

REGULAR MEETING – APRIL 08, 2003

BE IT REMEMBERED, that on this 8th day of April, 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, APRIL 08, 2003 at 9:30 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, with the exception of Commissioner Garza. Commissioner Garza joined the meeting shortly after the commencement of the meeting.

2. Pledge of Allegiance

Judge R. Garcia led the Court and audience in reciting the Pledge of Allegiance.

3. Prayer

At this time, Judge Garcia called on Commissioner Handy to lead the Court and audience in the Prayer.

At this point, the Court proceeded with item 17.C.

4. Open Forum

Virginia Townsend made a presentation on tax increases, and the County's budget, on behalf of some of the County's tax payers.

Diana Enriquez made a presentation on The Week of the Young Child.

Commissioner Garza joined the meeting.

5. Approval of Consent Agenda

At this point, the Court took up the Consent Agenda.

6. Approval of Proclamation to designate April 14 – 18, 2003 as "Environmental Crime Prevention Week"
(SEE EXHIBIT H)

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

7. Consideration and action on request from City of Elsa regarding the waiver of real property taxes, penalties and interest – All of lots 3, 4, 5, 6 and 7, Block 7, Original Townsite, Hidalgo County, Texas (SEE EXHIBIT I)

NO ACTION taken on this item.

8. WIC: (SEE EXHIBIT J)**A. Approval to pay back wage payment for overtime worked during the period 10-07-2000 to 07/06/2002 for 152 employees (State approval attached) – funds on the way**

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

B. Create obj. 131 in Acct. #3-1292-441-00-350-001-3 & line item transfer - \$ 22,709.59

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

9. Report by Steve Crain, Legal Counsel (and possible action) with regards to County Auditor's Internal Audit as it relates to Lease Agreements for County Owned Land (SEE EXHIBIT K)

Report made. NO ACTION taken on this item.

10. Budget Office: (SEE EXHIBIT L)**A. Evaluation of Hidalgo County Annual Budget – 2003**

Presentation made. NO ACTION taken on this item.

B. Authorize County Auditor to issue manual checks for the following in connection with settlement agreements:

1. Juan J. Gonzalez, dba J & J Dream Homes - \$ 1,900.00
2. Ruben & Noelia Perez, dba Perez Septic Tank - \$ 5,000.00

Settlement agreements have been drafted, and will be forwarded to the auditor's office before the checks are cut.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval of item 10.B.1 & 2.

C. 139th District Court:

1. Approval to create obj. 661 (minor office equip. & furniture) & 442 (rental of equip.) & line item transfers - \$ 420.05

(SEE ITEM 10.L)

D. WIC:

1. Approval to create obj. 434 (repair & maint. of vehicles), obj. 442 (rental of equip.), obj. 608 (household/inst. Supp.) & approval of line item transfer - \$ 4,700.00

(SEE NUMBER 10.L)

E. 206th District Court:

1. Request approval to create obj. 608 (household/inst. supp.) & approval of line item transfer - \$115.00

(SEE ITEM 10.L)

F. County Auditor:

1. Approval of line item transfer – C/O's 2002 (computer equipment) - \$ 1051.33

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

G. County Judge:

1. **Approval to create obj. 671 (repair/maint. supp.) & approval of line item transfer - \$ 1,000.00**

(SEE NUMBER 10.L)

H. Constable Pct. #1:

1. **Approval of budget amendment of LEOSE Funds - \$ 1,247.04**

I. Constable Pct. #2:

1. **Approval to appropriate LEOSE Funds in the amount of \$ 1,132.33**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 10.H & I.

J. Court Reporter Fund:

1. **Approval of budget amendment - \$ 45,000.00**

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

K. CIP – 2002:

1. **Approval of budget amendment & approval of line item transfer**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$2,600.00 and \$550.90, and \$691.90.

L. D.P.S.:

1. **Approval to create obj. #431 (repairs) & line item transfer - \$ 89.00**

On motion of Commissioner Handy, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 10.C, D, E, G, & L.

11. Right of Way: (SEE EXHIBIT M)

- A. **Authorization for surveys, title reports, appraisals & acquisition of additional right of way on county road aka Santa Patricia Drive west of Seminary Road**

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

12. Urban County: (SEE EXHIBIT N)

- A. **Approval of a Professional Services Contract with Quintanilla, Headley & Associates – City of Alamo – Street Improvements – UCP Year 15 (2002)**

NO ACTION taken on this item.

