

SPECIAL MEETING – AUGUST 19, 2003

BE IT REMEMBERED, that on this 19th day of August, 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
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, AUGUST 19, 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 the Audience in reciting the Pledge of Allegiance.

3. Prayer

Judge Garcia called on Commissioner Handy led the court and Audience in Prayer.

4. Open Forum

Presentation made by Virginia Townsend in reference to county spending on county cellular phones.

Presentation made by Fern McClaugherty in reference to fair representation for Hidalgo County in the State of Texas and county spending.

5. Approval of Consent Agenda

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

6. Tax Office: (SEE EXHIBIT J)

A. Approval of Annual Report for July 01, 2002 through June 30, 2003

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

B. Approval of Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Taxes for Progresso ISD

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

7. Elections Department: (SEE EXHIBIT K)

A. Approval, discussion and possible action of the following, but not limited to:

1. Discussion of Election Law Changes from the 78th Legislature

Presentation made by Teresa Navarro. NO ACTION taken on this item.

2. Approval to authorize Budget Office to pay invoice from Bickerstaff & Heath for legal services

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

3. Approval of budget amendment

Teresa Navarro for the Record: the election as well as the mass mail-out was not included in this year's budget, so what you will see on the budget request is a massive mail-out for \$50,000.00, in addition to additional office supplies to help us get started for the primary in February.

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

4. Approval of overtime

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$9,800.00 with fringes.

8. Budget Office: (SEE EXHIBIT L)

At this time, the Court moved to take a vote on items 8.A, C, D, and E.

At this time the court proceeded with item B.

A. Health Department (mobile clinic):

1. **Approval to create obj. # 339, 684, 745, 664 & 748 and approval of line item transfers - \$ 10,319.00**

(SEE ITEM 8.E)

B. Approval to appropriate J.P. Technology Fund Budget

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

C. Computer Department:

1. **Approval to create obj. #672 (repair & maint. supp.) & line item transfer - \$ 18,000.00**

(SEE ITEM 8.E)

D. Indigent Defense Program:

1. **Approval to create obj. #745 in discretionary grant & line item transfer - \$ 3,000.00**

(SEE ITEM 8.E)

E. Buildings & Grounds:

1. **Authorization to create obj. #334 (arch./eng. Serv.) & line item transfer - \$ 7,000.00**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve items 8.A, C, D, and E.

9. Sheriff Department: (SEE EXHIBIT M)**A. Requesting approval and authorization to extend the payment of the salary/fringe benefits for one (1) employee assigned to the Crime Victim Liaison Grant until receipt of the grant award notification**

On motion of Commissioner Handy, seconded by Commissioners' Flores and Garza, the Court made a UNANIMOUS vote to approve item 9.A., subject to the receipt of the grant.

10. Approval to Accept Dedication of Park described on the attached Warranty Deed and dedicated to the County of Hidalgo on the plat of Pueblo de Palmas Norte, Phases I & II, recorded in Volume 39, Pages 133 through 136 of the Map Records of Hidalgo County, Texas (SEE EXHIBIT N)

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

11. Presentation for discussion and consideration on Jail Study Committee Report recommending the Renovation of the Old Jail Site for the purpose of housing the Hidalgo County Adult Probation Department presently located in McAllen (SEE EXHIBIT O)

Commissioner Palacios stepped away from the meeting at this time.

Presentation made by Luis Figueroa.

Joe Lopez, Fern McClaugherty, Virginia Townsend, and Harvey Reyes also made presentations.

Commissioner Garza requested that the purchasing department go out for RFQ's. NO ACTION taken on this item.

12. Presentation by Border Visions on County of Hidalgo HIPAA Regulations Compliance (SEE EXHIBIT P)

Presentation made by Paul Vazaldua and Hector Guzman of Border Visions. NO ACTION taken on this item.

13. Planning Department: (SEE EXHIBIT Q)

A. Final Approval:

1. Tierra Rica Subdivision Unit No. 2 – Pct. #1

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

B. Variance Request for Setback Encroachment:

1. Rosa Cortez, Lot 3, Troser Heights Subdivision – Pct. #3

Commissioner Handy stepped away from the meeting at this time.

NO ACTION taken on this item.

C. Appointment of member to the Hidalgo County Planning Advisory Board

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

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to appoint Marcos Ochoa to the Hidalgo County Subdivision Advisory Board under Pct. 3.

