

SPECIAL MEETING – SEPTEMBER 23, 2003

BE IT REMEMBERED, that on this 23rd day of September, 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, SEPTEMBER 23, 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, with the exception of Commissioner Handy. Commissioner Handy joined the meeting shortly after commencement of the meeting.

2. Pledge of Allegiance

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

3. Prayer

Judge Garcia called on Tony Sandoval, County Auditor, to lead the Court and Audience in Prayer.

4. Open Forum

-Father Jerry Frank from Valley InterFaith requested the County's base salary be brought up to \$8.00 an hour.

Commissioner Handy joined the Meeting.

- Eduardo Garza of Benny's Caliche is requesting payment of an unpaid invoice.
- Virginia Townsend voiced her opinions regarding tax payer's money, building renovations, and salaries.
- Fern McClaugherty voiced her opinions regarding the carpet in the administration building.
- Armando Barrera notified the Court and audience of on-line license plates renewal.
- Godfrey Garza made a presentation regarding the recent heavy rains.

5. Approval of Consent Agenda

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

6. Presentation by Juvenile Board of Judges related to funding of the: (SEE EXHIBIT H)

A. Juvenile Justice Center Construction Project

B. Hidalgo County Youth Village Boys & Girls Residential Program

Presentation made by Judge Mario Ramirez, Judge Maxine Longoria, Judge Rose Reyna, Judge Leticia Lopez, Judge Leticia Hinojosa, Judge Juan Partida, Judge Rudy Delgado, Judge Eduardo Aparicio, and Judge Noe Hinojosa.

NO ACTION taken on this item.

7. Presentation and acceptance of check from U.S. Department of the Interior - \$ 67,152.00 (SEE EXHIBIT I)

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

8. Presentation and acceptance of Hidalgo County Independent Audit for year ending December 31, 2002 by Burton, McCumber & Cortez, LLP (SEE EXHIBIT J)

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

At this time, the Court proceeded item 24.A only.

9. Presentation and discussion of Jail Project Fund 1330 Financial Activity from 1997 through July 31, 2003 (SEE EXHIBIT K)

Presentation made by Cindy Sanchez. NO ACTION taken on this item.

10. Sheriff Department: (SEE EXHIBIT L)

A. Approval of Sheriff/Constable Fee Schedule

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

B. Approval to create obj. #684 (tires/tubes) – Sheriff’s Auto Theft Task Force Grant and line item transfer – \$500.00

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

C. Requesting acceptance and approval of a claim Invoice #060585 for \$ 282.88 from Goodyear Auto Service Center with authority for County Auditor to issue payment

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

11. HIDTA – Task Force: (SEE EXHIBIT M)

A. Interlocal Governmental Agreement Hidalgo County HIDTA Task Force and the City of Palmview Police Department

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

Commissioner Palacios is away from the Court.

12. Head Start: (SEE EXHIBIT N)

A. Discussion and approval of FY 2004 Continuation Application for Federal Assistance (2004 Budget)

Commissioner Palacios joined the meeting.

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

Judge Garcia is away from the Court.

B. Discussion and approval of Organizational Chart for the Hidalgo County Head Start Program

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

Judge Garcia joined the meeting, and Commissioner Handy stepped away from the Court.

13. Discussion consideration and action on Department of Health and Human Services letter to Hidalgo County referencing the Head Start Program (SEE EXHIBIT O)

Commissioner Flores stepped away from the Court.

Discussion/presentation made by Teresa Flores and Ricardo Salas, Legal Counsel for Headstart. NO ACTION taken on this item.

