

SPECIAL MEETING – JULY 1, 2003

BE IT REMEMBERED, that on this 1st day of July, 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, JULY 01, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval of all items on the Consent Agenda.

The court now moved to item 13.A of the Regular Agenda.

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

2. Line item transfers: (SEE EXHIBIT A)

- A. WIC**
- B. Pct. #1 – Adm.**
- C. Pct. #1 – R & B**
- D. Health – PHPSB Grant**
- E. Health – Imm. Grant**
- F. Budget Office**
- G. County Clerk (2)**
- H. Elections Department**
- I. County Judge (2)**

3. Right of Way – Permits: (SEE EXHIBIT B)

- A. El Paso Production Oil & Gas USA – Rooth Rd. & Mile 14 Rd.**
- B. North Alamo Water Supply – Gwin Rd. & FM 1925**
- C. North Alamo Water Supply – Doolittle Rd. on Davis**
- D. North Alamo Water Supply – Mile 12 ½ Rd. on Mile 2 West**
- E. North Alamo Water Supply – Gwin Rd. on Ramseyer Rd.**
- F. El Paso Production Co. – FM 490**
- G. Upper Valley Material LTD – 3 Mile Line Rd.**

4. Monthly Fee Reports – April: (SEE EXHIBIT C)

- A. J.P. Palacios 60,084.07**
- B. J.P. Espinoza 34,233.87**
- C. J.P. Morales 22,506.31**
- D. J.P. Ochoa 57,135.19**
- E. J.P. Saenz 23,302.95**
- F. J.P. Trevino 86,969.50**
- G. J.P. Garza 52,701.42**
- H. J.P. Contreras 72,491.08**
- I. J.P. Jackson 18,694.78**

J. Law Library	1,321.50
K. Sheriff Escalon	46,725.59
L. Anzalduas Park	13,408.42
M. Delta Lake	5,476.12
N. Constable Aguirre	1,600.00
O. Constable Alaniz	780.00
P. Constable Gallardo	875.00
Q. Constable Rios	1,100.00
R. Constable Bazan	170.00

5. Planning Department: (SEE EXHIBIT D)

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)

6. Urban County: (SEE EXHIBIT E)

A. Request for approval of one (1) applicant for assistance under the HOME Homeowner Occupied Housing Rehabilitation Program – City of Alton

7. Approval of Minutes: (SEE EXHIBIT F)

A. June 24, 2003

8. Purchasing Department: (SEE EXHIBIT G)

A. HIDALGO COUNTY ADULT PROBATION-

1. Requesting authority to purchase two (2) Digital Copier Canon IR 5000, and enter into a maintenance agreement with IKON, a QISV vendor, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 8,053.00 ea and \$ 1,657.27ea for 1st year of maintenance after 90 day warranty.

B. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. Requesting authority to purchase Net Shelter from QISV vendor, S.J.S. Computer, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 985.00.

C. HIDALGO COUNTY CRIMINAL DIST. ATTORNEY-

1. Requesting authority to enter into a maintenance agreement with IKON for a Canon Fax 7000 machine in the amount of \$ 339.00 for one year. Effective June 20, 2003 through June 20, 2004.

D. HIDALGO COUNTY COMPUTER DEPARTMENT-

1. Requesting authority to purchase computer equipment and software from the following QISV vendor through the State of Texas Building and Procurement Catalogue Purchasing Program for the following:
- | <u>Req</u> | <u>Vendor</u> | <u>Amount</u> |
|------------|--------------------|---------------|
| 29170 | Global Data System | \$ 16,656.00 |

E. HIDALGO COUNTY PARKING LOT SECURITY-

1. Requesting authority to purchase computer equipment and peripherals from a QISV vendor, S.J. S. Computer, through the State of Texas Building and Procurement catalogue Purchasing in the amount of \$ 1,406.00

F. HIDALGO COUNTY WIC PROGRAM-

1. Requesting authority to purchase computer hardware and peripherals from a QISV vendor, Dell Marketing, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 5,557.00

G. HIDALGO COUNTY HEALTH DEPT-

1. Requesting authority to purchase computer equipment for the following QISV vendors through the State of Texas Building and Procurement Catalogue Purchasing Program for the following:

<u>Req</u>	<u>Vendor</u>	<u>Description</u>	<u>Qty</u>	<u>Amount</u>	<u>Obj</u>
186	CDW-G	Print Server	2	\$ 122.00	664
		Shipping		\$ 5.00	664
164	Computer Technical Serv	Motherboard	1	\$ 86.00	664
164	Computer Technical Serv	CPU	1	\$ 165.00	664
180	Computer Technical Serv	Software	1	\$ 2,199.00	747
153	Computer Technical Serv	Tape Backup Drive	1	\$ 1,399.00	745
		Total		\$ 4,098.00	

H. HIDALGO COUNTY JUDGES OFFICE-

1. Requesting authority to purchase computer equipment, peripherals, and software from the following QISV vendors through the State of Texas Building and Procurements Catalogued Purchasing Program for the following:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Obj</u>
CDW-G	Software	\$ 3,107.28	747
Dell Marketing	Equipment/ Peripherals	\$ 6,020.00	745

**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, JULY 01, 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

Presentation made by Fern McClarity in reference to County expenditures.

Presentation made by Virginia Townsend in reference to combining Road and Bridge.

Presentation made by Commissioner Sylvia Handy in reference to Precinct #1 and comments made on June 17, 2003 Commissioner's Court Meeting.

Speaking on behalf of road conditions in Precinct #1 and Commending Commissioner Sylvia Handy were the following citizens:

Eloy Garza – Private Citizen	Lauro Saldana Jr. - Educator
Pete Guajardo – Mercedes	Noemi Garza – Monte Alto
Sara Castillo - Progresso	Jaime Gutierrez – Representative for Mayor Perez of La Villa
Aurora Valdez – Valley Interfaith	Flora Rodriguez – Valley Interfaith
Al Young – Mayor Progresso Lakes	Joel Quintanilla – Mayor Mercedes
Antonio Barco – Mayor Elsa	Joe Sanchez – Mayor Weslaco
Ramiro Silva – Mayor Edcouch	Rick Morales – Mayor Donna

Other persons signed up for Open Forum who did not speak were:

Rafael Gonzalez
Juan Tinoco
Juanita Silva

5. Approval of Consent Agenda

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

6. Elections Department: (SEE EXHIBIT H)**A. Approval, discussion and possible action of the following, but not limited to:**

1. **Approval to create four (4) temporary data processors (voter registration)**
2. **Approval to set salary**
3. **Approval of budget amendment or line item transfer**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval of item 6.A.1-3.

At this time, the Court moved to item 8.

7. Indigent Defense Program: (SEE EXHIBIT I)**A. Budget amendment to unappropriate funds in Special Revenue Fund 1290:**

1. **Formula Grant Year 1 – FY2 – (\$152,928.01)**
2. **Formula Grant Year 2 – FY3 – (\$271,296.00)**

B. Budget amendment to appropriate funds in the General Fund:

1. **Formula Grant Year 1 – FY2 - \$ 152,928.01**
2. **Formula Grant Year 2 – FY3 - \$ 271,296.00**

C. Request to delete position “Assistant Indigent Defense Coordinator” - \$ 22,500.00 (created by court on 2/25/03)**D. Request to transfer the following employee slots from Fund 1290 to General Fund:**

1. **Indigent Defense Program Manager – (Formula Grant Yr. 1- FY2) - \$ 38,000.00**
2. **Compliance Monitor – (Formula Grant Yr. 2 – FY3) - \$ 38,000.00**
3. **Systems Integrator – (Formula Grant Yr. 2 – FY3) - \$ 31,000.00**
4. **Grants Auditor – (Formula Grant Yr. 2 – FY3) - \$ 34,000.00**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval of items 7.A.1&2, 7.B.1&2, 7.C & 7.D.1-4.

The Court now moved to item 6.

8. Sheriff Department: (SEE EXHIBIT J)**A. Approval to appropriate monies received from the Office of the Attorney General for \$ 14,263.00 in Acct. #3-1100-421-00-280-001-0-331 (physician services)**

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

9. Sheriff’s Office / District Attorney’s Offices: (SEE EXHIBIT K)**A. Requesting approval and authorization to extend the payment of salaries for four (4) employees (Sheriff’s Office) and four (4) employees (District Attorney’s Office) assigned to the Combined Governmental Drug Enforcement and Special Crimes Task Force Grant until receipt of grant award notification**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval with the concern of the Budget Officer having been voiced.