Judge Garcia stepped away from the Court.

- B. **Approval of a Program Amendment – City of Mercedes – UCP Year 15 (2002)**

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

- C. **City of La Villa – privately owned utilities UCP Year 10 (1997), Year 12 (1999), Year 13 (2000), Year 14 (2001) approval to enter into a Construction Contract with Southern Union Gas**

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

D. Approval of Proclamation declaring April 2003 as “Fair Housing Month”

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

E. Approval of Proclamation declaring April 21-27, 2003 as “National Community Development Block Grant (C.D.B.G.) Week”

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

13. Planning Department: (SEE EXHIBIT O)

A. Preliminary Approval:

1. **Red Maple Subdivision – Pct. #4**
2. **Quail Hollow North Subdivision – Pct. #1**
3. **Los Naranjos Phase I Subdivision – Pct. #3**
4. **W.R. Subdivision – Pct. #3**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 13.A.1-4.

B. Final Approval:

1. **Herencia Manor Subdivision – Pct. #4**

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

C. Final Approval with a Personal Check:

1. **Godina Subdivision – Pct. #3**

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

Commissioner Garza is away from the Court.

D. Final Approval with Letter of Credit:

1. **Evergreen Valley Estates Subdivision – Pct. #4**

Raul Sesin for the Record: The letter of credit is #021903 from First National Bank, in the amount of \$77,000.00, is used to secure the installation of the septic tanks.

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

E. Release of Letter of Credit:

1. **Los Venados Subdivision – Pct. #4**

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

Commissioner Garza, and Judge Garcia joined the meeting.

F. Discussion and/or possible action on recommended changes or amendments to the Subdivision Advisory Board Operating Policies & Procedures regarding Advisory Board attendance and special meetings

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

14. Risk Management: (SEE EXHIBIT P)

A. Authorization and approval to reimburse the Health Insurance Coordinator for personal cell phone usage as it relates to county business

Valde Guerra for the Record: Hidalgo County does not have a policy that authorizes personal cell phone usage, and ask for reimbursement. Again, I think this is because of the renewal process, there were quite a few calls that he'd gotten, it amounted to a little bit of money for him.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval subject to a detailed cell phone, along with a notarized affidavit stating the cell minutes were for County purposes, be submitted to the County Auditor.

At this point, the Court proceeded into Executive Session.

15. Right of Way: (SEE EXHIBIT Q)

A. Approval to transfer (5) parcels of land from Hidalgo County to TxDot (parcels located from Madero to Bentsen Rd.) (parcels #5 – west addition to Sharyland Corporation & parcels 6, 7, 9 & 10 – John H. Shary Subdivision)

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

16. County Judge: (SEE EXHIBIT R)

A. Discussion, consideration and action on presentation of County Judge's Jail Construction Advisory Committee

That the Court looks at hiring an independent counsel to evaluate the contracts and documents and the facts, and advice us accordingly, whether we should proceed to litigate with the contract.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval. Specific votes are as follow:

AYE: Judge R. Garcia, Commissioners' Handy and Flores

NAY: Commissioner Palacios

NO VOTE: Commissioner Garza (Commissioner Garza away from the Court)

B. Requesting exemption from competitive bidding requirements for professional legal services in connection with the jail

NO ACTION taken on this item.

C. Approval of letter of engagement for professional legal services with Law Firm of Shirrmeister-Agamie

NO ACTION taken on this item.

D. Discussion and approval of agenda policy & procedures

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to set the agenda deadline by the Agenda Coordinator no later than Wednesday at 5:00 p.m. of the next available meeting, with the exception of the Purchasing Department, and that two signatures will not be needed of any elected person serving on the Commissioners' Court, and other departments will go through the Budget Office, Human Resources, and other proper channels.

Judge R. Garcia left the meeting and did not return.

E. Discussion and action to advertise for the position of Veterans Service Officer

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to advertise for the position of Veterans Service Officer at the same salary of \$31,617.54.

