elections Administrator to prescribe the maximum number of clerks that each Presiding Judge may appoint for each election (as per Texas Election Code 32.033)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**6. Clarify and confirm the Elections Department Phone Bank and Training Media Center as discussed and approved by Commissioners' Court on December 4, 2001**

Commissioner Garza is away from the Court.

NO ACTION taken on this item.

Commissioner Garza joined the meeting.

**7. Approval of comp time**

Approved comp-time is in the amount of \$2,657.24. This includes fringes and is for a total of 7 employees.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval, not to exceed \$2,657.24.

**8. Approval to increase slots #1,3,4,5,6,7,9,10,11 & 12****9. Approval to set salaries****10. Approval to delete slot #8**

Teresa Navarro: it was a UNANIMOUS consensus by the Election Commission that this be brought to Commissioners' Court. Attached to you're packet, are the proposed increases.

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items 9.A.8-10.

Steve Crain: The Elections Administrator has provided the additional duties of those positions, the Court and the Clerk.

**10. Right of Way: (SEE EXHIBIT L)****A. Concurrence of approval on TXDOT proposed improvement on US 281 (Trenton – SH107)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**11. Urban County: (SEE EXHIBIT M)****A. Approval an Amendment to the Reimbursement Agreement between Mujeres Unidas/Women Together Corporation and Hidalgo County Program – Homeless Facilities – Year 13 (2000), Year 14 (2001) & Year 15 (2002)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**B. Approval of a Construction Contract with S & G Paving Co. – Hidalgo County Pct. #3 – Street Improvements – UC Year 14 (2001)**

Total amount of Contract is \$134,850.00.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**C. Consider awarding Bid for the demolition of existing structures; and the reconstruction of two (2) units in the City of Elsa to J.D. Villarreal Construction for the total amount of \$ 81,100.00**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

**12. Planning Department: (SEE EXHIBIT N)****A. Final Approval:**

1. **Arnoldo Subdivision – Pct. #3**
2. **Whitewing No. 3 Subdivision – Pct. #2**
3. **Luna I Subdivision – Pct. #4**
4. **Goolie Heights Subdivision – Pct. #1**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 12.A.1-4.

**B. Final Approval with Letter of Credit:**

1. **Pueblo De Palmas Phase 5 Subdivision – Pct. #3**
2. **Pueblo De Palmas Norte Phase 3 Subdivision – Pct. #3**

Raul Sesin stated item #12.B.1: Letter of Credit #1758-S from Texas State Bank i/a/o \$249,977.14 will be used to secure the improvements of the paving and the 88 septic tanks that are required for that subdivision.

Raul Sesin also mentioned that item #12.B.2: Letter of Credit #1756-S from Texas State Bank i/a/o \$124,381.30, was for the paving improvements, and the 37 septic tanks.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 12.B.1 & 2.

**C. Release of Letter of Credit:**

1. **Ellis No. 3 Subdivision – Pct. #3**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Palacios is away from the Court.

**13. Sheriff Department: (SEE EXHIBIT O)**

- A. Approval of Vehicle Use Agreement with National Insurance Crime Bureau for One (1) 1997 Chevrolet C-1500 Truck and One (1) 1996 Yamaha 4-wheeler (ATV) for the consideration of \$ 1.00 for each vehicle**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Garza is away from the Court.

- B. Approval to authorize County Auditor to process payment for \$ 2.00 to National Insurance Crime Bureau; an amount of \$ 1.00 each to be charged to Acct. #3-1290-421-00-280-012-3 (Sheriff's South Texas Auto Theft Grant) and Acct. #3-1100-421-00-280-001-0 (Sheriff's)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**14. HIDTA – Task Force: (SEE EXHIBIT P)**

Commissioner Garza joined the meeting.