Record, Valde Guerra: With respect to the grant that Mr. Quintanilla is talking about, that grant expired yesterday, June 30, 2003. So the request, as he said, will be charged to the account. The reimbursement for that extension of those salaries is contingent on the award of the grant. He has indicated that they have been assured that they are going to get that award. If no award is granted, the extension of the salaries that we are talking about will be charged, or there will be a re-classification to the appropriate law enforcement agency if those agencies that we are talking about right now, the D.A.’s office and the Sheriff’s office, cannot absorb those monies, then an adjustment would have to be made. In effect, we would be looking at an adjustment from the General Fund. Further, if the Court wishes to continue the program that currently exists through this grant, then it would most likely come out of the General Fund in order to continue the program for Fiscal Year 03 and 04.

10. District Attorney: (SEE EXHIBIT L)

A. Approval to apply for O.A.G. Grant – Crime Victim Coordinator

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

B. Approval of Letter of Intent to apply for grant

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

11. WIC: (SEE EXHIBIT M)

A. Approval of line item transfer from salaries/insurance - \$ 67,100.00

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval with the concern of the Auditor having been addressed.

Commissioners' Palacios and Flores joined the meeting.

12. Urban County: (SEE EXHIBIT N)

A. Approval to revise Urban County Program First National Bank Signature Cards (attachments)

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

B. Recommending approval of the FY 2003-2004 UCP Salary Schedule

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

C. Request for approval of eligibility status for two (2) countywide HOME Occupied Housing Rehabilitation/Reconstruction Housing Program applicants

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

D. Request for approval to amend the original contracts dated September 30, 1997 and October 27, 1998 with South Texas Economic Development Corporation to remove the stipulation in Section IV on Payments and Program Income which requires CHDO Subrecipient to forward to County any program income on a monthly basis – the amendment will allow the CHDO Subrecipient to retain CHDO proceeds and use funds in HOME eligible or other housing activities which benefit low income families

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

Commissioner Flores stepped away from the meeting.

Judge Garcia stepped away from the meeting.

E. 2001 EDAP Contract No. 720225 Performance Statement Modification No. 1

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

F. 2001 Colonia Construction Contract No. 720225 Contract Close-Out / Certificate of Completion

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

G. 2001 Colonia Construction Contract No. 721045 Contract Close-Out / Certificate of Completion

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

The Court now moved to item 13.B.

13. Pct. #1: (SEE EXHIBIT O)

A. Approval to support a Resolution honoring Marine Corporal Manuel Espinoza, Jr. of Weslaco, Texas for his heroic service in “Operation Iraqi Freedom”

Commissioner Handy read the Resolution into the record.

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

Commissioners’ Flores and Palacios stepped away from the meeting.

The Court now moved to item 7.

B. Request approval to name the following roads as per petition:

1. Palms Rd. – ¼ mile east of FM 1423 on Bus. 83, Donna, Texas
2. Oak Tree Drive & Mockingbird Lane – Boyd #2 Subdivision, Mercedes, Texas
3. Ruiz Avenue & Sanchez Avenue – El Monte Subdivision, Mile 19N & FM 88, Elsa, Texas
4. Alvarez Avenue, Kerps Avenue, Flores Avenue – Barbosa Lopez #3 Subd., Weslaco, Texas
5. Esperanza North & Esperanza South – Barbosa Lopez #2, Weslaco, Texas

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

14. Pct. #3: (SEE EXHIBIT P)

A. Discussion and approval of an Interlocal Cooperation Agreement between Hidalgo County and United Irrigation District for the use of a parcel to place a Citizen Collection Station

Commissioner Flores joined the meeting during discussion on this item.

On motion of Commissioners’ Flores and Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval subject to legal approval by a council of United Irrigation District.

15. Pct. #4: (SEE EXHIBIT Q)

A. Approval of Interlocal Agreement between the County of Hidalgo and the Edinburg Consolidated Independent School District for road construction at Carmen V. Avila Elementary School

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

16. Human Services: (NO EXHIBITS)

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

1. Authorization to pay 2002 claims: ___NONE___

NO ACTION taken on this item.

2. Authorization to pay 2003 claims: ___NONE___

NO ACTION taken on this item.

3. Indigent Health Care expenditures

NO ACTION taken on this item.

4. Modify Services being provided

NO ACTION taken on this item.

5. Report and Recommendations regarding Indigent Health Care

Report made by Rudy De La Vina.

