

REGULAR MEETING – APRIL 15, 2003

BE IT REMEMBERED, that on this 15th 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

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, APRIL 15, 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

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

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Eloy Pulido made a clarification/presentation on the new jail and it's expenses.

5. Approval of Consent Agenda

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

6. Budget Office: (SEE EXHIBIT H)

A. Approval of budget amendment - \$ 4,392.00 and payment of LRGVDC Dues - \$ 29,392.00

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

B. Probate Court:

1. Approval to create obj. 745 (computer equip.) & approval of line item transfer - \$ 619.00

(SEE ITEM 6.I.)

C. 389th District Court:

1. Approval to create obj. 608 (household/inst. supp.) & approval of line item transfer - \$ 2,505.00

(SEE ITEM 6.I.)

D. Computer Department:

1. Approval to create obj. 864 (other debt interest) & approval of line item transfer - \$ 15,343.29

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the line item transfer only, with the correction in the amount of \$15,293.29.

NO ACTION taken was taken on the creation of the object #864.

E. Tax Office:

1. **Approval to create obj. 640(books), 748 (other equip.), 663 (small tools) & approval of line item transfer - \$ 2,305.00**

F. County Clerk:

1. **Approval to create obj. 607 (cleaning/janitorial supplies) & line item transfer - \$ 485.00**

G. 139th District Court:

1. **Approval to create obj. 608 (household supp.), 431 (repair & service) & line item transfer - \$ 300.00**

H. 275th District Court:

1. **Approval to create obj. 611 (police/camera supp.) & line item transfer - \$ 70.00**

I. Constable Pct. #3 (STOP):

1. **Approval to create obj. 442 (equip. rental) & line item transfer - \$ 500.00**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 6.B, C, E, F, G, H, and I.

J. Human Resources:

1. **Approval to transfer slots #8, 9, 10 & 11 from dept. 190-002 (Human Resources) to dept. 230-001 (Risk Management)**
2. **Approval to inappropriate salary and fringe benefits - \$ 90,728.06**

K. Risk Management:

1. **Approval to appropriate salary and fringe benefits - \$ 90,728.06**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 6.J.1 & 2 and K.1.

L. Jail Project:

1. **Approval of budget amendment - \$ 325.52**

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

M. Approval of budget amendment - \$ 110,000.00 (Agreement with Reinvestment Zone Number One, City of Mission, approved on 3/19/02)

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

N. Discussion and direction regarding item 11A "Approval of Interlocal Cooperation Agreement between the County of Cameron and the County of Hidalgo regarding the investigatory and necessary work related to determining the advisability of creating a Health Services District" (CC 12/11/01) – Approval of budget amendment - \$ 56,757.12

NO ACTION taken on this item.

O. Approval of budget amendment - \$ 4,800.00 (Agreement with the City of Edinburg for the use of the City Auditorium for jury duty) & authority for County Auditor to pay invoice #011003A, #021003A & #031003A in the amount of \$ 1,200.00

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

P. Approval to deobligate \$ 22,680.00 from Acct. #3-1100-423-21-280-002-0-748 (PO #504314 was liquidated due to a duplication)

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

Q. Approval to inappropriate salaries and fringe benefits obj. 112-260 (General Fund departments only)

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

R. CIP – 2002 Series:

1. **Approval to inappropriate \$ 3,349.00**
2. **Approval of budget amendment - \$ 3,349.00**

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

S. Fire Marshal:

1. **Approval to inappropriate \$ 4,858.35**
2. **Approval of budget amendment - \$ 4,858.35**

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

At this point, the Court proceeded with Open Forum.

7. Risk Management: (SEE EXHIBIT I)**A. Discussion regarding Notice of Final Closure Plan Permit Modification: Technically complete from Texas Commission on Environmental Quality (TCEQ), Pct. #4 Landfill**

Presentation made. NO ACTION taken on this item.

B. Approval for Commissioners' Court designee to sign and mail required documents: Notice of Application and Preliminary Decision, Certification of Notice of Application and Preliminary Decision and Draft Permit Modification

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to designate the Judge as designee, and authorize him to execute the documents as needed by Risk Management.

The Court went back it item 6.M. only.