- A. Requesting approval to amend the Cooperative Agreement between Hidalgo County and the Executive Office of the President (HIDTA) – Extending the grand period for award number I1PSSP573 from January 01, 2001 – December 31, 2001 to January 01, 2001 – June 30, 2003**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

- B. Requesting approval to amend the Cooperative Agreement between Hidalgo County and the Executive Office of the President (HIDTA) – Extending the grant period for award number I2PSSP573 from January 01, 2002 – December 31, 2002 to January 01, 2002 – June 30, 2003**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

- C. Approval to create obj. #810 (dues and subscriptions) & approval of line item transfer - \$ 200.00**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**15. Pct. #2: (SEE EXHIBIT Q)**

- A. Approval to create obj. #640 (books/periodicals) & line item transfer - \$ 3,900.00 (Co. Wide Shop Acct. #3-1200-431-00-122-004-0)**

NO ACTION taken on this item.

**16. Pct. #3: (SEE EXHIBIT R)**

- A. Requesting authorization to appropriate Pct. #3 unreserved fund balance into 2003 R & B operating budget**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

**B. Approval of line item transfer - \$ 600.00 (Parks)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**17. Human Services: (SEE EXHIBIT S)**

Commissioner Palacios joined the meeting.

**A. Discussion and/or action, including, but not limited to the following items:**

- 1. Authorization to pay 2002 claims: \$282,667.21**

Commissioner Garza left the meeting.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

- 2. Authorization to pay 2003 claims: \$91,027.56**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**3. Indigent Health Care expenditures**

NO ACTION taken on this item.

**4. Modify Services being provided**

NO ACTION taken on this item.

**5. Report and Recommendations regarding Indigent Health Care**

Report made. NO ACTION taken on this item.

Commissioner Garza joined the meeting.

**6. Approval to appropriate \$ 654,000.00 of the 90% State Reimbursements for the months of March and April for the payments of 2002 expenditures**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**18. Colonia Access Program: (SEE EXHIBIT T)**

**A. Requesting approval of line item transfer for the Colonia Access Program Pct. #1 Projects**

**B. Requesting approval of line item transfer for the Colonia Access Program Pct. #2 Projects**

Pct. #1 line item transfer i/a/o \$2,667.90.

Pct. #2 line item transfer i/a/o \$3,654.00 and \$55,390.00.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 18.A&B.

**19. Purchasing Department: (SEE EXHIBIT U)**

**A. HIDALGO COUNTY -**

**1. New inmate population:**

<b>a) Total Inmate population:</b>	1081
<b>Physical Count:</b>	904
<b>Out of County Count: La Villa Facility (LCS):</b>	177
<b>Brooks:</b>	0
<b>Other</b>	0

Commissioners' Handy and Garza are away from the Court.

**2. Current inter-local(s) and/or contract(s) for the "Housing of Inmates";**

**3. New Adult Detention Facility and Law Enforcement Center Project:**

**a) Detention Facility Law Enforcement Center Design-Build Contract Amendments (if any);**

Nothing to report on item #19.A.2 & 3.

Commissioner Garza joined the meeting.

**b) To correct and clarify payment of \$10,464.30, originally requested as payment to Magic Valley Electric Co-op on March 18, 2003 Commissioner's Court Agenda, to Landmark for reimbursement of electric power service with authority for Auditor to issue payment (after review, audit and processing procedures completed) for the pro-rated dates of 1/1/03-1/22/03.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Garza is away from the Court.

**c) Requesting acceptance and approval of Application and Certification Payment NO. 7 (dated 3-18-03) in the amount of \$66,566.50 from Velasco Construction and as certified by V-A Architecture, project architect, with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the construction contract for the New Maintenance Motor Pool Building on site of the New Adult Detention Facility and Law Enforcement Center Project;**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Garza left the Courtroom.