14. County Judge: (SEE EXHIBIT R)

A. Appointment by the county judge of board members (2) for the Health Services District pursuant to legislative mandate 76(R) S.B. 1615 Subchapter C Section 281.041 (c).

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the re-appointment of Dr. Benjamin Bujanda and the appointment of Dr. Fred Laurel Perez Jr as board members for the Health Services District.

15. Right of Way: (SEE EXHIBIT S)

- B. Assignment of Conveyance, dated March 18, 2003, file number 1180222 in Hidalgo County, Texas; Valero Pipeline Co. assignments to its affiliate, Valero Logistics Operations, L.P.**

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

16. Urban County: (SEE EXHIBIT T)

- A. Approval of Subrecipient with Boys & Girls Club of Edinburg for the San Carlos and Brewster Units (Youth Services) and UCP on behalf of Hidalgo County Pct. #4 – UCP Year 16 (2003)**

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

- B. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with Javier Hinojosa Engineering in connection with the specifications and plans for sewer improvements at Friendly Acres and Aloha Village in Pct. #3**

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

- C. Approval of professional services engineering contract with Javier Hinojosa Engineering with Pct. #3 for the specifications and plans for the Friendly Acres and Aloha Village sewer improvements**

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

17. Pct. #1: (SEE EXHIBIT U)

- A. Request approval of Final Quantitative Change Order in the amount of \$ 16,143.72 for the C.I.P. Group V Street Improvement with Sascon, Inc.**

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

- B. Request approval of Final Payment to Sascon, Inc. in the amount of \$ 84,067.35**

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

- C. Request approval to extend contractual agreement with the Rio Grande Valley Empowerment Zone for the following project: Mile 2 West Road Improvement Project to December 31, 2003**

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

- D. Approval of line item transfer – CIP \$ 2,000.00**

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

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

- A. Approval and acceptance of Texas Parks and Wildlife Grant Contract in the amount of \$ 500,000.00 for the Hidalgo County North San Juan Park, Project # 50-00308**

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

19. Human Services: (NO EXHIBITS)

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

1. Authorization to pay 2002 claims: _____
2. Authorization to pay 2003 claims: _____
3. Indigent Health Care expenditures
4. Modify Services being provided
5. Report and Recommendations regarding Indigent Health Care

NO ACTION taken on items A.1-A.5.

At this time the court moved to item 20 J.

20. Purchasing Department: (SEE EXHIBIT W)

A. HIDALGO COUNTY -

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

1. **New Hidalgo County Jail:**

Total inmate population:	<u>1,165</u>	Other Information:	
Physical Count:	<u>1,088</u>	Males	<u>1096</u>
Out of County:	La Villa <u>77</u>	Females	<u>69</u>
	Brooks <u>0</u>	Federal	<u>9 (males)</u>
2. **Current inter-local(s) and/or contract(s) for the "Housing of Inmates"**

No report was made. NO ACTION taken on this item.

3. **New Adult Detention Facility and Law Enforcement Center Project:**
 - a) **Requesting acceptance and approval with authority for Auditor to process payment (after review, audit and processing procedures completed) of Inv. #s (00970-\$ 750.00 (LETF);# 009767-\$ 750.00(M&MPF), submitted by Raba Kistner Consultants, Inc., Materials Testing Contractors, and as certified for payment by V-A Architecture in connection with indoor air quality surveys for both the Law Enforcement Training Facility and the Maintenance & Motor Pool Building constructed at the site of the "Jail Project".;**

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

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

NO ACTION taken on this item.

- c) **Reports by 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, but not limited to, structures(i.e. Shooting Range Facility, Jogging Track, Driver Training Track, Parking lot(s) and Utility Extensions, under or anticipated construction on site and preliminary information and request for certification 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 report was made. NO ACTION taken on this item.

4. **Presentation, discussion and acceptance of Roster/Pool (as listed in the RFQ Acceptance Sheet attached hereto) for "Title Company Services-Pool" as pre-qualified firms submitting Statements of Qualifications for ranking on an "as needed basis" per project by all County Departments requiring said services as set forth in the requirements stated in the County's Request for Qualifications packet.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve Hidalgo County Abstract and Title Co. and Edwards Abstract Title Co. to be rated at number one.

