

SPECIAL MEETING – MAY 06, 2003

BE IT REMEMBERED, that on this 6th day of May, A.D., 2003, there was begun and held a SPECIAL 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
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, MAY 06, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 of approval of the Consent Agenda with the exception of items 1, 2.P and 5.C. Item # 1(Indigent Health Care bills only) will be reviewed with item 18.A.1&2 on the Regular Agenda.

1. Approval of check register and payment of claims and bills - County Auditor

2. Line item transfers: (SEE EXHIBIT A)

- A. Constable Pct. #2**
- B. Sheriff Department**
- C. Detention Center (Jail) (2)**
- D. J.P. Pct. #5, Pl. 1**
- E. J.P. Pct. #2, Pl. 1**
- F. Budget Office (2)**
- G. Health – Adm.**
- H. Pct. #2 – R & B**
- I. Pct. #2 – Landfill**
- J. Pct. #4 – Adm.**
- K. County Auditor**
- L. Child Welfare**
- M. Pct. #1 – R & B**
- N. Pct. #1 – Adm.**
- O. Health – Grant**
- P. DPS – Highway Patrol**

NO ACTION taken on item 2.P.

- Q. DPS – License & Weight**
- R. Health – Mobile Clinic**
- S. J.P. Pct. #1, Pl. 2**

3. Planning Department: (SEE EXHIBIT B)

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. Urban County: (SEE EXHIBIT C)

- A. Request for approval to enter into a "Homebuyer Assistance Program" Contract under the HOME Program (2 families)**
- B. Cancellation of three (3) "Commitment Letters"**

5. Tax Refunds: (SEE EXHIBIT D)

- A. Gustavo & Maricelda Cantu \$ 809.27**
- B. Robert & Nora H. Pena \$ 700.00**
- C. Amadeo V. & Maria N. Garza \$3,764.42**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on item 5.C.with corrections.

- D. Miguel Lozano \$1,155.40**
- E. William W. & Naomi B. Gnade \$ 539.52**
- F. Jose & Laura Rendon \$ 537.83**
- G. Carlos Luis Alanis \$ 596.00**
- H. Salvador & Aida Rojas \$ 558.90**
- I. Raymund Leasing Corp. \$2,999.10**
- J. South Texas Leasing \$1,683.32**
- K. William J. & Dorothy L. Caby \$ 563.41**
- L. Harold L. & Phyllis Trt. Fenst \$ 528.50**
- M. Elma Sanchez \$ 518.77**
- N. Armin & Maria L. Narro \$ 522.04**
- O. Consuelo Ruiz \$ 560.96**
- P. Chase Automotive Finance \$ 940.40**
- Q. Jose Maria & Nancy Charles \$ 719.21**
- R. Lalo & Barbara Cavazos \$1,338.58**
- S. Harold C. & Peggy M. Garth \$ 607.15**
- T. Ricardo R. & Maria Villarreal \$ 521.22**
- U. Payne Collusion Center \$2,100.53**

6. Approval of Minutes: (SEE EXHIBIT E)

- A. April 08, 2003**
- B. April 15, 2003**
- C. April 22, 2003**

7. Purchasing Department: (SEE EXHIBIT F)

A. HIDALGO COUNTY BUDGET OFFICE-

Requesting authority to purchase computer equipment from A QISV vendor, S.J.S. Computer, through the Resolution of the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing Program for three CDRW \$ 45.00 ea for a total amount of \$ 135.00

B. HIDALGO COUNTY COMPUTER DEPT.-

Requesting authority to purchase computer equipment from the following QISV vendors, through the Resolution of the State of Texas, Texas Building and Procurement Commission’s Purchasing Program for the following:

<u>Vendor</u>	<u>Description</u>	<u>Qty</u>	<u>Amount</u>	<u>Obj</u>
Starr Telecommunication	Telephone	2	\$ 225.00 ea	664
Starr Telecommunication	Truck Card	1	\$ 425.00 ea	748
CDW-G	Scheduler	1	\$ 635.00 ea	743
S.J.S. Computer	Software	1	\$ 250.00 ea	747
S.J.S. Computer	Switch	10	\$ 30.00 ea	664
S.J.S. Computer	Switch 8 port	10	\$ 39.00 ea	664
S.J.S. Computer	Mouse	1	\$ 9.00 ea	664
S.J.S. Computer	Cabling	7	\$ 100.00 ea	432
S.J.S. Computer	Switch 8 port w/cab	1	\$ 350.00 ea	745
CDW-G	Digital Camera	1	\$ 475.00 ea	743

C. HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY-

Requesting authority to purchase computer equipment from a QISV vendor, CDW Government through the Resolution of the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing program for the following:

<u>Description</u>	<u>QTY</u>	<u>Amount</u>	<u>OBJ#</u>
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HP Laser Jet	1	\$ 1,684.98 ea	745
Omni view Switch	1	\$ 390.80 w/s&h	745
Linux Software	1	\$ 720.99 ea	747

D. HIDALGO COUNTY AUDITOR’S OFFICE-

Requesting authority to enter into a Maintenance Agreement with Jones & Cook for a Minolta copier EP-4050. Effective 04/09/03.

E. HIDALGO COUNTY J.P. PCT 3 PL 1-

Requesting authority to enter into a lease Agreement with Xerox Corporation for a Photocopier model DC 425. Effective upon approval.

F. HIDALGO COUNTY DISTRICT CLERK’S OFFICE-

1. Requesting authority to enter into a Lease Agreement with Xerox Corporation for a Photocopier model DC 535. Effective upon approval.

2. Requesting authority to purchase computer equipment from QISV Vendors, through the Resolution with the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing Program.

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>OBJ</u>
S.J.S. Computer	Computer	\$ 973.00	745
CDW-G	Laptop	\$ 1,399.90 w/s&h	745

G. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM-

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 Commission’s Catalogue Purchasing Program in the amount of \$ 1,275.00

2. Requesting exemption from competitive bidding requirement, under TX. Local Gov’t Code Chapter 262.024 (a)(c), a state agency, for the purchase of a Hidalgo County Seal from Texas Correctional; Industries (TCI) in the amount of \$ 160.93

H. HIDALGO COUNTY HEALTH DEPT. PROGRAM-

Requesting authority to purchase computer equipment from a QISV vendor CDW Government, through the resolution with the State of Texas, Texas building and Procurement Commission’s Catalogue Purchasing program for the following equipment:

<u>Description</u>	<u>QTY</u>	<u>Amount</u>	<u>S/H</u>	<u>Obj Code</u>
Computer Case	2	\$ 184.00	\$ 14.00	601
Computer Case	4	\$ 46.00	\$ 7.00	601
Tape Cartridge	10	\$ 95.00		749
Back up Starter	1	\$ 3, 675.00	\$ 75.00	749
Snap Appliance Server	1	\$ 859.00	\$ 75.00	749

I. HIDALGO COUNTY HIDTA TASK FORCE-

Requesting authority to purchase computer equipment from a QISV Vendor, CDW-Government, through the Resolution with the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing program in the amount of \$ 247.75

J. HIDALGO COUNTY HUMAN RESOURCES-

Requesting authority to purchase computer equipment from a QISV Vendor, S.J.S. Computers, through the resolution with the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing Program in the amount of \$ 1,425.00

K. HIDALGO COUNTY PRECINCT NO 1-

Requesting authority to purchase computer equipment and software from a QISV vendor, CDW Government, through the Resolution of the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing Program

<u>Req</u>	<u>Description</u>	<u>Qty</u>	<u>Amount</u>	<u>S/H</u>	<u>Obj.Code</u>
813	Quick Books pro 2003	1	\$ 270.00	\$ 11.99	747
870	Keyboard	2	\$ 17.00		661
808	HP DeskJet 3820	1	\$ 99.00	\$ 14.09	661
808	Labtec Arena	1	\$ 39.00	\$ 19.15	661

L. HIDALGO COUNTY PRECINCT NO 2-

Requesting authority to purchase computer equipment from a QISV vendor, Micro Warehouse, through the Resolution of the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing Program, two (2) hard drives in the total amount of \$ 189.90

**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, MAY 06, 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 the Pledge of Allegiance.

3. Prayer

Commissioner Handy led the Court and audience in Prayer.

4. Open Forum

Virginia Townsend addressed the Court in reference to Taxes.

5. Approval of Consent Agenda

At this time, the Court moved to review the Consent Agenda.

After the Consent Agenda was reviewed, the court moved to item 6.B.

6. Approval of Proclamations: (SEE EXHIBIT G)

A. Honoring – Edgar Hernandez

Commissioner Handy read the Proclamation into the record.

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

At this time, the Court moved to Executive Session.

B. Honoring – Mrs. Carmen Anaya

Commissioner Handy read the Proclamation into the record.