**d) Recommending award of bid for the purchase of "35 DataRadio MobilePac with 20 Foot Right Hand Connectors" to the lowest bidder meeting all requirements and/or specifications.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**e) Report and Recommendations from Design/Builder, Consulting Architect and/or other on-site projects Architect in connection with the completion, turn-over, occupancy and transition into the New Adult Detention Facility and Law Enforcement Center including certification of the jail portion and other structures under construction on site;**

**f) County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

**g) Report of Hidalgo County Sheriff's Department on the Transition and Occupancy of the New Adult Detention Facility and Law Enforcement Center Project.**

Nothing to report on items 19.A.3.e-f.

4. **Recommending award of bid for “Gasoline, ON & Off Highways Diesel Fuel” to lowest bidder meeting all requirements and/or specifications.**
5. **Requesting approval of Contracts for: “Gasoline, On & Off Highway Diesel Fuel” to lowest bidder meeting all requirements and/or specifications. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 19.A. 4 & 5 to South Texas Petroleum.

6. **Recommending award bid for a) “Janitorial Supplies” b) “Industrial Chemicals” to lowest bidder meeting all requirements and/or specifications in each category or/ products.**
7. **Requesting approval of Contracts for: a) “Janitorial Supplies” b) “Industrial Chemicals” to lowest bidder meeting all requirements and/or specifications in each category or/products. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 19.A. 6 & 7.

8. **Presentation and acceptance of roster (as listed in the RFQ Acceptance Sheet attached hereto) of “Engineers Pool” of pre-qualified firms submitting Statements of Qualifications for ranking on an “as needed basis” per project by all County departments requiring said services as set forth in the requirements stated in the County’s Request For Qualifications packet.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

9. **Presentation for consideration, discussion, acceptance and approval with authority for Auditor to pay (after review, verification and processing procedures completed) invoice number eight (8) revised to include Change Order No. 1 in the amount of \$2,268.00 for Basic Services as certified by project architect, George A. Garcia, AGADC in connection with the remodeling and renovations at the basement of the Hidalgo County Courthouse for the Sheriff’s Dept. Sub-Station.**
10. **Presentation for consideration, discussion, acceptance and approval with authority for Auditor to pay (after review, verification, and processing procedures completed) invoice number two (2) in the amount of \$390.00 for reimbursable expenses in connection architectural services for the Sub-station remodeling and renovation project (for the independent assessment of the “schedule of values” of bathroom renovations) at the Hidalgo County courthouse basement from George A. Garcia (AGADC), project architect.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 19.A.9 & 10.

#### **B. HIDALGO COUNTY PRECINCT NO. 2 –**

1. **Requesting authority to surplus two-way radios for purpose of trade-in equipment as detailed in Exhibit A attached hereto for Precinct 2;**
2. **Requesting authority to enter into a Service Agreement with Rio Radio Supply, Inc., a QISV vendor, through the “Resolution” with the State of Texas, Building & Procurement Services.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval of item 19.B.1 & 2.

**C. HIDALGO COUNTY PRECINCT NO. 3 –**

1. **Recommending award of bid for: “Construction of Mayberry Road for 2-Mile Line to 3-Mile Line (project carried by J. Hinojosa Engineering for Urban County Program)” to low bidder meeting all requirements.**
2. **Requesting approval of contract for: “Construction of Mayberry Road for 2-Mile Line to 3-Mile Line (project carried by J. Hinojosa Engineering for Urban County Program)” to low bidder meeting all requirements. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

On motion of Commissioner Flores seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 19.C. 1 & 2 to S & G Paving.

**D. HIDALGO COUNTY BUILDINGS AND GROUNDS –**

Commissioner Handy joined the meeting, and Commissioner Flores left the Courtroom.

1. **Presentation for discussion, consideration and approval with applicable action and/or directive to the project architect, Alcoser, Garcia Associates Design Consulting to assess, develop budget estimates, design and prioritize the following renovation projects (discussed at the CC Workshop of 3-17-03) for the following:**

- i. **Courthouse – ADA compliance of sidewalks;**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval for item #19.D.1.i to be incorporated in two (2) phases, making it ADA Compliant. The first phase will be for the inside perimeter only. The second phase will be to work on the outside perimeter.