5. **Requesting authority to rescind bid award & approval of contract for "Pest Control Services" through Commissioner's Court action of 07/08/03 as requested by vendor for the following department(s): Hidalgo County Youth Village, 1711 N. Bridge, Weslaco, Texas," & award of bid and approval of contract to 2nd low bidder meeting all requirements.**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to rescind bid award and approval of contract for Pest Control Services by Terminix.

6. **Presentation for discussion, consideration and approval of an invoice with project # 03-1002S in the amount of \$ 4,337.50 from V-A Architecture for professional architectural services rendered in connection with assessment and feasibility for the conversion the existing or Former Adult Detention Facility located at (s. Hwy 281 Expressway in Edinburg, Texas into County Offices through renovation and or remodeling .**

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

7. **Requesting approval of an Agreement between Hidalgo County and Bank One, NA, for conversion (as new financial institution provider from Bank of American) for participation in the State of Texas Procurement and Travel Card Programs for the State Travel Management Program (STMP).A fully executed copy of the agreement will be forwarded to Budget and Auditor's Office.**

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

B. HIDALGO COUNTY PRECINCT NO 2-

1. **Presentation for the purpose of clarifying the request to advertise, previously approved on August 05, 2003, for the following vehicles, equipment and/or machinery with authority to finance part or all accordance with the Public Finance Act, Texas Local Government Code,§ 271.000,et.Seq., and in accordance with the terms of the form of the contract covering the purchase.**
 - (i) **"One (1) New 2003 Current Production Motor Grader"**
 - (ii) **"Four(4) Belly Dump Trailers"**
 - (iii) **"One (1) Industrial Material Handling Brush Loader"**
 - (iv) **"Three (3) New or Current Tandem Heavy Duty Dump Trucks with Bed"**

CORRECTION: Item B.1 (ii) was changed to Three (3) Belly Dump Trailers and (iv) to Two (2) New or Current Tandem Heavy Duty Dump Trucks with Bed.

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

At this point, the Court proceeded with Addendum #1.

2. **An order authorizing issuance of \$ 69,930.50 County of Hidalgo Personal Property Note, Series 2003-A: prescribing the terms and form thereof; levying a continuing direct annual and 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**

CORRECTED amount as stated by Marty Salazar is in the amount of \$169,199 and not \$69,930.50, due to increase number of vehicles.

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

3. **Requesting approval to purchase “One (1) New 2003 Ford F750 Pick Up Truck and One (1) 2003 Ford Cab/Chassis Pick Up Truck” through the inter-local agreement with Houston-Galveston Area Council (HGAC) Vendor- Philpott Motors, from Port Neches, Texas, for the total amount of \$ 69,930.50, HGAC Fees and Delivery charges included.**

CORRECTED amount as stated by Marty Salazar is in the amount of \$169,199 and not \$69,930.50, due to increase number of vehicles.

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

C. HIDALGO COUNTY PRECINCT NO.3-

1. **Requesting authority to purchase playground equipment from Miracle Recreation Equipment Company an approved vendor through the TASB Buy Board’s Catalogue Purchasing Program in the amount of \$ 59,973.00**

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

2. **Requesting exemption from competitive bidding under the Texas Local Government Code 262.024 (a)(4) for professional engineering services with Javier Hinojosa Engineering in connection with the “Various Road and Bridge Projects” of Precinct No. 3.**

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

3. **Requesting approval of a professional engineering services contract, subject to legal review, with Javier Hinojosa Engineering for the “Various Road and Bridge Projects” of Precinct No. 3. A fully executed copy of the contract will be forwarded to both Budget Officer and Hidalgo County Auditor’s Office.**

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

4. **Recommending bid award to the lowest bidder meeting all specifications attached hereto for: “Preparation (Earthwork) for New Landfill Disposal Cells “O” and “P” at Penitas”**

Low bidder as advised by Marty Salazar was Absolute industries.

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

5. **Requesting approval of contract to the lowest bidder meeting all requirements for: “Preparation (Earthwork) for New Landfill Disposal Cells “O” and “P” at “Penitas”. A fully executed copy of the will be forwarded to the Hidalgo County Auditor’s Office.**

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

6. **Requesting authority to extend bid opening date and time from August 20, 2003 @ 9:30 a.m. (with publication of extension ad to reflect new date and time of September 17, 2003 @ 4:00 p.m.) for the design and construction of “Precinct No. 3- Multi-Service Center” so as to allow inclusion of the civil engineering information.**

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

7. **Recommending award of bid and approval of Contracts for: "Hauling Services- Crushed Caliche" to low bidder meeting all requirements and/or specifications. A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.**

Low bidder as advised by Marty Salazar was Triple R.