17. Pct. #1: (SEE EXHIBIT S)**A. Approval to create obj. 334 (arch./eng. Serv.) – Acct. #3-1332-419-00-121-021-0 (CIP)**

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

B. Approval of line item transfer - \$ 67,480.00

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

C. Request approval to support a Resolution recognizing the All-Valley All Stars for placing 1st in the Small Coed division of the 2003 National All Star Cheerleading Championship

Commissioner Handy read the Resolution into the Record.

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

D. Request approval of Interlocal Agreement with the City of Mercedes and Hidalgo County Pct. #1 for road improvements to Mile 2 West south of Business 83

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

E. Request approval of Interlocal Agreement with the City of Weslaco, Hidalgo County Drainage District #1 and the County of Hidalgo Pct. #1 for a roadway/drainage feasibility study

This item was previously approved on August 20, 2002. As per Steve Crain, the Court is ratifying this for the purpose of changing...to reflect the current judge.

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

F. Requesting approval of Water Service Agreement with North Alamo Water Supply Corporation and Hidalgo County Pct. #1 in connection with the installation of the water meters for the Rollo Townsite Subdivision (Monte Alto Community Park) with authority for Hidalgo County Judge Ramon Garcia to sign service agreement

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

G. Request approval of Workforce Solutions, work site training employee agreement with Hidalgo County Pct. #1

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

18. Pct. #2: (SEE EXHIBIT T)

A. Approval to create obj. 733 (drainage ditches) – CO 2001 Pct. #2 Acct.

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

B. Approval of line item transfer - \$ 200,000.00

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

19. Pct. #4: (SEE EXHIBIT U)

A. Request authorization to accept cost-share funds for the following road – Canton Road (Dillon to Valverde)

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

B. Request approval to appropriate donations into expense acct. #3-1204-431-00-124-007-0-731

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

C. Request approval to create the following line items in Pct. #4 (paved/unpaved acct.)

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for obj. #333.

D. Approval of line item transfer

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$45,000.00.

20. Colonia Access Program: (SEE EXHIBIT V)

A. Approval of line item transfer for the Colonia Access Program Pct. #2 (Lopezville Project) - \$ 307.00

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

B. Request approval to create obj. # 339 (materials testing) for Colonia Access Program Project for Pcts. #1, 2, 3 & 4

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

C. Request approval of line item transfers for the Colonia Access Program Projects - \$ 416,361.45 (all Pcts.)

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

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to take a ten minute recess.

21. Human Services: (SEE EXHIBIT W)

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

- 1. Approval to appropriate \$ 603,000.00 of the 90% State Reimbursements for the payments of 2002 expenditures**

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

- 2. Authorization to pay 2002 claims: \$296,577.82**

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

- 3. Authorization to pay 2003 claims: \$127,863.36**

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

- 4. Indigent Health Care expenditures**

Presentation made. NO ACTION taken on this item.

- 5. Modify Services being provided**

NO ACTION taken on this item.

- 6. Report and Recommendations regarding Indigent Health Care**

Report made. NO ACTION taken on this item.

22. Purchasing Department: (SEE EXHIBIT X)

A. HIDALGO COUNTY -

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

a) New Hidalgo County Jail

Total Inmate Population:	1096
Physical Count:	1025
Out of County Count: La Villa Facility (LCS):	71
Brooks:	0
Other	0

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

Nothing to Report. NO ACTION taken on this item.

- 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. NO ACTION taken on this item.

- b) **Requesting authority to purchase a “Quarterly Preventive Maintenance Service Levels” agreement from Holt Power Systems for Caterpillar Model #s and Serial #s as follow: #3412-3FZ02548, #3512-1FZ00708, #3512-1GZ00709 for back-up generator equipment at the New Adult Detention Facility;**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$7,460.00 for one year service.

- c) **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;**
 d) **County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**
 e) **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. NO ACTION taken on item 22.A.3.c, d, and e.