- ii. **Administration Building – Atrium renovations;**
  - iii. **Administration Building – Window renovations and/or repairs;**
  - iv. **Administration Building – Roof leaks-repair or replace;**
  - v. **Fire sprinkler System(s)**

Discussion on items #19.D.1.ii – v .NO ACTION taken on this item.

Commissioner Flores joined the meeting, and Commissioner Handy left the Courtroom.

**E. HIDALGO COUNTY HEALTH DEPARTMENT –**

1. **Requesting authority to purchase a Toshiba Laptop from CDW Government a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Service Commission, Catalogue Purchasing program in the amount of \$5,705.00 includes shipping and handling.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

2. **Requesting authorization to advertise for a Request for Qualifications (RFQ/P) for Chief Physician for the Health Department.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**F. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM-**

1. **Requesting authority to purchase computer hardware and peripherals from the following QISV vendor,**

- a. **Dell Marketing** \$4,148.94;
  - b. **CDW Government** \$7,313.00;
  - c. **S.J.S. Computers** \$5,930.00;

**through the Resolution with the State of Texas, Texas Building and Procurement Commission’s Purchasing program.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval for items 19.F.1.a-b.

**G. HIDALGO COUNTY JUDGE’S OFFICE –**

1. **Requesting authority to purchase computer hardware and peripherals from Dell Marketing, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Services Commission, Catalogue Purchasing Program in the amount of \$5,634.95.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**H. HIDALGO COUNTY J.P. PRECINCT NO. 2 PLACE 2 -**

1. **Requesting approval of a “Modification to Lease Agreement” (C-02-243-09-17) with Carlos Trevino to reflect the change of property ownership as follows:**

<b>Previous Owner</b>	<b>Carlos Trevino</b>	<b>to Present (new) Owner</b>	<b>Rosa E. Trevino</b>
	<b>1200 Alan Avenue</b>		<b>1200 Alan Avenue</b>
	<b>Pharr, Texas 78577</b>		<b>Pharr, Texas 78577</b>

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

Commissioner Handy returned to the meeting.

**20. Risk Management: (SEE EXHIBIT V)**

- A. Approval to enter into a Contract with South Texas Wireless for Nextel, Model i90c for Risk & Safety Component Director**

For the record, per Valde Guerra, this item did not go through the budget office.

NO ACTION taken on this item.

**21. Pct. #1: (SEE EXHIBIT W)**

- A. Request approval for payment application no. 6 & 7 to Border Contractors, Inc. for the Monte Alto Drainage Improvement Project**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, subject to legal counsel.

At this time, the Court took up the Addendum.

**22. Closed Session: (SEE EXHIBIT X)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to go into Executive session.

**Commissioners’ Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:**

- A. Real Estate Acquisition**
- B. Aurelio Aguilar, et al vs. Henry Escalon in his capacity as Sheriff of Hidalgo County and Hidalgo County**
- C. Potential Litigation – Planning Department**
- D. Potential Litigation – ADA Courthouse Project**

NO ACTION taken on this item.

The court went into executive session at 12:00 noon.

**23. Open Session:**

**A. Real Estate Acquisition**

1. Parcel #2, located on Mile 3 Rd., belonging to Marco A. Salinas was appraised at \$3,751.00. Settlement offer is in the amount of \$7,500.00.
2. Parcel #21, located on Mile 3 Rd., belonging to Guadalupe Gregoria and Juanita Juarez, was appraised at \$19,030.00. Settlement offer is in the amount of \$24,500.00 with all the appropriate back-up.
3. Parcel #23 is located on Mile 3 Rd., belonging to Mario Rangel and Patricia Rangel, was appraised at \$9,112.00. Settlement offer is in the amount of \$11,500.00.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 23.A.1-3.