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

C. Proclaiming the month of May as National Foster Care Month

Commissioner Handy read the Proclamation into the record.

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

D. Proclaiming the month of May as Elder Abuse Prevention Month

Commissioner Handy read the Proclamation into the record.

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

7. County Judge: (SEE EXHIBIT H)

A. Request approval to support a Resolution recognizing Commissioner Sylvia Handy's Hidalgo County Pct. #1 Solid Waste Management Program as "Finalist" for the 2003 Texas Environmental Excellence Award Program

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

Selina Garza read the Resolution into the record.

Commissioner Flores stepped away from the meeting.

Commissioner Garza was not present for this vote.

B. Discussion and approval regarding Out-of-County Travel Requests for County Employees

NO ACTION taken on this item.

Presentation made by Valde Guerra.

C. Discussion, consideration and action regarding the disaster area in Penitas as it relates to the structure(s) location and/or positioning

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to allow the Precincts (County employees/equipment) to be used to remove debris from the disaster area.

Presentation made by Charlie Montgomery.

8. County Auditor: (SEE EXHIBIT I)

A. Presentation of Certificate of Obligation Series 2001 (Fund 1331) and Certificate of Obligation Series 2002 (Fund 1332) analysis for the quarter ending March 31, 2003

NO ACTION taken on this item.

Presentation made by Cindy Sanchez.

9. Budget Office: (SEE EXHIBIT J)

Commissioner Handy stepped away from the meeting.

A. Approval of budget amendment - \$ 39,388.67

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval amending account #1100-441-00-110-0540311, obj.# Management Consulting Services.

B. Approval to pay invoice to Cameron County subject to audit, review and approval by County Auditor

NO ACTION taken on this item.

Commissioners' Handy and Flores joined the meeting at this time.

C. County Judge:

1. Request approval to create obj. #431 (repair & maint. serv.-bldgs.) & line item transfer - \$ 500.00

D. 398th District Court:

1. Approval to create obj. #608 (household supp.) & line item transfer - \$ 3,950.00

E. Indigent Defense Program:

1. Approval to create obj. #746 & 747 & line item transfer - \$ 4,400.00

F. District Clerk:

1. Approval to create obj. #550 (printing/binding) & line item transfer - \$ 22,078.75

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 9.C.1, 9.D.1, 9.E.1 and 9.F.1 with corrections.

Commissioner Palacios stepped away from the meeting.

2. Approval of budget amendment - \$ 26,400.00 (records management acct.)

Record: Valde Guerra did state that a few weeks ago there was a question with respect to the line item transfer under the District Clerk, specifically the transfer of \$1,325.00 from Professional Services into the line item of Paper Supply. This pertained to the Armored Car Services, which the District Clerk was no longer utilizing. The Court asked whether those monies were being transported with an armed guard. We have talked to the District Clerk's office and, "Yes, these monies are being transported from the Sherriff's Office." The dollar amount being transported on any given day is from \$2,200.00 to \$6,400.00.

Record: Valde Guerra also advised the court in reference to item #9.F.2. The District Clerk currently has, in their Unreserved Fund Balance, which is Fund #38, \$51,640.25.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on item 9.F.2.

10. Sheriff Department: (SEE EXHIBIT K)**A. Requesting authority to solicit the Office of Juvenile Justice and Delinquency Programs and the National Center for Missing and Exploited Children Office, in the acquisition of a free computer (LOCATER) system**

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

B. Discussion and possible action to create five (5) investigator positions.

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

C. Approval of Budget Amendment- \$134,411.69

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

D. Approval to set salary at \$31,582.50

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

E. Discussion and possible action to create one (1) Crime Scene Specialist position

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

F. Approval of budget amendment - \$ 27,441.57

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

G. Approval to set salary at \$ 34,719.10

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

11. Health Department: (SEE EXHIBIT L)**A. Approval of budget amendment for \$15,630.07 to decrease TB Elimination Grant**

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

B. Approval of 2003 amended salary schedule (no increase in salaries)

Commissioner Palacios joined the meeting.

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

C. Approval to create obj. #739 (other structures)

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

D. Approval of line item transfer - \$ 31,000.00

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval subject to legal and auditor review.