4. **Requesting authority to re-advertise the project and to reject the sole non-compliant bid received for: “Lease of Office Space for Department of Public Safety (DPS) in the City of Weslaco”**

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

5. **Requesting authority to advertise the following projects:**

- a) **Requesting for qualifications with proposal (RFQ/P) for the engagement of a consultant for the provision of professional consulting services in connection with the procurement (drafting of specifications), scoring, grading evaluation, recommendations to Commissioners Court for ranking and award, implementation and monitoring of all insurance components including, but not limited to, Workers Compensation, Property and Casualty, Public Officials, Law Enforcement, Automobile Physical Damage, and/or General Liability Insurance for all applicable Hidalgo County departments and programs (state or federally funded, i.e., Community Services Agency, Headstart Program, Urban County, WIC, etc.);**

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

- b) **Requesting for Proposal and/or Bids for, including but limited to the following insurances:**
 i) **Workers Compensation, both fully and/or self funded, with two (2) options;**
 (1) **Option 1 Six (6) months with expiration effective 12-31-03; and**
 (2) **Option 2 Twelve (12) month so as to have expiration date coincide with County’s fiscal & calendar year with the County’s option to renew for an additional one (1) year a maximum negotiated rate increase.**
 ii) **Property & Casualty;**
 iii) **Public Officials;**
 iv) **Law Enforcement;**
 v) **Automobile Liability**
 vi) **Automobile Physical Damage; and/or**
 vii) **General Liability**

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

6. **Requesting approval of a “Sole Source Declaration” as per Texas Local Government Code Section 262.024 (a) (7) (A) and (D) for Hartmann Medical for Hidalgo County Health, WIC Program and other applicable departments for the “HemoCue testing systems and related supplies.”**

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

7. **Requesting approval of a final negotiated requirements contract with Hartmann-Lausanne, Inc., dba, Hartmann Medical. 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 of approval, subject to legal review.

8. **Requesting authority to advertise a Request for Qualifications with Proposal for the engagement of “Legal Services in the area of Employment Law” in connection with representation of the County and its various departments and/or programs if applicable at Civil Service Commission Hearings.**

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

9. **Discussion, consideration and appropriate action to initiate the process to identify/determine County-owned land/property eligible for surplus and disposition for the purpose of sale with appointment or assignment of projects staff.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to designate Ms. Hilda Casarez as a contact person between the Law firm and the County, as a representative of the Court, and to facilitate the information to the Court and involve the Auditor as much as possible.

B. HIDALGO COUNTY PRECINCT NO. 1 –

1. **Recommending award to the lowest bid meeting all specifications for “Eight (8) 30-Cubic yard Containers”, for the Sanitation Department.**

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

2. **Requesting approval of award to the lowest bidder for: “Hauling Services of Road Materials”, meeting all specifications.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve Universal Truckers Inc.

3. **Requesting approval of a contract with the lowest bidder for “Hauling Services of Road Materials” meeting all 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 of approval.

4. **Requesting acceptance and approval with authority for Auditor to process payment (after review, audit and procedures completed) claims/invoices totaling \$650.00, for Professional Services/licensed Wastewater Treatment Plant Operation for Delta Lake, Agustin Gomez.**

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

C. HIDALGO COUNTY PRECINCT NO. 3 –

1. **Requesting approval to exercise the additional (1) one year extension as provided in current contract for “Landfill Disposal Services” under the same rates, terms and conditions with C&T Regional.**

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

D. HIDALGO COUNTY BUDGET OFFICER -

1. **Discussion, consideration and approval of an invoice (#03201, dated 03-18-03) in the amount of \$1,000.00 from CACC-Carolyn Arnold Communications Consultant for an adjustment issued by SWBT with authority for County Auditor to issue payment (after review, audit, and processing procedures completed.) See Attachment:**

Local Service

Amount Due upon completion of project \$ 500.00

Long Distance

Amount due upon completion of project. \$ 500.00

Amount Due to CACC \$1,000.00

2. **Discussion, consideration and approval of an invoice (#03216, dated 03-28-03) in the amount of \$31.51 from CACC-Carolyn Arnold Communications Consultant for an adjustment issued by SWBT with authority for County Auditor to issue payment (after, review, audit and processing procedures completed.) See Attachment:**

Verizon Account 956-696-4908

- **Hidalgo County Juvenile Boot Camp**
- **Adjustment for crediting carrier change charges \$71.68**
Account was slammed by MCI after taking it to SBCLD high volume plan CACC corrected in 3-26-03 and put back to SBCLD
- **Adjustments for discount of two premium calling plans \$33.34**
(Disconnected 2-12-03 from line numbers 956-969-5770 & 969-8690 due to no longer needing after going to SBCLD)

Total adjustments	\$105.12
	<u>X30%</u>
Amount Due to CACC	\$ 31.51

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item #22.D.1 & 2.