17. Purchasing Department: (SEE EXHIBIT R)

A. HIDALGO COUNTY -

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

1. New Hidalgo County Jail:	Total inmate population:	<u>1113</u>	Other Information:
	Physical Count:	<u>1060</u>	Males <u>979</u>
	Out of County: La Villa	<u>48 (5 @ NO CHARGE)</u>	Females <u>80</u>
	Brooks	<u> </u>	Federal <u>10</u>

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

Per Marty Salazar the County does have an Interlocal Agreement with Brooks County good through March of 2004 on the housing of prisoners and a current one with LCS expiring in January of 2004.

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

- a. **Requesting acceptance and approval of Applications and Certification for Payments Nos. 9 (dated 5-20-03) in the amounts of \$ 66,213.10 and \$ 61,576.09 from Velasco Construction and as certified by V-A Architecture, project, architect with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the construction contract for the 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 Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to receipt of bill.

- b. **Requesting rescission of authority to purchase (as approved on 6-03-03 by C.C.) from QISV vendors or state awarded vendors through the State of Texas Building and Procurement Commission’s Catalogue Purchasing Program the following; a) computer hardware, software and peripherals as detailed in Req. # 15a from Image Ware Systems, Inc. including shipping for \$ 51,141.02; and b) Req. # 51 camera and tripod equipment from PC Mall Gov. in the amount and including shipping of \$ 1,194.23 for the Hidalgo County Sheriff’s Dept.;**

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

- c. **Requesting acceptance and approval of an claim/invoice dated 4-22-03 in the amount of \$18,723.67 from Landmark Organization, LP for the reimbursement of electrical utility charges paid to Magic Valley Electric Co-op after substantial completion was achieved on 12-31-02 (for charges incurred from 1-22-03 to 2-20-03) with authority for Auditor to issue payment (after review, audit and processing procedures completed);**

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

- d. **Requesting acceptance and approval of various claims/invoices (attached hereto-years '01.'02 & '03) from Minolta Corp. totaling \$ 2,639.00 for the Hidalgo County Sheriff's Dept. and the Adult Detention Facility (yr.'02) a total of \$ 2,515.28 with authority to Auditor to issue payment (after review, audit and processing procedures completed);**

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

- e. **County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**
- f. **Report of Hidalgo County Sheriff's Department and Rey 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:**

NO ACTION taken on items 17.A.3.e&f.

- 4. **Presentation for consideration, discussion, and acceptance of the Sole Statement of Qualification received from A Sign Language Company in response to the RFQ/P for "Qualified Interpreting Services" for Hidalgo County for the purpose of Commissioners Court ranking the response as "Qualified" in order to proceed to negotiate a contract; and (if approved)**

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

- 5. **Authority for the Purchasing Department to negotiate a final contract with A Sign Language Company for "Qualified Interpreting Services" for Hidalgo County.**

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

Commissioner Garza stepped away from the meeting.

- 6. **Recommending award of bid for: "Bio-Hazardous Medical Waste" to sole bidder meeting all requirements and/or specifications.**
- 7. **Requesting approval of Contract for: "Bio-Hazardous Medical Waste" to sole bidder meeting all requirements and/ or specifications. A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.**

Sole bidder as advised by Marty Salazar was EnviroTech Carriers.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval of items 17.A.6&7.

- 8. **Requesting authority to reject sole bid received and to re-advertise in connection with "Public Pay Telephones".**

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

9. **Recommending award of bid and approval of contract to the lowest bidder meeting all requirements and/or specifications for “Hidalgo County MS-1 Emulsified Asphalt” with a fully executed copy of the contract to the Hidalgo County Auditor.**

Low bidder as advised by Marty Salazar was Coast Materials.

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

Commissioner Garza returned to the meeting.

10. **Presentation for consideration, discussion, acceptance and approval the revised drawings and details for the alternate exterior ground level entry/access (on the northeast side) to the basement of the Hidalgo County Courthouse for the Sheriff’s Department. Sub-station as submitted by project architect, George A. Garcia, AGADC as solution to the ground water concerns.**

NO ACTION taken on this item.

11. **Requesting approval to exercise the additional (90) day extension as provided in the current contract for “Lubricants” under the same rates, terms and conditions with Oil Patch fuel & Supply, Inc.**

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

12. **Requesting authority to advertise a Request for Proposals with Qualifications or RFQ/P for the provision of “Swap Provider Service”, (i.e., restructure of debt) with direction to financial advisor to draft a detailed scope of services and/or requirements**

Judge Garcia joined the meeting.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, on recommendation of the County’s financial advisor Noe Hinojosa, not to advertise/approve the above mentioned RFP/Q.