**B. Aurelio Aguilar, et al vs. Henry Escalon in his capacity as Sheriff of Hidalgo County and Hidalgo County**

NO ACTION taken on this item.

**C. Potential Litigation – Planning Department**

A claim i/a/o \$5,000.00 was brought to the court by:  
 Ruben and Noelia Perez  
 Perez Septic Tank  
 1416 Wildwood Dr  
 Weslaco TX

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$5,000.00 to settle claims, subject to a full release made to County.

**D. Potential Litigation – ADA Courthouse Project**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to authorize Atlas and Hall to proceed as directed.

**24. Closed Session:**

**Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

**25. Open Session:**

**Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to adjourn the meeting.

**COUNTY OF HIDALGO  
RAMON GARCIA  
HIDALGO COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 25, 2003, at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

No concerns were voiced.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for the consent agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
  - A. Insurance – Govt. Bldg.**
  - B. Criminal Auxiliary Court – 2002**
  - C. Criminal Auxiliary Court – 2003**
  - D. Elections Department**
  - E. Law Library**
  - F. WIC**
  - G. Constable Pct. #3**
  - H. Pct. #3 – Landfill**
  - I. Risk Management**
  - J. Constable Pct. #4**
  - K. District Clerk (2)**
- 3. Planning Department: (SEE EXHIBIT C)**
  - A. Approval of the following Certificates:**
    - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
    - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
    - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**
- 4. Right of Way – Permits: (SEE EXHIBIT D)**
  - A. Synergy Exploration – property owned or leased by Hidalgo County Pct. #3**
  - B. North Alamo Water Supply – FM 491 on Mile 9 North**
  - C. North Alamo Water Supply – FM 1426 on Eldora Rd.**
  - D. North Alamo Water Supply – Mile 20 North on Val Verde Rd.**
  - E. North Alamo Water Supply – east of I Rd. on Minnesota Rd.**
  - F. North Alamo Water Supply – Valley View Rd. and Carroll Rd.**
  - G. North Alamo Water Supply – Carroll Rd. & Valley View Rd.**
  - H. Southwestern Bell – Expwy. 83 on Los Ebanos Rd. north of FM 67**
  - I. El Paso Field Services – Las Milpas Rd. & McColl Rd.**
  - J. El Paso Field Services – McColl Rd.**
  - K. El Paso Field Services – McColl Rd.**
  - L. El Paso Field Services – McColl Rd.**
  - M. El Paso Field Services – McColl Rd.**

- 5. **Urban County:** (SEE EXHIBIT E)
  - A. Request for approval of one (1) applicant for assistance under the HOME Homeowner Occupied Housing Rehabilitation Program – City of Weslaco
  - B. Cancellation of two (2) Commitment Letters
  - C. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (3 families)
  
- 6. **Approval of Minutes:** (SEE EXHIBIT F)
  - A. February 25, 2003
  
- 7. **Purchasing Department:** (SEE EXHIBIT G)
  - A. **HIDALGO COUNTY COMPUTER DEPARTMENT -**
    - 1. Requesting authority to purchase Computer equipment and peripherals from S.J.S. Computers a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Services Commission, Catalogue Purchasing Program: (6) monitors 15” \$270.00ea and (1) laptop \$955.00ea Total amount of \$2,575.00
  - B. **HIDALGO COUNTY CLERK’S OFFICE -**
    - 1. Requesting approval of a maintenance agreement with Lanier HealthCare for an Advocate V Transcriber and an Advocate V Recorder in the total amount of \$745.00. Effective March 01, 2003 through February 29, 2004.
    - 2. Requesting approval of a maintenance agreement with Jones and Cook for a Time Clock in the total amount of \$157.50. Effective January 01, 2003 through January 01, 2004.
  - C. **HIDALGO COUNTY JUDGE’S OFFICE -**
    - 1. Requesting authority to purchase a LaserJet from CDW Government a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Services Commission, Catalogue Purchasing Program in the amount of \$1,320.00.
  - D. **HIDALGO COUNTY TAX OFFICE -**
    - 1. Requesting authority to purchase computer hardware and peripherals from Multiwave/CLT. Computers Inc. a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Services Commission, Catalogue Purchasing Program:
 

a. Computer	\$ 513.56
b. Memory sticks	\$ 186.80
c. CDWR	<u>\$ 88.49</u>
<b>TOTAL</b>	<b>\$ 791.85</b>