E. HIDALGO COUNTY AUDITOR’S OFFICE-

1. **Requesting authority to purchase computer hardware and peripherals from a QISV vendor, CDW Government, through the Resolution with the State of Texas, Texas Building and Procurement Commission’s Purchasing Program previously approved on Commissioner’s Court on 04/01/03 (in the amount of \$5,598.00) to reflect the corrected amount \$6,833.07.**

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

F. HIDALGO COUNTY CLERK’S OFFICE -

1. **Recommending award of RFP for: Providing Land Records Information for Hidalgo County Clerk’s Office on The Internet.**

NO ACTION taken on this item.

2. **Requesting approval of contract for: Providing Land Records Information for Hidalgo County Clerk’s Office on The Internet. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

NO ACTION taken on this item.

G. HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY’S OFFICE -

1. **Requesting authority to purchase from the following QISV vendors, through the Resolution of the State of Texas, Texas Building and Procurement Commission’s Purchasing Program**

Req #	Vendor	Description	Amount
107	CDW Government	Computer/Peripherals	\$5,714.75
109	CDW Government	Software	\$1,381.99
110	CDW Government	Computer equipment	\$ 609.99
111	CDW Government	Computer equipment	\$ 116.49
125	Xerox	Fax Machine	\$1,820.00

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

H. HIDAGLGO COUNTY TAX OFFICE -

1. **Requesting approval to exercise the additional (1) one year extension as provided in current contract for “Providing Tax Roll Information for Tax Office on the Internet” under the same rates, terms and conditions with Landtitle USA.**

NO ACTION taken on this item.

I. HIDALGO COUNTY URBAN COUNTY PROGRAM -

1. **Recommending award of bid for: “Rental of Office Space Within the specified areas in the Cities of Pharr and Edinburg” to low bidder meeting all specifications.**
2. **Requesting approval of Lease Agreement for: “Rental of Office Space within the specified areas in the cities of Pharr and Edinburg” to low bidder meeting all specifications. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

NO ACTION taken on item #22.I.1 & 2.

J. HIDALGO COUNTY WIC PROGRAM -

1. **Requesting approval to exercise the additional (1) one year extension as provided in current lease agreement for “Lease of Office Space-City of Pharr” under the same rates, terms and conditions with CPRD Inc.**

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

K. HIDALGO COUNTY PRECINCT NO. 2 –

1. **Requesting authority to purchase the following equipment – One (1) single drum vibratory roller (pad foot), through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC) – vendor being Hi-Way Equipment from Houston, Texas – cost not exceed estimated amount of \$88,000.00 Administration and delivery cost to be included**

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

2. **Requesting authority to advertise for: “Hauling Services of Dirt” (north and south levee on I Rd. Project)**

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

23. Closed Session:

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to go into Executive Session for items 23.A, B, D, & E.

Steve Crain: You're not going in under item C, you're going in only under item B

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. Consultation with legal counsel concerning contemplated litigation related to the county jail; or**
- C. Consultation with legal counsel regarding the legality and enforceability of the county jail construction contract (SEE EXHIBIT Y)**
- D. Potential Litigation – County Buildings**
- E. Pending or Contemplated Litigation**

NO ACTION taken in Executive Session.

24. Open Session:

- A. Real Estate Acquisition**

NO ACTION taken on this item.

- B. Consultation with legal counsel concerning contemplated litigation related to the county jail; or**

Commissioner Palacios replied for the Record: Allegations illegal in the minds of many people associated with criminal activity. It's their part of the report, and some people were interviewed and they made some comments. It's not a matter of what I'm saying, it's a matter of what's on record.

Steve Crain advised Judge Garcia for the Record: I request that the Court finish with item 24.B, and then to continue with item 16.

On motion of Commissioner Garza, to waive their attorney/client privilege only to the issues that Mr. Ramirez brings up in his presentation, and this is going with potential litigation, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval. (SEE EXHIBIT Y)

Judge Garcia for the Record: There are no allegations of criminal activity on this report.

- C. Consultation with legal counsel regarding the legality and enforceability of the county jail construction contract**

NO ACTION taken on this item.

Commissioner Garza is away from the Court.

- D. Potential Litigation – County Buildings**

NO ACTION taken on this item.