13. **Requesting authority to terminate/cancel with Texas Association of Counties (TAC) as Workers Compensation Insurance Provider for Hidalgo County.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO 2-

1. **Requesting authority to advice for “Construction of Roads for “Colonia White Wing & Colonia Las Palmas”. (Colonia Access Program (CAP) Project)**

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

C. HIDALGO COUNTY PRECINCT NO 3-

1. **Recommending bid award and approval of contract for: “Construction of storm drain in Friendly Acres Subdivision and Schuerbach Road” to sole bidder meeting all specifications.**

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

2. **Presentation for discussion, consideration, acceptance and approval of (1) invoice in the amount of \$ 228.00 paid by the paving contractor, Mission Paving Company for reimbursement of an invoice paid to PSI (see invoice attached hereto) in connection with material testing services for: “Mile-2 North Road Paving & Drainage Improvements” for Precinct no. 3**

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

D. HIDALGO COUNTY PRECINCT NO 4-

1. **An order authorizing issuance of \$ 26,705.25 County of Hidalgo Personal Property Note, from First National Bank of Edinburg (County Depository), Series 2003-A; prescribing the terms and form thereof; levying a continuing direct annual as valorem tax for the payment of said notice; approving the sale and delivery of the note; and making other provisions regarding such note and matters incident thereto.**

NO ACTION taken on this item.

Commissioner Palacios left the meeting.

2. **Requesting approval to purchase “One (1) New 2003 Ford F-150 Pick Up Truck 4X4 Super-Crew Cab through the interlocal agreement with Houston-Galveston Area Council (H-GAC)- Vendor is Philpott Motors, from Port Neches, Texas, on the total amount of \$ 26,705.25, H-GAC Fees and Delivery Charges included.**

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

E. HIDALGO COUNTY BOOT CAMP-

1. **Requesting authority to advertise for: “One New 2003- 15 Passenger Window Van”.**

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

F. HIDALGO COUNTY CLERK’S OFFICE-

1. **Requesting authority to advertise and approval of requirements as attached hereto for “Computerized Indexing of Land Records-Hidalgo County Clerk’s Office.”**

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

G. HIDALGO COUNTY ELECTION’S DEPT-

1. **Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.0249a)(7)(D) ‘an item that can be obtained from only source, including-captive replacement parts or components for equipment for Election Systems & Software (ERM);**
2. **Requesting approval of a “Sole Source Declaration” for Election Systems & Software (ES&S) Election Reporting Manager (ERM)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 17.G.1&2.

H. HIDALGO COUNTY CONSTABLES PRECINCT NO. 3-

1. **Recommending award of quote and draft contract for: “Motivational Speakers” to multiple bidders meeting all requirements and/or specifications. A fully executed contract will be forwarded to the Hidalgo County Auditor’s Office.**

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

Record, Marty Salazar: Names of the two bidders are Teen Guidance and Atrevete Youth Services.

I. HIDALGO COUNTY DPS - LICENSE & WEIGHT-

1. **Requesting authority to rescind court action (on 05/06/03) on a service agreement for ten (10) cellular phones with Cingular Wireless and requesting authority to enter into an alternative plan through the State of Texas Department of Resource’s “Texan 2000” for the following; Five (5) phones at \$49.99 a month and five(5) phones at \$ 39.99 a month 15% Discount Off Rate plan for “Texan 2000” Account.**

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

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

18. Closed Session: (SEE EXHIBIT S)

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. Potential Litigation – ADA Courthouse Project**
- C. CL-39,207-D; Omar Ramon dba River Valley Construction vs. Hidalgo County**

NO ACTION taken during Closed Session.

Record, Judge Garcia:

Three cases to be taken up during Executive Session are:
 Omar Ramon dba River Valley Construction vs. Hidalgo County
 Inaudible vs State of Texas
 Inaudible vs USA

19. Open Session:

A. Real Estate Acquisition

Parcel # 69 & #71, South I Rd, w/ Moravia Inc. appraised value of \$840.00 and a settlement of \$2,840.00

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

B. Potential Litigation – ADA Courthouse Project

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to authorize the execution of the full and complete release between the County of Hidalgo and the Realta Consulting Group Inc and Mauricio Aguilano for the total sum of \$160,000.00.