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 25, 2003 at 9:00 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

**The following items are of a routine or administrative nature. The Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.**

**DRAINAGE DISTRICT**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval for all items on the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Approval of Minutes: (SEE EXHIBIT F)**
  - A. February 25, 2003**
- 3. Discharge Permit: (SEE EXHIBIT AA)**
  - A. City of Mission – Heritage Park Subdivision**
- 4. Permit: (SEE EXHIBIT AA)**
  - 2. City of Mission – from Bryan Rd.**
- 5. Line item transfer - \$ 2,000.00 (SEE EXHIBIT AA)**

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 25, 2003 at 9:00 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**DRAINAGE DISTRICT**

**1. Roll Call**

All present except Commissioner Garza.

**2. Open Forum**

NO ACTION taken on this item.

**3. Approval of Consent Agenda**

At this time, the Court went on to approve the Drainage District Consent Agenda.

**4. Approval of Amendment #2 to the Interlocal Agreement between the City of Mission and Hidalgo County Drainage District #1 (SEE EXHIBIT Y)**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**5. Concurrence of Approval on TXDOT Proposed Improvement on US 281 (Trenton – SH 107)**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**6. Purchasing Department: (SEE EXHIBIT Z)**

**A. Recommending award of bid for “Gasoline, On & Off Highway Diesel Fuel” to lowest bidder meeting all requirements and/or specifications.**

**B. Requesting approval of Contractions for: “Gasoline, On & Off Highway Diesel Fuel” to lowest bidder meeting all requirements and/or specifications. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

On motion of Commissioner Palacios, seconded by Commissioners’ Flores and Handy, the Court made a UNANIMOUS vote to approve item 6.A & B to Oil Patch Fuel and Supply.

**C. Approval and authority for County Judge to execute the following documents: a) Special Warranty Deed b) Amendment to Earnest Money Contract, in connection with the purchase of property from Hidalgo County Drainage District No. 1 by Jose L. Garcia.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

- D. **Recommending bid award to multiple bidders for: "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products" to vendor(s) meeting all required specifications.**
- E. **Recommending award of contract(s) to multiple bidders for: "Lubricants (Grease, Oil, Hydraulic Fluids) And Anti-Freeze Products" to vendor(s) meeting all required specifications. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 6.D & E.

**7. Closed Session: (NO EXHIBITS)**

**Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.072 to discuss the following:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**8. Open Session:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**9. Closed Session:**

**Board of Directors may reconvene into Closed Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

**10. Open Session:**

**Board of Directors may reconvene into Open Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting.

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 25, 2003 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**ADDENDUM**

**1. Discussion and action on Agenda Policies and Procedures (SEE EXHIBITS BB)**

Presentation made. NO ACTION taken on this item.

There being no further business to come before said Court, the meetings of the Commissioners' Court and the Drainage District #1 Board are now hereby adjourned.

RAMON GARCIA \_\_\_\_\_  
COUNTY JUDGE

SYLVIA HANDY \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 1

HECTOR (TITO) PALACIOS \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 2

JOSE FLORES \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA JR. \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 25<sup>th</sup> day of March, 2003

JUAN D. SALINAS, III, County Clerk  
Hidalgo County, Texas

By: \_\_\_\_\_  
Priscilla Torres, Deputy

Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the \_\_\_\_\_ day of \_\_\_\_\_ 2003.