- E. Pending or Contemplated Litigation**

NO ACTION taken on this item.

25. Closed Session:

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

NO ACTION taken on this item.

26. 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 Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adjourn.

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, APRIL 08, 2003, at 9:30 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.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of item 7.A.

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

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
 - A. Pct. #3 – R & B**
 - B. Buildings & Grounds (2)**
 - C. County Clerk (2)**
 - D. Extension Service**
 - E. Public Defenders**
 - F. Elections**
 - G. Tax Office (2)**
 - H. Mailing Services**
 - I. Court of Appeals**
 - J. Indigent Defense Program**
 - K. Pct. #4 – Adm.**
 - L. Constable Pct. #1 – LEOSE**
 - M. Constable Pct. #1 – Gen. Fund**
 - N. Constable Pct. #3 – Grant**
 - O. Constable Pct. #3 – Gen. Fund**
 - P. Pct. #2 – Parks**
 - Q. Pct. #4 – Paved/unpaved**
 - R. Pct. #1 – R & B**
 - S. Pct. #3 – Parks**
 - T. D. A. – Checks Fund (2)**
 - U. D.A. – Crime Victims Fund**
 - V. D.A. – Inv. Fund**
 - W. D.A. – Gen. Fund**
 - X. Criminal Auxiliary Court**
 - Y. Pct. #1 – Parks**
 - Z. District Clerk**
 - AA. Health – Clinics**
 - BB. J.P. Pct. #1, Pl. 2**
 - CC. Pct. #1 – Landfill**
 - DD. County Treasurer**

Consent Agenda Continued:

- 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. **Sharyland Water Supply – Los Ebanos Rd. and 9 Mile Line**
 - B. **North Alamo Water Supply – FM 88 on Mile 12 ½ North**
 - C. **North Alamo Water Supply – SH 107 on 6th St. in San Carlos**
 - D. **North Alamo Water Supply – Mile 12 North on Mile 4 ½**
 - E. **Southwestern Bell – along Western Rd.**
- 5. **Urban County:** (SEE EXHIBIT E)
 - A. **Request for approval to enter a “Homebuyer Assistance Program” Contract under the HOME Program (6 families)**
- 6. **Tax Refunds:** (SEE EXHIBIT F)

Taxpayer	Payer	Amount
A. Laura K. Flores	Magic Valley Service	\$ 609.36
B. Mission Tai Housing	IBC	2,932.70
C. Maria D. Venegas	TransAmerica	1,342.60
D. Miguel & Lidia Sanchez	Edwards Abstract	926.56
E. Amalia Sanchez	IBC	932.43
F. Maria & Eduardo Del Bosque	TransAmerica	517.98
G. Ruben Vasquez	Greater S. Bank	902.42

- 7. **Purchasing Department:** (SEE EXHIBIT E)
 - A. **HIDALGO COUNTY BUILDINGS AND GROUNDS -**
 - 1. **Requesting authority to enter into a service agreement with Argus Security Systems. For a three year term effective upon approval.**
 - B. **HIDALGO COUNTY 139TH DISTRICT COURT -**
 - 1. **Requesting authority to purchase computer equipment from a QISV vendor, Dell Marketing, through the Resolution with the State of Texas, Texas Building and Procurement Purchasing Program in the total amount of \$2,744.00**
 - C. **HIDALGO COUNTY COMPUTER DEPARTMENT -**
 - 1. **Requesting authority to purchase computer equipment from a QISV vendor, CDW Government, through the Resolution with the State of Texas, Texas Building and Procurement Purchasing Program in the total amount of \$1,880.00**
 - D. **HIDALGO COUNTY HUMAN RESOURCES -**
 - 1. **Requesting authority to purchase computer equipment from a QISV vendor, S.J.S. Computer, through the Resolution with the State of Texas, Texas Building and Procurement Purchasing Program in the total amount of \$950.00**
 - E. **HIDALGO COUNTY JUDGE’S OFFICE -**
 - 1. **Requesting authority to purchase computer equipment from a QISV vendor, CDW Government, through the Resolution with the State of Texas, Texas Building and Procurement Purchasing Program in the total amount of \$1,320.00**

**COUNTY OF HIDALGO
RAMON GARCIA
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 08, 2003 at 9:30 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 Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Discharge Permits: (SEE EXHIBIT Z)**
 - A. City of Edinburg – Jardin Del Valle Apt.**
 - B. City of McAllen – Blossom Ridge**
 - C. Anthony Gray – Frontera Heights East Phase 2**
 - D. City of Edinburg – Los Lagos Phase III**

**COUNTY OF HIDALGO
RAMON GARCIA
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 08, 2003 at 9:30 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 members of the Court were counted present, with the exception of Judge R. Garcia and Commissioner Garza.