12. Urban County: (SEE EXHIBIT M)**A. Approval of a lowest bid submitted by R.W. Liquidators for the Alton Recreation Center Office Furnishings and Recreational Equipment City of Alton – UCP – Section 108 Loan**

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

B. HOME Housing Rehabilitation Program Rejection of Bids for three (3) units – Countywide Area

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

C. Consider awarding bid for the demolition of the existing structures; and the reconstruction of two (2) new units in the Countywide area to Rolando's General Construction in the amount of \$ 70,900.00

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

D. Public hearing regarding the 2003 Hidalgo County Urban County Program Workplan (one year action plan)

At this time, Judge Garcia stated for the Record: The Public Hearing on this issue regarding the 2003 Hidalgo County Urban County Program Workplan, a one year action plan is now open.

Judge Garcia asked if there was anyone in the audience who would like to make a comment on this particular issue.

No one from the audience stepped forward.

Judge Garcia then advised the Court and Audience that the Public Hearing was now closed.

At this time the Court moved to item 12.E.

E. Adoption of a Resolution approving the 2003 Hidalgo County Urban County Program Workplan (one year action plan)

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

13. Planning Department: (SEE EXHIBIT N)**A. Partial Release of Letter of Credit:**

1. Moreno Subdivision – Pct. #4
2. Rancho Verde Subdivision – Pct. #3

Record: Raul Sessin stated on item 13.A.1 there is a pending reimbursement of \$2,000.00 for the installation of septic tanks. Also, on item 13.A.2 the letter of credit #2003-02-S is in the amount of \$32,015.42 for the installation of water lines.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 13.A.1&2.

B. Release of letter of credit:

1. Doffing Crossing Unit No. 2 Subdivision – Pct. #3

Record: Raul Sessin stated item 13.B.1 is a final release of Letter of Credit.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on item 13.B.1.

14. Pct. #1: (SEE EXHIBIT O)**A. Discussion and presentation of a Memorandum of Understanding between participating agencies as part of the Delta Region Revitalization Project**

Commissioner Garza left the meeting.

NO ACTION taken on this item.

Presentation made by Selina Garza.

Record: Per Steve Crain, Hidalgo County is not party to this agreement.

Record: Per Selina Garza the role of Hidalgo County is a participating entity in SUPPORT of the project and is not financially obligated to it in any way. Commissioner Handy is the Chair Person for this Board.

B. Request approval of contract change order request No. 3 from Border Contractors for the Monte Alto Drainage Improvement Project

Record by Commissioner Handy: The changes are going to be changed from board to open cut to the proposed installation of the 54" pipe crossing of FM88. The change is due to the existing utilities which are in close proximity to the proposed drain line. In addition, due to the truck traffic on this road, the open cut will be a safer construction method. There will be a \$5,000.00 deduction. Also, is the extension of time, costs, weather and utility conflicts.

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

Commissioner Garza joined the meeting.

C. Request approval of payment application no. 2 to Sascon, Inc. for the CIP Group V street improvement paving project

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

15. Pct. #2: (SEE EXHIBIT P)

A. Authorization to submit the County of Hidalgo Parks and Recreation Master Plan Update to Texas Parks and Wildlife

NO ACTION taken on this item.

B. Approval to create obj. #679 (other R & M supplies) & line item transfer \$ 10,000.00 - CIP Series 2001

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

16. Pct. #3: (EXHIBIT Q)

A. Approval of line item transfer - \$ 52,600.00 (CIP Series 2002)

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

17. Pct. #4: (SEE EXHIBIT R)

A. Approval to create obj. #343 (laundry & dry cleaning)

B. Approval of line item transfer - \$ 2,000.00 – Adm.

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 17.A&B.

C. Approval to create obj. #731 (roads) & #733 (drainage ditches) in the CO 2002 Parks Pct. #4

D. Approval of line item transfers - \$ 169,861.90 – CO 2002 Parks

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 17.C&D.

18. Human Services: (NO EXHIBITS)

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

1. Authorization to pay 2002 claims: _ \$34,889.47 __

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

Commissioner Garza did abstain from this vote.

2. Authorization to pay 2003 claims: __\$275,553.74__

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

Commissioner Garza did abstain from this vote.

3. Indigent Health Care expenditures

NO ACTION taken on this item.

Rudy De La Vina advised the Court that expenditures to date are at \$2,240,944.00.

4. Modify Services being provided

5. Report and Recommendations regarding Indigent Health Care

NO ACTION taken on items 18.A.4&5.