14. Health Department: (SEE EXHIBIT P)**A. Authorization and approval to accept the following TDH Contracts for the fiscal year 2004 (no cash match)**

- | | | |
|--|--------------------------------|---------------------------------------|
| 1. Office of Public Health Practice | 7460007176-2004 att. 05 | in the amount of \$ 138,516.00 |
| 2. Service Delivery Integration Project | 7460007176-2004-06 | in the amount of \$ 649,340.00 |
| 3. Office of State Epidemiologist | 7460007176-2004-06 | in the amount of \$ 10,000.00 |

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

B. Approval of budget amendment:

- | | |
|--|------------------------|
| 1. Office of Public Health Practice | (\$ 138,516.00) |
| 2. Service Delivery Integration Project | (\$ 649,340.00) |
| 3. Office of State Epidemiologist | (\$ 10,000.00) |

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

C. Approval of Salary Schedule for the denoted grants

NO ACTION taken on this item.

15. Urban County: (SEE EXHIBIT Q)**A. Public Hearing regarding the Hidalgo County Urban County Program Consolidated Annual Performance Evaluation Report (CAPER) for the year ended June 30, 2003 (FY 2002-2003)**

Commissioner Handy joined the meeting.

-Judge Garcia opened the Public Hearing.

-No presentations were made under the Public Hearing.

-As no presentations were made, Judge Garcia closed the Public Hearing.

B. Approval of submittal of the Hidalgo County Urban County Program Consolidated Annual Performance Evaluation Report (CAPER) for the year ended June 30, 2003 (FY 2002-2003)

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

At this point, the Court went into Executive Session.

16. Discussion and consideration on recommendation from the Hidalgo County Salary Grievance Board (SEE EXHIBIT R)

Presentation made by Valde Guerra. NO ACTION taken on this item.

17. Approval to appoint/reappoint three (3) members to the Tropical Texas MH/MR Board (SEE EXHIBIT S)

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the appointments of Dr. Alfredo Salinas, Phd (Place 4), and Mr. Agustin Negrete, CPA (Place 5).

18. Budget Office: (SEE EXHIBIT T)**A. Buildings & Grounds:**

1. Authorization to create obj. #741 & line item transfer - \$ 45,701.57

B. Risk/Emergency Mgmt. – WC Program:

1. Approval to create obj. 339, 890, 672, 640 & line item transfer - \$ 1,399.95

C. Constable Pct. #3 – LEOSE:

1. Approval to create obj. 584 & line item transfer - \$ 450.00

Valde Guerra stated for the Record: Under the Risk/Emergency Management, I would like to make a notation to reflect the correct Worker's Comp fund number 32202-419-50-230-014-0. With respect to the Buildings and Grounds Department line item transfer \$45,701.57 is into vehicles. To create the line item vehicle and to transfer the dollars that are needed to purchase two vehicles. This transfer is being done subject to the department coming before Commissioners' Court to get authority for the purchase of said vehicles.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 18.A.1-C.1, subject to corrections.

D. Pcts. #1, 2, 3 & 4:

- 1. Approval to budget for lateral road funding from the state comptroller office for monies received in year 2002 and prior - \$ 274,558.30**

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

- 2. Approval to appropriate transfers out from Road & Bridge County Wide to Pcts. 1, 2, 3 & 4 in the amount of \$ 768,000.00 as follows:**

Pct. #1 – 492,000.00; Pct. #2 – 42,000.00; Pct. #3 – 42,000.00; Pct. #4 - \$ 192,000.00

Valde Guerra for the Record: The dollar amount, the...County Auditor's office earlier this month, or earlier last month had revised it's revenues for the year for the General Fund and various other funds. This was one of the funds that there was a revision. So there was an adjustment in revenues to the Road and Bridge of \$768,000.00. What were doing now is turning around and appropriating the revenues back into the proper precincts. Pct.'s 2 and Pct.'s 3 have instructed me to allocate from each one respectively \$150,000.00 to Pct. 1. That is the reflection of \$42,000.00 for 2 and 3 (Precincts).

Commissioner Handy replied she would be paying it back at the beginning of the (next) year, and would be included in the budget as a reduction.

Valde: For Pct. 1 we have a transfer in of \$492,000.00, and so on...