8. Health Department: (SEE EXHIBIT J)**A. Request authorization and approval to accept an increase in Bioterrorism/PH Infrastructure Grant No. 7460007176-2003-07 in the amount of \$ 6,695.00**

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

Commissioner Flores is away from the Court.

B. Request to decrease the TB Elimination Grant in the amount of \$ 15,630.00

Tony Sandoval, County Auditor commented that the budget amendment should have been submitted with the contract grant. Judge Garcia asked if we could do it next week. The way the auditor is requesting it.

Valde Guerra did state that he agreed with the Auditor.

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

C. Request approval to increase restaurant/food vendor health permit fees

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the permit fees as stated by Mike Keenan.

D. Authorization to appropriate program income as follows: (CORRECTED)

1. Adm. Program Income – Acct. #3-1293-441-00-340-009-0 \$ 315,810.56
2. TB Program Income – Acct. #3-1293-441-00-340-009-0 \$ 40,307.45

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 8.D.1 & 2.

9. Sheriff Department: (SEE EXHIBIT K)**A. Requesting authorization to solicit funds from the Department of Justice (Office of Justice Programs) in regards to the State Criminal Alien Assistance Program or (SCAPP)**

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

B. Request authorization to solicit the State of Texas via the Office of the Attorney General for funds under the Victims Assistance Grant

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

10. Right of Way: (SEE EXHIBIT L)**A. Requesting acceptance and approval of claim (invoice) from Rodriguez Engineering in the amount of \$2,500.00 for Colonia Trevino Project in Pct. #3 – Acct. #3-1203-431-00-123-005-0-334)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, subject to affidavit as requested by the auditor.

11. Pct. #1: (SEE EXHIBIT M)**A. Request approval of the Interlocal Cooperation Agreement between the Hidalgo County Drainage District No. 1, Hidalgo-Cameron County Irrigation District No. 9 and Siesta Retirement Village Corporation**

NO ACTION taken on this item.

B. Approval to support a Resolution recognizing Que Pasa 99.5 morning radio personality and Disc Jockey Bonnie Hernandez

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval. Commissioner Palacios was not present for this vote.

12. Pct. #2: (SEE EXHIBIT N)**A. Approval to create obj. 640 (books/periodicals) & 609 (agriculture & landscaping) for County Wide Shop Acct. #3-1200-431-00-122-004-0**

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

B. Approval of line item transfer - \$ 800.00

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

C. Authorization to advertise for construction of bids for the Colonia Access Program – Lopezville Subdivision road improvements

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

13. Pct. #3: (SEE EXHIBIT O)

A. Requesting authorization to name two unnamed streets in Hidalgo-Starr Subdivision as Acapulco Avenue and Tampico Avenue

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

B. Requesting authorization to name one unnamed street in La Homa Heights Subdivision as Maren Drive

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

14. Planning Department: (SEE EXHIBIT P)

A. Partial Release of Letter of Credit:

1. **Ellis No. 2 Subdivision – Pct. #3**
2. **Trenton Meadows Subdivision – Pct. #4**
3. **Frontera Heights East Phase I Subdivision – Pct. #1**

Raul Sesin, Planning Director: Ellis No. 2 Subdivision is requesting a release in the amount of \$2,000.00 with letter of credit #21301-010820, with a balance of \$2,400 for the remainder of the work to be done. The \$2,000.00 is for two septic tanks being installed. For Trenton Meadows Subdivision, they are requesting a second partial release letter of credit in the amount of \$35,000.00. That's for the remainder of septic tanks that have been installed. That will zero out that letter of credit #1319. Frontera Heights East Phase I Subdivision is requesting a fourth partial release letter of credit in the amount of \$52,689.97 to reflect all the paving improvements. That will leave a balance in that letter of credit \$54,025.51. That letter of credit number is #072402.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 14.A.1, 2, & 3.