C. CL-39,207-D; Omar Ramon dba River Valley Construction vs. Hidalgo County

NO ACTION taken on this item.

At this time, the court moved to the Addendum item.

20. Closed Session:

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

NO ACTION taken on this item.

21. 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 Commissioners' Garza and Handy, the Court made a UNANIMOUS vote of approval to adjourn.

**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, JULY 01, 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
(SEE EXHIBIT T)**

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 22. Approval of Minutes: (SEE EXHIBIT F)**
 - A. June 24, 2003**
- 2. Discharge Permits:**
 - A. City of Edinburg – Los Molinos Subd.**
 - B. Jose C. Hinojosa – La Gloria Subd.**
 - C. Noe Garcia – Tierra Rica Subdivision**
- 3. Permit:**
 - A. North Alamo Water Supply – right of way @ Main Floodwater Channel**

**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, JULY 01, 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 U)**

1. Roll Call

All members of the Court were counted present.

2. Open Forum

NO ACTION taken on this item.

3. Approval of Consent Agenda

At this time the court moved to review the Drainage District Consent Agenda.

4. Purchasing Department:

- A. Approval by Hidalgo County Drainage District No.1 (Board of Directors) of Hidalgo County Commissioners Court's ranking of firms responding to "Quality Claims Administration and Excess Workers' Compensation Insurance" on June 24, 2003 and award of final negotiated contracts as approved by Hidalgo County Commissioners' with the number one ranked firms on June 27, 2003 for "Quality Claims Administration and Excess Workers Compensation Insurance" for Hidalgo County Drainage District No.1;**
- B. Requesting authority to terminate/cancel with Texas Association of Counties (TAC) as Workers Compensation Insurance Provider for Hidalgo County Drainage District No.1;**
- C. Requesting authority to advertise a Request for Proposals with Qualifications or RFQ/P for the provision of "Swap Provider Services", (i.e., restructure of debt) with direction to financial advisor to draft a detailed scope of services and/or requirements**

NO ACTION taken on items 4.A,B &C.

5. Closed Session:

The Court decided there was no need to go into Executive Session and proceeded with Open Session.

Record, Steve Crain: You're going to need approval and to read the amount.

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.

6. Open Session:

A. Real Estate Acquisition

Parcel #4 – Anita Cantu, appraised at \$60,733.00, settlement offer of \$60,733.00

Parcel #5 – Arnoldo and Juanita Cantu, appraised at \$23,276.00, settlement offer of \$28,276.00

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

7. Closed Session:

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

NO ACTION taken on this item.

8. 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.

**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, JULY 01, 2003 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**ADDENDUM
(SEE EXHIBIT V)**

1. WIC:

- A. Approval of line item transfer - \$ 6,344.00**

NO ACTION taken on this item.

2. Closed Session:

The Court did not move to Executive Session at this time and proceeded to open the meeting of Drainage District #1.

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following:

- A. CL-42,453A; Mark Twenhafel, Substitute Trustee vs. Valley Aloe Vera, Inc. State of Texas, Texas Workforce Commission, Texas State Bank, City National Bank, Neta A. Bovik, Bonnie E. Bianchi, Lucien Bianchi and Armando Barrera Jr.**
- B. CL-42,454-B; Mark Twenhafel, Substitute Trustee vs. The United States of America Internal Revenue Service, The State of Texas, Texas Workforce Commission, Georgia Pacific Corporation, and Armando Barrera, Jr. Tax Assessor/Collector for Hidalgo County, City of Mission, South Texas Community College, and Sharyland ISD, Roel Guerra and Olivia Guerra**

3. Open Session:

- A. CL-42,453A; Mark Twenhafel, Substitute Trustee vs. Valley Aloe Vera, Inc. State of Texas, Texas Workforce Commission, Texas State Bank, City National Bank, Neta A. Bovik, Bonnie E. Bianchi, Lucien Bianchi and Armando Barrera Jr.**
- B. CL-42,454-B; Mark Twenhafel, Substitute Trustee vs. The United States of America Internal Revenue Service, The State of Texas, Texas Workforce Commission, Georgia Pacific Corporation, and Armando Barrera, Jr. Tax Assessor/Collector for Hidalgo County, City of Mission, South Texas Community College, and Sharyland ISD, Roel Guerra and Olivia Guerra**

4. Closed Session:

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

5. Open Session:

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

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 1st day of July, 2003

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

By: _____
Michelle L. Mendoza, Deputy

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