2. Open Forum

NO ACTION taken on this item.

3. Approval of Consent Agenda

At this time, the Court approved the Drainage District Consent Agenda.

4. Direction on Development and execution of contracts with Hidalgo County Drainage District #1 (SEE EXHIBIT AA)

Record: Godfrey Garza informed the Court that Judge Garcia has instructed him that all contracts, on the County level, must be reviewed by legal counsel prior to them coming to the Judge's office for execution. Per Godfrey, this particular item has never been approved or brought to Commissioners' Court or to the Drainage District for the same Procedures. He also explained that all contracts for Hidalgo County are attested by the County Clerk however, the Drainage District does not abide by these rules because the Clerk does not attest documents for the District.

NO ACTION taken on this item.

5. Approval to Release Drainage Easement – 2.29 Acre Tract of Land out of Lot 1, Blk.1, Rio Bravo Plantation CO's Subdivision (SEE EXHIBIT AA)

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

6. Purchasing Department: (SEE EXHIBIT BB)

A. Discussion, consideration and action concerning engagement of attorney to represent Hidalgo County Drainage District No. 1 at Civil Service Commission Hearings;

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

B. Requesting authority to participate in the project to advertise a Request for Qualifications with Proposal for the engagement of "Legal Services in the area of Employment Law" in connection with representation of Hidalgo County and its various departments and/or programs if applicable at Civil Service Commission Hearings;

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

- C. Pursuant to action taken by board on 4-01-03, requesting authority to advertise the disposition by sealed bid method, the sale of land described as two (2) strips of land and setting the minimum bid at the fair market value;**
- i. 25.0" wide strip – Lot 3, Block 9, A. J. McColl subdivision;**
 - ii. 25.0' wide strip – Lot 1, Block 18, Steel & Pershing Subdivision & Lot 3 Block 9, A. J. McColl Subdivision.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item item 22.C. i & ii.

- D. Requesting authority for Hidalgo County Drainage District No. 1 to participate in the advertisement of the following projects:**
- 1. Requesting for qualifications with proposal (RFQ/P) for the engagement of a consultant for the provision of professional consulting services in connection with the procurement (drafting of specifications), scoring, grading evaluation, recommendations to Commissioners Court for ranking and award, implementation and monitoring of all insurance components including, but not limited to, Workers Compensation, Property and Casualty, Public Officials, Law Enforcement, Automobile Physical Damage, and/or General Liability Insurance for all applicable Hidalgo County departments and programs (state or federally funded, i.e., Community Services Agency, Headstart Program, Urban County, WIC, etc.);**
 - 2. Request for Proposal and/or Bids for, including but limited to the following insurances:**
 - i) Workers Compensation, both fully and/or self funded, with two (2) options;**
 - (a) Option 1: Six (6) months with expiration effective 12-31-03; and**
 - (b) Option 2: Twelve (12) month so as to have expiration date coincide with County's fiscal & calendar year with the County's option to renew for an additional one (1) year at a maximum negotiated rate increase.**
 - ii) Property & Casualty;**
 - iii) Public Officials**
 - iv) Law Enforcement;**
 - v) Automobile Liability;**
 - vi) Automobile Physical Damage; and/or**
 - vii) General Liability**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item #6.D. 1 & 2.

7. Closed Session:

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

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

Commissioner Handy certified that NO ACTION was taken during Executive Session.

8. Open Session:

A. Real Estate Acquisition

Proceed as directed.

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

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 _____ PRESENT
COUNTY JUDGE

SYLVIA HANDY _____ PRESENT
COUNTY COMMISSIONER, PRECINCT 1

HECTOR (TITO) PALACIOS _____ PRESENT
COUNTY COMMISSIONER, PRECINCT 2

JOSE FLORES _____ PRESENT
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA JR. _____ PRESENT
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 8th day of April, 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.