15. Urban County: (SEE EXHIBIT Q)

A. Approval of budget and program amendment – UCP Year 14 (2001) & Year 15 (2002) City of La Villa

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

B. City of La Villa – Water/Sewer Improvements Year 14 (2001) Approval of Amendment No. 1 to Professional Services Contract with R.E. Garcia & Associates for the La Villa South Subdivision Infrastructure Development

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

C. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional services with Alcocer Garcia & Associates in connection with the City of La Villa – Parks/Recreational Improvements

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

D. Approval of professional services architectural contract with Alcocer & Associates with the City of La Villa – Parks/Recreational Improvements 15 (2002)

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

E. Approval of Budget & Program Amendment – City of Elsa – UC Year 12 (1999), Year 13 (2000), Year 14 (2001), and Year 15 (2002)

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

F. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Noe Garza Engineers, Inc. in connection with City of Elsa Year 14 (2001) and Year 15 (2002) Sidewalk Improvements Project

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

G. Approval of professional services engineering contract with Noe Garza Engineers, Inc. of Pharr, Texas with City of Elsa for Year 14 (2001) and Year 15 (2002) Sidewalk Improvements Project

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

H. Consider awarding bid for the demolition of existing structures and the reconstruction of two (2) units in the Cities of Donna and Progreso to J.L.Q. Construction for the amount of \$ 69,184.00

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

16. Acceptance of donation from the American Heart Association (SEE EXHIBIT R)

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

Commissioner Flores joined the meeting.

17. Human Services: (SEE EXHIBIT S)

A. Discussion, consideration and action on status of Indigent Health Care Program in Hidalgo County

Discussion made. NO ACTION taken on this item.

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

1. Authorization to pay 2002 claims: \$86,954.24

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

Commissioner Palacios is away from the Court.

2. Authorization to pay 2003 claims: \$176,132.00

On motion of Commissioner Handy, 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

Judge R. Garcia requested a motion to authorize himself, and Rudy de la Vina to proceed to enter into negotiations for the Various Health Care Providers in our community on this issue of Indigent Health Care. The motion should also reflect that the County will only be paying the amount of money equal to the legal obligation required by the State of Texas with this unfunded mandate that was imposed on the taxpayers of Hidalgo County. That legal obligation will be no more than 8% of the budget, plus 10 % of whatever the state pays.

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

5. Report and Recommendations regarding Indigent Health Care

NO ACTION taken on this item.

At this time, the Court went back to item 11.B.

18. Purchasing Department: (SEE EXHIBIT T)

A. HIDALGO COUNTY -

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

a) New Hidalgo County Jail

Total Inmate Population:	<u>1027</u>
Physical Count:	
Out of County Count: La Villa Facility (LCS):	<u>0</u>
Brooks:	<u>0</u>
Other	<u>0</u>

Commissioner Palacios joined the meeting.

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 18.A.2. & 3.a.

b) Pursuant to action taken by CC on 4-8-03, requesting authority to advertise a Request for Qualifications with Proposal for the engagement of "Legal Services" in the area of contract law for an independent review as to the legality and enforceability of the construction contract for the new jail facility;

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to formalize action already taken.

- c) **Acceptance, approval and authority for Auditor to pay Application and Certificate for payment No.6 (dated 3-07-03) by Fierro Industries, Inc in the amount of \$ 77,054.50 and as certified by project engineer, TEDSI, in connection with the construction of the off-site improvements (lift station) with all applicable documentation provided and subject to Auditor’s review, audit and processing procedures completed;**

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

- d) **Requesting acceptance and approval of Application and Certification payment No. 7 (dated 3-10-03) in the amount of \$ 22,629.95 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 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 Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

- e) **Acceptance, approval and authority for Auditor to pay Request for Payment #9 in the amounts of \$ 2,070.54 (01-1006A) and \$ 3,349.49 (01-1006b) in connection with the design and construction of the Maintenance & Motor Pool Building and Law Enforcement Training Facility to V-A Architecture, project architect with all applicable documentation provided and subject to Auditor’s review, audit and processing procedures completed;**

On motion of Commissioner Palacios, second motion inaudible on tape, the Court made a UNANIMOUS vote of approval.

- f) **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;**
- g) **County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**
- h) **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 item 18.A.3.f, g, & h.