19. Purchasing Department: (SEE EXHIBIT S)

A. HIDALGO COUNTY -

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

1. New Hidalgo County Jail

Total Inmate Population: _____ 1,072 _____

a) Physical Count: _____

b) Out of County Count: La Villa Facility (LCS): _____

Brooks: _____

Other _____

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

Nothing to report.

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.

b) Requesting acceptance and approval of Applications and Certification for Payments Nos.8 (dated 3-31-03) in the amounts of \$ 143,146.00 and \$ 111,037.90 from Velasco Construction and as certified by V-A Architecture, project architect, with authority for Auditor t issue payment (after review, audit and processing procedures completed) under the construction contract for the Law Enforcement Training Facility & New Maintenance & Motor Pool Building respectfully on site of the New Adult Detention Facility and Law Enforcement Center Project;

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

c) Requesting exemption from competitive bidding requirement, under TX. Local Gov't. Code Chapter 262.024(a)(c), state agency, the Dept. of Information Resources' & the Western States Contracting Alliance awarded QISV vendor, Compact Computer Corp. for the purchase of computer hardware, peripherals, software, software licenses with support and maintenance agreements for the items listed in the following requisition #s 13-\$6,075.00,14a/b/c/d/e/f/g/- \$10,871.00, 18a/b/c/- \$3,060.00r file from Texas Correctional Industries (TCI) in the amount of \$ 1,530.00 (as detailed in requisition # 48 attached hereto);

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

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

Nothing to report.

- e) **Report from Hidalgo County Sheriff’s Department and Ray Vargas (V-A Architecture), consulting architect regarding on-site projects 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 and preliminary information and request for clarification and direction on the possible construction options for additional pod(s) with staffing and maintenance and operations analysis and impacts including the status of the old facility and possible anticipated date of submitting required “Order” of official closure for consideration and action;**

Presentation made by Marty Salazar.

NO ACTION taken on this item.

At this time, the Court moved to review item 19.A.5.

- 4. **Presentation for consideration, discussion, acceptance and approval of Change Order No. Two (2) in connection with the current renovation and remodeling of the Hidalgo County Courthouse basement and detailed in supporting documentation provided and submitted by project architect, George A, Garcia, AGADC in the amount of \$ 7,995.00. Note: combination of two (2) change order does not exceed 25%;**

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

At this time, the court moved to review item 19.A.6.

- 5. **Requesting approval of a “Resolution” and Inter-Local Agreement for membership with the Texas Association of School Boards Cooperative (TASB’s BUY BOARD) for political subdivisions for the purpose of expanding procurement sources that are compliant with bidding requirements;**

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

At this time, the court moved to review item 19.A.4.

- 6. **Discussion, consideration and applicable action on the status of the Request for Qualifications/ Proposal (approved for advertising on 4-15-03) for “Legal Services” or the independent review (as to the legality and enforceability) of the contract for the construction of the New Adult Detention Facility and Law Enforcement Center Project with Landmark**

Commissioner Palacios moved that the Court stop the process to advertise.

The motion was seconded by Commissioner Flores.

Aye: Commissioner Palacios, Commissioner Flores, Commissioner Garza.

Nay: Judge Garcia, Commissioner Handy.

Motion Carried.

B. HIDALGO COUNTY PRECINCT NO 1-

1. **Requesting authority to exercise the sixty (60) day grace period under the current contract for: “Pothole Repairs”, so as to have no lapse in service while bid process is going.**

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

2. **Recommending to reject all bids received for:” Street Improvements in the Wes-Mer Subdivision” (Hidalgo County Colonia Access Program Project) (Carried by TEDSI Infrastructure Group) with authority to re-advertise ****

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

C. HIDALGO COUNTY PRECINCT NO 2 –

1. **Requesting authority to advertise for: “Six (6) - Thirty Cubic Yard Containers”**

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

D. HIDALGO COUNTY PRECINCT NO 3 –

1. **Requesting approval for award to the lowest bidder meeting all specifications for: a) “One (1) Used 1995 or Newer Dump Truck”. b) “One (1) Used 1998 or Newer Water Truck”**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to award the lowest bidder meeting all specifications for: a) being Art’s A&A @ \$26,000.00 and b) being Briggs Equipment @ \$26,000.00.