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

D. HIDALGO COUNTY PRECINCT NO 4-

1. **Recommending award of bid and approval of contract to the lowest bidder meeting all requirements and specifications for "Aurora Road and Bar Mar Lane Paving Improvements, CIP Project" with a fully executed copy of the contract to both the Hidalgo County Budget Office and Auditor's Office.**

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

E. HIDALGO COUNTY ADULT PROBATION (CSCD) DEPARTMENT –

1. **Requesting authority to re-advertise and approval of requirements as attached hereto for "Treatment Alternatives to Incarceration Program Residential Services-CSCD" due to lack of participation. No bids were received for Residential Services.**

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

F. HIDALGO COUNTY COLONIA ACCESS PROGRAM (CAP)-

1. **Requesting authority to advertise for: "En-1 Road Stabilizer Material" (C.A.P.- Colonia Access Program)**
2. **Requesting authority to advertise for: "GEO Grid Reinforcement Material"(C.A.P.-Colonia Access Program)**

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

G. HIDALGO COUNTY BUDGET OFFICE-

1. **Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) for the amount of \$ 464.67 to CACC –Carolyn Arnold Communications Consultant (see attachment):
MCI Account # Corporate ID#99538084 Check #1001247699 issued for credit balance of PICC billing errors. Account was taken from MCI to SBC Long Distance.
SBC Account # 956-318-2000
Adjustment issued for refund of International Saver Plan Charges. No calls were ever processed through this plan and monthly fees were ever billed. Plan was removed from the account and full refund for all charges issued.**

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

H. HIDALGO COUNTY CLERK'S OFFICE-

1. **Recommending bid award for "Computerized Indexing of Land Records- Hidalgo County Clerk's Office" to sole bidder.**

2. **Recommending approval of contract for “Computerized Indexing of Land Records- Hidalgo County Clerk’s Office” to sole bidder meeting all specifications. Fully executed copies of the contract will be forwarded to both the Budget Officer and Hidalgo County Auditor’s Office.**

Low bidder as advised by Marty Salazar was Las Cazuelas Holdings Inc.

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

Commissioner Handy stepped away from the meeting at this time.

I. HIDALGO COUNTY HEALTH DEPARTMENT-

1. **Requesting authority to purchase computer software from a QISV vendor, CDW-Government, through the state of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 9,445.00. Forwarded and Subject to Computer Departments Review.**

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

2. **Consideration, discussion and review of the statements of qualification (SOQ’s) received from participants (including interviews) responding to the Hidalgo County’s RFQ/P for “Chief Physician” Health Department for the purpose of ranking**

Commissioner Garza motioned to rank Dr. E. Linda Villarreal as # 1, followed by Dr. Ivan G. Melendez as # 2, Dr. Guillermo Cortinas as #3, and Dr. Jetta Brown as #4.

Commissioner Garza’s motion died due to a lack of a second.

Commissioner Flores recommended Dr. Ivan G. Melendez as # 1, followed by Dr. E. Linda Villarreal as # 2, Dr. Guillermo Cortinas as #3, and Dr. Jetta Brown as #4.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval subject to the terms and agreements of the contract.

Judge Garcia abstained from voting due to conflicts of interest.

3. **Authority for Purchasing Department to draft a negotiated contract with the number one ranked participant as “Chief Physician” Health Department.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, and to negotiate the contract with Dr. Ivan G. Melendez.

J. HIDALGO COUNTY HUMAN SERVICES DEPARTMENT-

1. **Consideration and approval for an Interlocal Agreement between Hidalgo County Human Services with the following to place a County Indigent Health Care Eligibility Worker on site.**
 - a) **Mission Hospital**
 - b) **McAllen Medical**
 - c) **Knapp Medical**
 - d) **Edinburg Regional**
 - e) **Rio Grande Regional**

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

K. HIDALGO COUNTY SHERIFF'S DEPARTMENT-

- 1. Presentation for consideration, discussion, acceptance, and approval of the final (best and final) negotiated proposal/offer with a Certified Master Bidder's List (CMBL) vendor, through the participation with the Texas Building and Procurement Commission for the "Mobile X-Ray Services" for Hidalgo County Jail. A fully executed will be forwarded to the Hidalgo County Auditor's Office and Budget Office.**

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

L. HIDALGO COUNTY RESTITUTION CENTER-

- 1. Requesting approval to surplus for trade-in purpose as stated under Texas Local Government Code Section 263.152 (a) (2), two (2) Ford E 350 Econoline Vans, Vin#s 1FBSS31LX1HB28122 and 1FBSS31L9YHA34887.**

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

At this time, the Court moved to Addendum #2 items.