4. **Recommending award of bids to multiple bidders for: “Flexible Base Material (Crushed Caliche)” to bidders meeting all specifications and requirements.**

Marty Salazar, Purchasing Agent stated that Pct. 1 would be awarded to Frontera (for both pits); Pct. 2, the 490 pit to Frontera; Pct. 3, Frontera (both pits), plus Valley Caliche, and Pct. 4, Frontera, 490 pit.

On motion of Commissioner Handy, second motion inaudible on tape, the Court made a UNANIMOUS vote of approval.

5. **Recommending approval of contracts for: “Flexible Base Material (Crushed Caliche) “to bidders meeting all specifications and requirements.**

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

6. **Requesting action to reject the bids received for “Flexible Base Material (Pit-Run Caliche).**

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

- 7. Requesting approval to exercise the one (1) additional year (as provided in Article 3 of the current contract) with Kone, Inc. for elevators maintenance and repairs.**

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

Commissioner Palacios stated for the Record: It's not being... (in regards to the elevators not always working.

- 8. Requesting approval to exercise the additional (1) one year extension as provided in current contracts(s) for "HVAC-Equipment Repairs parts' under the same rates, terms and conditions with the following companies: (a) InSCO Distributing, Inc. (b) Johnstone Supply of McAllen.**

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

Commissioner Handy is away from the Court.

- 9. Requesting appointment and approval of staff or others to grade and score (for the purposes of ranking of the responses by Commissioners Court) the statements of qualifications received in response to the County's request for Qualifications for legal services for "Mineral Lease Investigations".**

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

- 10. Presentation for discussion, consideration and approval to exercise a thirty (30) day extension of the contract with RGV Educational broadcasting, Inc. for the Record and Delay broadcast of Hidalgo County Commissioner's Court Meeting's so as not to have a lapse in services while procurement process is completed;**

NO ACTION taken on this item.

- 11. Presentation for discussion, consideration and appropriate action regarding to the award of the best and most advantageous proposal received for Record and delay broadcast of Hidalgo County Commissioner's Court Meeting's;**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the one (1) year contract, with a two (2) year optional Clause.

- 12. Authority for Purchasing Department to negotiate a final contract for Record and Delay Broadcast of Hidalgo County Commissioners' Court Meetings.**

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

B. HIDALGO COUNTY PRECINCT NO 2 –

- 1. Requesting ratification and authority to execute final lease agreement for "Lease of Office space to a Non-Profit Organization" with Texas Migrant Council, Inc**

Steve Crain, Legal Counsel stated for the Record: When that was put out for bids, in accordance with the law, they bid that. They were the highest...bidding that rent. What's in the lease is their obligation. We can't go back now, and put additional obligations on there under the terms of that lease.

Judge Garcia stated that they could always modify those obligations. Steve Crain replied, that it could be done with their agreement.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, subject to auditor's review/approval.

2. **Clarification of Bid No. 03-109-CC Agenda line Item 22-K-2 (approved C.C. 4-8-03) to reflect "Hauling of Dirt" required of the Approaches to the "North and South Levee on I Road Project".**

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 authority to advertise and approval of specifications as attached hereto for: "CRS-2 (CATIONICRAPID SETTING) EMULSFIED ASPHALT"**

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

2. **Requesting authority to advertise and approval of specifications as attached hereto for: "ONE (1) NEW 2003 OR NEWER CURRENT PRODUCTION MOTOR GRADER"**

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

D. HIDALGO COUNTY PRECINCT NO 4-

1. **Recommending bid award to low bidder meeting all requirements for "Paving and Drainage Improvements for J.R. Milo Ponce Park Project".**
2. **Requesting approval of contract for "Paving and Drainage Improvements for J.R. Milo Ponce Park Project" 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 18.D. 1 & 2 to Fresno Construction.

3. **Requesting approval of change order No.1 (decrease in amount) in connection with "Paving Improvements- Tierra Buena 1 & 2" in the amount of \$ 3,746.04 with Mission Paving Company.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$3,746.04 with Mission Paving Company.

E. HIDALGO COUNTY PLANNING DEPARTMENT-

1. **Requesting authority to purchase "Four (4) 2003- F-150 Regular Cab Trucks", through the Interlocal Agreement with the Houston- Galveston Area Council (H-GAC) - Vendor being Philpot Motors, inc., from Port Neches, Texas. Total price for project including the administration and delivery cost is \$52,797.00.**

Valde Guerra, Budget Officer: This is out of CIP monies, and we do have a CIP Workshop scheduled for Thursday. This is monies that have been budgeted.