2. **Requesting authority to advertise and approval of specifications as attached hereto for: ‘PREPARATION OF NEW LANDFILL DISPOSAL CELLS O AND P AT THE PENITAS LANDFILL” (CORRECTION)**

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

E. HIDALGO COUNTY HIDTA TASK FORCE –

1. **Recommending bid award and approval of contract to sole bidder meeting all specifications for: “Lease of Office Space in the City of McAllen” (with a fully executed copy of the contract forwarded to the Hidalgo County Auditor’s office).**

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

F. HIDALGO COUNTY HEALTH DEPT.-

1. **Requesting exemption from competitive bidding requirements for Professional Service/Licensed Nurse Practitioner for the County Health Department**

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

2. **Requesting approval of a professional service contract with: Patricia De Bleick, B.A. R.N., M.S.N., and C.N.M. not to exceed twenty (20) hours per week at a rate of \$ 35.00 per hour.**

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

a) Requesting approval of final draft of Qualifications & Required Services for the (RFP/Q) for Chief Physician for the Hidalgo County Health Department.

Commissioner Handy left the meeting.

Commissioner Flores left the meeting.

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

G. HIDALGO COUNTY LICENSE & WEIGHT-

1. **Requesting authority for four (4) cellular phones and approval to purchase four (4) cellular phones and enter into a service agreement for ten (10) cellular phones with Cingular, a QISV vendor through the Resolution with the State of Texas, Texas Building and Procurement” Texan 2002” catalogue Purchasing Program. Agreement effective upon approval.**
 - i. **Cellular phone \$ 29.99**
 - ii. **Service Agreement \$ 320.00 a month**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on item 19.G.1.i & ii.

H. HIDALGO COUNTY RISK MANAGEMENT DEPT-

1. **Requesting authority for one (1) cellular phone with approval to purchase one (1) cellular phone and enter into a service agreement with Nextel, a QISV vendor through the Resolution with the State of Texas, Texas Building and Procurement Commission’s Catalogue Purchasing Program. Agreement effective upon approval.**
 - i. **Cellular Phone i90c \$ 145.99**
 - ii. **Service Agreement \$ 62.99 a month**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 19.H.1.i & ii.

Commissioner Handy joined the meeting.

I. HIDALGO COUNTY SHERIFF’S DEPT-

1. **Presentation for discussion, consideration and approval of a final negotiated contract with “Dr. Philip A. Ethridge, Ph.D.”, for “Consulting Services for Hidalgo County Sheriff’s Department”. 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’ Handy and Garza, the Court made a UNANIMOUS vote of approval subject to legal review.

2. **Requesting authority to advertise and approve to auction abandoned and unclaimed items on Auction List # 22 as listed on Exhibit “A” pages 1 through 3.**

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

At this time, the Court moved to the Proclamation under item 6.A.

20. Closed Session: (SEE EXHIBIT T)

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to move to 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. **Omar Ramon vs. Hidalgo County – Cause #CL-39,207-D**

C. Rene Alonso Tovar vs. Assistant Warden De Los Santos and Hidalgo County Sheriff's Office Cause #M-00-244

NO ACTION taken during Executive Session.

21. Open Session:

A. Real Estate Acquisition

No items to report.

NO ACTION taken on this item.

B. Omar Ramon vs. Hidalgo County – Cause #CL-39,207-D

C. Rene Alonso Tovar vs. Assistant Warden De Los Santos and Hidalgo County Sheriff's Office Cause #M-00-244

NO ACTION taken on items 21.B&C.

22. Closed Session:

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

NO ACTION taken on this item.

23. Open Session:

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

NO ACTION taken on this item.

**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, MAY 06, 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 Garza, seconded by Commissioner Handy, 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**
- 2. Approval of Minutes: (SEE EXHIBIT E)**
 - A. April 08, 2003**
 - B. April 15, 2003**
 - C. April 22, 2003**
- 3. Purchasing Department: (SEE EXHIBIT U)**
 - A. Requesting authority to purchase computer equipment from a QISV Vendor, CDW Government, through the Resolution with the State of Texas, Texas Building and Procurement Commission's Catalogue Purchasing Program in the amount of \$ 89.95**

**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, MAY 06, 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
(SEE EXHIBIT V)**

1. Roll Call

All members of the Court were counted present except for Commissioner Flores.

2. Open Forum

NO ACTION taken on this item.

3. Approval of Consent Agenda

At this time, the court moved to review the Consent Agenda.

4. 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 items noted.

NO ACTION taken on this item.

5. Open Session:

A. Real Estate Acquisition

No items noted.

NO ACTION taken on this item.

6. Closed Session:

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

NO ACTION taken on this item.

7. 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 Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to adjourn.

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 6th day of May, 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.