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

21. Closed Session:

Commissioners' Court 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 during Executive Session.

22. Open Session:

A. Real Estate Acquisition

1. Parcel 6.A, belonging to Mr. Juan Maldonado, on the Nolana Loop Road Project has an appraised value of \$7,420 and a settlement of \$9,500.
2. Parcel 7.A, belonging to Alberto and Alma Trevino, on the Nolana Loop road Project has an appraised value of \$3,858 and a settlement of \$5,000.
3. Parcel 8.A, belonging to Alberto and Alma Trevino, on the Nolana Loop Road Project has an appraised value of \$1,127 and a settlement of \$2,000.
4. Parcel 9.A, belonging to Alberto and Alma Trevino, on the Nolana Loop Road Project has an appraised value of \$1,317 and a settlement of \$2,500.

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

23. Closed Session:

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

NO ACTION taken on this item.

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

Commissioner Handy exited the meeting after Executive Session.

**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, AUGUST 19, 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 Commissioners' Handy and Garza, the Court made a UNANIMOUS vote of approval of all items on the Consent Agenda.

The Court now proceeded with item 6.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. Fire Marshal**
 - B. Constable Pct. #5**
 - C. Health – Bioterrorism**
 - D. Pct. #1 – Adm.**
 - E. Pct. #1 – R & B**
 - F. J.P. Pct. #2, Pl. 2**
 - G. 93rd District Court**
 - H. Indigent Defense (2)**
 - I. County Judge**
 - J. Pct. #1 – Sanitation**
 - K. Elections Department**
 - L. Pct. #2 – Community Resource Center**
 - M. Pct. #2 – R & B**
 - N. Pct. #3 – Sanitation**
- 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. Right of Way: (SEE EXHIBIT C)**
 - A. North Alamo Water Supply – FM 2812 & Engleman Rd.**
 - B. North Alamo Water Supply – Mile 12 ½**
 - C. Southwestern Bell – Garza Avenue**
 - D. Southwestern Bell – Sugar Rd.**
 - E. City of Weslaco – FM 1015 & Mile 5 North**
- 5. Urban County: (SEE EXHIBIT D)**
 - A. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (1 family)**
 - B. HOME “Homebuyer Assistance Program” Change of Property Location (1 Family)**

6. Processing Fee Reports: (SEE EXHIBIT E)**A. District Attorney - \$ 213,512.18 – July****7. Monthly Fee Reports: (SEE EXHIBIT F)****A. District Clerk - \$ 265,268.08 – July****8. Tax Refunds: (SEE EXHIBIT G)**

A. Ismael Perez	Ismael Perez	1,700.87
B. Peggy A. Ontiveros	Peggy A. Ontiveros	558.06
C. Henry J. & Minerva Salazar	Henry J. & Minerva Salazar	756.74
D. Short EB, LTD	Criimi Mae	5,471.36
E. Short EB, LTD	Criimi Mae Services	10,241.37
F. Short EB, LTD	Criimi Mae Services	11,925.75

9. Approval of Minutes: (SEE EXHIBIT H)**A. August 12, 2003****10. Purchasing Department: (SEE EXHIBIT I)****A. HIDALGO COUNTY J.P.PCT.1.PL.2-**

1. Requesting authority to purchase a printer from a QISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Program in the amount of \$ 1,378.00. Forwarded and Subject to Computer Department Review.

B. HIDALGO COUNTY ADULT PROBATION BOOT CAMP-

1. Requesting authority to purchase a computer laptop from a QISV vendor, CDW- Government, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 1,009.73. Forward and Subject to Computer Department Review.

C. HIDALGO COUNTY JUVENILE PROBATION DEPARTMENT-

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 \$ 8,740.00. Forwarded and Subject to Computer Department Review.

D. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM-

1. Requesting authority to purchase computer software from a QISV vendor, S.J.S. Computer, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 1,625.00. Forwarded and Subject to Computer Department Review.
2. Requesting authority to purchase computer equipment from QISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 456.00. Forwarded and Subject to Computer Department Review.