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

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to rescind action, providing we go back get the information this week, bring it back to Court, either going through the bank or this route.

F. HIDALGO COUNTY SHERIFF'S DEPARTMENT –

1. **Recommending award of bid for: "Uniforms- Section 1", to sole qualified low bidder.**
2. **Requesting approval of contract for: "Uniforms- Section 1", to sole qualified low bidder. 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 18.F.1 & 2 to Trooper Supply.

3. **Presentation for discussion, consideration, acceptance and approval for the purposes of ranking by Hidalgo County Commissioner's Court as "Qualified", the sole response received to the RFQ&P I connection with "Consulting Services for Hidalgo County Sheriff's department", project from r. Philip A. Ethridge, Ph.D**

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

4. **Requesting authority for Purchasing Department to negotiate a contract with "Dr. Philip A. Ethridge, Ph.D., "as" Qualified" for Consulting Services for Hidalgo County Sheriff's Department.**

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

5. **Recommending award of quotation by the drawing of lots as per Texas local Government Code Section 262.027(b) (since two (2) identical totals were received) and requesting approval of contract for "Professional Nursing Staff Services".**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve Alfa Temporary Hospital Staffing.

6. **Requesting authority to advertise "Professional Nursing Staff Services"**

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

G. HIDALGO 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 Land title USA**

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

H. HIDALGO COUNTY WIC PROGRAM-

1. **Requesting authority to advertise and approval of specifications attached hereto for: "Lease space WIC- Clinic # 3 in the City of McAllen" RFB.**

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

At this point, the Court went back to item 18. A.10,11, and 12 only, and then proceeded with Closed Session.

19. Closed Session: (SEE EXHIBIT U)

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

Commissioner Handy joined the meeting during 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. **Pending and/or potential litigation**
- C. **Potential Litigation – Mineral interests**
- D. **Potential Litigation – Civil Service action – File #0802-BG-T-026**

Closed Session Continued:

- E. **T-476-95-G; City of Pharr, Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District No. 10, South Texas Community College, Hidalgo County vs. Luis Gonzalez, et al**
- F. **T-931-95G; City of McAllen, McAllen ISD, Hidalgo-Kenedy County Education District No. 10, Hidalgo County and South Texas Community College vs. E.W. Pile, et al**
- G. **T-062-97-F; Donna ISD, Hidalgo-Kenedy County Education District No. 10, City of Donna, Hidalgo County and South Texas Community College vs. Juventino Munoz, Jr. et al**
- H. **T-616-99-G; Pharr San Juan-Alamo ISD, City of Pharr, Hidalgo Kenedy County Education District No. 10, Hidalgo County, South Texas Community College vs. Eugenio Reyna, Jr., et al**
- I. **T-561-00-A; Donna ISD, City of Donna, Hidalgo County, South Texas Community College and Hidalgo-Kenedy County Education District No, 10 vs. Homero Avila, et al**
- J. **T-648-01-D; Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District No. 10, City of Pharr, South Texas Community College and Hidalgo County vs. Gustavo Petz Gonzalez, et al**

NO ACTION taken in Executive Session.

20. Open Session:**A. Real Estate Acquisition**

NO ACTION taken on this item.

B. Pending and/or potential litigation

Godfrey Garza proceed as directed.

C. Potential Litigation – Mineral interests

NO ACTION taken on this item.

D. Potential Litigation – Civil Service action – File #0802-BG-T-026

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve and proceed as directed on requesting a rehearing on this matter, and authority to employ the services of Mr. Carlos Hernandez, Attorney at Law, as it pertains to the matter for Buildings and Grounds.

- E. **T-476-95-G; City of Pharr, Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District No. 10, South Texas Community College, Hidalgo County vs. Luis Gonzalez, et al**
- F. **T-931-95G; City of McAllen, McAllen ISD, Hidalgo-Kenedy County Education District No. 10, Hidalgo County and South Texas Community College vs. E.W. Pile, et al**
- G. **T-062-97-F; Donna ISD, Hidalgo-Kenedy County Education District No. 10, City of Donna, Hidalgo County and South Texas Community College vs. Juventino Munoz, Jr. et al**
- H. **T-616-99-G; Pharr San Juan-Alamo ISD, City of Pharr, Hidalgo Kenedy County Education District No. 10, Hidalgo County, South Texas Community College vs. Eugenio Reyna, Jr., et al**
- I. **T-561-00-A; Donna ISD, City of Donna, Hidalgo County, South Texas Community College and Hidalgo-Kenedy County Education District No, 10 vs. Homero Avila, et al**
- J. **T-648-01-D; Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District No. 10, City of Pharr, South Texas Community College and Hidalgo County vs. Gustavo Petz Gonzalez, et al**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to reject the tax sales for item 20.E, F, G, H, I, and J.

21. Closed Session:

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

NO ACTION taken on this item.

22. 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.

**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, APRIL 15, 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.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a **UNANIMOUS** vote to approve the Consent Agenda, with the exception of the bills from Human Resources on item #1. The Indigent Health Care (Human Resources) bills will be addressed on item #17 under the Regular 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. Historical Commission**
 - B. Buildings & Grounds**
 - C. Minor Structures**
 - D. Elections Department**
 - E. Health Clinic (3)**
 - F. Health Adm.**
 - G. District Clerk**
 - H. Budget Office**
 - I. 275th District Court**
 - J. Youth Village**
 - K. WIC**
 - L. Pct. #1 – Parks**
 - M. Pct. #1 – R & B**
 - N. Pct. #1 – Adm.**
 - O. Pct. #1 – Sanitation**
 - P. Pct. #2 – County Wide Shop**
 - Q. Pct. #3 – Park**
 - R. Pct. #3 – Landfill**
 - S. Pct. #3 – R & B**
 - T. Planning Department**
 - U. Constable Pct. #3 (2)**
 - V. Constable Pct. #1**
 - W. Veterans Office**
 - X. Risk Management**
 - Y. County Clerk**
 - Z. Tax Office**
 - AA. County Judge**
 - BB. J.P. Pct. #2, Pl. 1**
 - CC. J.P. Pct. #1, Pl. 2 (2)**
 - DD. J.P. Pct. #1, Pl. 1**
 - EE. J.P. Pct. #3, Pl. 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:** (SEE EXHIBIT D)
 - A. **North Alamo Water Supply – south of Mile 19 North on Kenyon Rd.**
 - B. **North Alamo Water Supply – south of Mile 19 North on Kenyon Rd.**

5. **Monthly Fee Reports:** (SEE EXHIBIT E)
 - A. **County Clerk - \$ 507,761.21 – March**

6. **Tax Refunds:** (SEE EXHIBIT F)

A. Homero & Dinora Flores	\$ 245.49
B. Clyde & Elsie Black	\$ 384.65
C. Zar-mat Properties	\$ 133.04
D. Alvaro & Maria G. Lozano	\$ 271.57
E. Armando & Maria Velasco	\$ 595.05
F. John & Patricia Perkins	\$ 738.60
G. Gerald & Dorot Bromenschenkel	\$ 696.31
H. Curtis Arneson	\$ 567.90
I. Secretary of Housing & Urban Dev.	\$ 654.24
J. Robert & Joann Park	\$1441.50
K. Frank & Mary Gatto	\$ 521.35
L. EZ Pawn #404	\$2611.10
M. Ivy Terrace Apts.	\$8693.78
N. Maria Patricia Pena	\$1483.05
O. Jesus & Yolanda Cuevas	\$ 517.55
P. Sunil Wadhvani	\$ 929.74
Q. Sunil Wadhvani	\$6707.57
R. Milton & Gloria Engel	\$ 510.66
S. Secretary of Housing & Urban Dev.	\$1016.48
T. Francisca Artigas	\$ 789.33
U. Juan Antonio Flores	\$ 897.99
V. Daimler Crysler Services	\$ 582.14
W. Toyota Motor Credit	\$1287.49
X. Toyota Motor Credit	\$ 680.87
Y. Salvador & Simona Mendez	\$ 560.97
Z. Quest Diagnostic	\$ 572.86
AA. Mislav & Candace Caric	\$ 560.96
BB. Radiology Assoc.	\$5604.06
CC. Competition Suzuki	\$ 955.39
DD. Reggie & Sondra Tredaway	\$ 719.16
EE. Walter Est Bach Royce	\$1087.23
FF. Weslaco Development	\$7511.02