E. HIDALGO COUNTY JUDGE'S OFFICE-

1. Requesting authority to enter into a Service Agreement with Copy Graphics for a UF-744 Fax Machine in the amount of \$ 125.00. Effective August 8, 2003 through August 8, 2004

F. HIDALGO COUNTY TAX OFFICE-

1. Requesting authority to purchase computer equipment from a QISV vendor, CDW-Government, through the State of Texas Building and Procurement in the amount of \$ 403.97. Forwarded and Subject to Computer Department Review.

**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, AUGUST 19, 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 Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item #1.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval of all items listed on the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Permits: (SEE EXHIBIT X)**
 - A. Tim Gearheart – Cascabel Estates Phase II**
- 3. Line item transfers (SEE EXHIBIT X)**
- 4. Approval of Minutes:**
 - A. August 12, 2003**

**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, AUGUST 19, 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 Handy.

2. Open Forum

NO ACTION taken on this item.

3. Approval of Consent Agenda

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

**4. Concurrence for approval on TXDOT proposed state highway improvement – SH 495 (CSJ-0865-01-006)
(SEE EXHIBIT Y)**

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

At this time Commissioner Garza Stepped away from the meeting.

5. Approval for payment on monthly estimates #4 in the amount of \$ 41,545.80 and #5 in the amount of \$18,583.20 to Summit Contracting, Ltd. (bid #02-254-11-20, south 10th Drainage Project) (NO EXHIBITS)

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

6. Tax Office: (SEE EXHIBIT Z)

A. Approval of Annual Report for July 01, 2002 through June 30, 2003

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

At this time Commissioner Garza joined the meeting.

7. Purchasing Department: (SEE EXHIBIT AA)

A. Requesting acceptance and approval of final negotiated “Letter of Engagement”, in response to the District’s Request for Qualifications for Legal services for “Mineral Lease Investigations” with Hicks, Thomas & Lilienstern L.L.P.

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

Judge Garcia abstained from the vote due to conflict of interest.

- B. Requesting authority to advertise and approval of specifications as attached hereto for: "TIRES"**
- C. Requesting authority to advertise for: "South I Road- Levy Adjustment and Bridge Project"**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval for items 7.B & C.

8. Closed Session: (NO EXHIBITS)

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

A. Real Estate Acquisition

NO ACTION taken on this item.

9. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

10. Closed Session:

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

NO ACTION taken on this item.

11. Open Session:

NO ACTION taken on this item.

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

On motion of Commissioner Garza, 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, AUGUST 19, 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
(NO EXHIBITS)**

A motion was made by Commissioner Garza and seconded by Commissioner Flores, on item # 1. Commissioner Garza withdrew his motion after a discussion was held.

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to take NO ACTION on items 1-3.

1. Discussion, consideration and approval to advertise for air quality testing services for all county owned buildings; or in the alternative:

Charlie Montgomery, Risk Management, for the Record: I'm familiar with Mr. Ashton, and I've worked with him for about ten years. The Texas Department of Health does do air quality testing. The only testing that they do is for carbon monoxide, carbon dioxide, relative humidity and temperature and for air flow. They do not in any way do mold testing. They don't have the lab work through the Texas Department of Health to do that.

Discussion/presentation made. NO ACTION taken on this item.

2. Requesting authority to solicit a Request for Offer (RFO) from a state-awarded vendor for air quality services

3. Discussion and approval to hire legal counsel for Sheriff Escalon in his official capacity as per statute authority

NO ACTION taken on items 1, 2, & 3.

**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, AUGUST 19, 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
(NO EXHIBITS)**

1. Purchasing Department:

- A. An "Order" authorizing issuance of \$ 600,000.00 County of Hidalgo Personal Property Note, Series 2003-B: Prescribing the terms and form thereof: levying a continuing direct annual ad valorem tax for the payment of said "Note"; approving the sale and delivery of Note; and making other provisions regarding such Note and matters incident thereto**

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

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

RAMON GARCIA _____
COUNTY JUDGE

SYLVIA HANDY _____
COUNTY COMMISSIONER, PRECINCT 1

HECTOR (TITO) PALACIOS _____
COUNTY COMMISSIONER, PRECINCT 2

JOSE FLORES _____
COUNTY COMMISSIONER, PRECINCT 3

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

Dated this the 19th day of August, 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.