- 7. **Purchasing Department: (SEE EXHIBIT G)**
 - A. **HIDALGO COUNTY BUILDINGS AND GROUNDS –**
 - 1. **Requesting authority to purchase computer equipment and peripherals from QISV vendor, S,J,S Computer, through the Resolution of the State of Texas, Texas Building Procurement Commission's Purchasing Program in the amount of \$ 1,908.00**
 - B. **HIDALGO COUNTY COMPUTER DEPARTMENT-**
 - 1. **Requesting authority to purchase computer equipment and peripherals from a QISV vendor, CDW Government, through the Resolution of the State of Texas, Texas Building and Procurement Commission's Purchasing Program in the amount of \$ 1,814.17.C.**
 - C. **HIDALGO COUNTY JUDGE'S OFFICE-**
 - 1. **Requesting authority to purchase computer equipment and peripherals from a QISV vendor, CDW Government, through the Resolution of the State of Texas building Procurement Commission's Purchasing Program in the amount of \$ 2,768.00.**

**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, APRIL 15, 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 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 Permit: (SEE EXHIBIT V)**
 - A. Adam Daniec – Goolie Heights Subdivision**
- 3. Line item transfers (SEE EXHIBIT W)**

**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, APRIL 15, 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 members of the Court were counted present, with the exception of Commissioner Garza.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

At this point, the Court proceeded to approve the Consent Agenda.

**4. Direction on Development and Execution of Contracts with Hidalgo County Drainage District #1
(SEE EXHIBIT X)**

Steve Crain, Legal Counsel: Commented to the Judge, that the clarification Godfrey Garza needed was, just like the County, there's many forms we prepare, that the County uses and fills in dollar amounts and those type of things. We're not comfortable in signing that if it has blanks in it until it comes back to us and the blanks are filled in, to see if they were filled in properly.

Judge Garcia responded: If you're not comfortable, then why should I be?

Steve Crain: I just wanted to clarify it for the record.

As discussion continued, Steve Crain went on to say that the Drainage District was a separate legal entity and that it did not require the County Clerk to attest a Drainage District Contract.

Tony Sandoval, County Auditor explained that it was not a problem because it is approved through Commissioners' Court, and then signed by the Judge.

Godfrey Garza, Drainage District: I just want to put it on the Record so there is no department that questions it.

NO ACTION taken on this item.

5. Approval of Interlocal Cooperation Agreement among Hidalgo County Drainage District #1 and City of Mercedes (drainage improvement frontage & mile ½ east) (SEE EXHIBIT X)

Steve Crain: You'll notice that there is a blank on page 2, which needs to be filled in.

Godfrey Garza: At this time, I would present the estimated cost on that project. So that it would be of record, on this particular project, we estimate that we are not to spend more than \$100,000.00 for this particular project.

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

6. Purchasing Department: (SEE EXHIBIT Y)

- A. Requesting authority to purchase computer equipment and peripherals from a QISV vendor, Dell Marketing, through the Resolution of the State of Texas, Texas Building and Procurement Commission's Purchasing Program in the amount of \$ 4,560.00.**

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

- B. Requesting authority to advertise "Hauling of Dirt required for the construction of the North and South Levee on I Road Project."**

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

- C. Requesting appointment and approval of staff or others to grade (for the purpose of ranking of the responses by District Board of Directors) the statements of qualifications received in response to the District's Request for Qualifications for legal services for " Mineral Lease Investigations"**

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

- D. Requesting rescission of line item # 2C-SAE5W-20 Bulk Lubriguard, award by Board of Directors on March 25,2003, as requested by award vendor because of bid error, (bid amount .38, as per vendor correction, should be \$ 3.84).**

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

7. Closed 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

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 Flores, 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 15th 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.