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

19. WIC: (SEE EXHIBIT U)

- A. Requesting approval of contract between Texas Department of Health and Hidalgo County for the provision of WIC services for FY 2004 commencing October 1, 2003 to September 30, 2004**

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

- B. Set budget for FY 2004 at \$ 7,021,031.00 for FY 2004**

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

- C. Approval of salary schedules for FY 2004**

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

- D. Approval of BF Peer Counselors Program/Budget \$ 141,452.00 for FY 2004**

Correction as stated by Ms. Norma Longoria: Account number should be 002.

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

E. Set salaries for 6 peer counselors

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

20. Buildings & Grounds: (SEE EXHIBIT V)**A. Requesting authorization to reserve 5 parking spaces at the Administration Building for the following departments:**

1. Tax Office – (2) parking spaces for fraud investigators
2. Risk & Safety Department – (3) parking spaces for county trucks

NO ACTION taken on item 20.A.1 & 2.

At this point, the Court proceeded with item 26.C, only.

21. Risk/Emergency Management: (SEE EXHIBIT W)**A. Discussion and approval to pay proposed administrative penalty to Texas Department of Health regarding Shady Lawn Project**

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

B. Approval for County Judge to sign the Texas Department of Health proposed Administrative Penalty dated 09/09/03

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

C. Discussion and approval to add County Clerk coverage to Texas Association of Counties insurance policy**D. Approval of payment - \$ 5,474.00**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 21.C & D.

E. Discussion and approval regarding possible mold testing services for the Hidalgo County Administration Building (budgetary impact - \$ 20,000.00 – CIP funds)

NO ACTION taken on this item.

F. Authority to advertise through Purchasing Department for mold testing contractor and laboratory services

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

G. Resolution for declaration of local disaster in Hidalgo County with regards to storm dated 09/18/03 through 9/20/03

Presentation made by Charlie Montgomery. NO ACTION taken on this item.

22. Pct. #4: (SEE EXHIBIT X)**A. Request authorization to name an unnamed county dedicated road – located within “Edinburg West” Sub-Div. as follows: Los Veteranos**

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

23. Planning Department: (SEE EXHIBIT Y)**A. Final Approval:**

1. **R. Reyna Subdivision – Pct. #4**
2. **Pastor Estates No. 2 Subdivision – Pct. 1**
3. **Huisache Acres No. 2 Subdivision – Pct. 2**
4. **Monmack Terrace No. 2 Subdivision – Pct. 4**

B. Final Approval with Letter of Credit:

1. **Frontera Heights East Phase 2 – Pct. 1**
2. **Corner Lake Estates – Pct. 3**
3. **Capital Successions Subdivision – Pct. 4**

C. Final Approval with a Cash Deposit:

1. **Alfonso Flores Subdivision – Pct. 1**

Raul Sesin for the Record: Frontera Heights East Phase 2 the Letter of Credit is in the amount of 244,000.00, with Letter of Credit # 080703 from First National Bank. For Corner Lake Estates Subdivision that's Letter of Credit #1829-S, from Texas State Bank in the amount of \$67,192.15. For Capital Successions Subdivision is Letter of Credit #1882-S, from Texas State Bank in the amount of \$8,559.44. As I mentioned all these subdivisions have been presented to the Subdivision Advisory Board. Everything is in order for the Final Approval Letter of Credit and the Final Approval Cash Deposit, and on that, the cash deposit is for \$1,000.00 for the septic tanks.

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 23.A.1-4, 23.B.1-3, and 23.C.1.

D. Release of Letter of Credit:

1. **Valverde Terrace Phase II Subdivision – Pct. 4**
2. **Salida Del Sol Phase III Subdivision – Pct. 3**

E. Partial Reimbursement from a cash deposit

1. **Herrera Estates Subdivision – Pct. 4**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 23.D.1-2, and E.1.

F. Discussion and possible action regarding a letter of support for the position of local investigator on colonias prevention

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

At this time, the Court took a fifteen minute recess.

24. Pct. #3: (SEE EXHIBIT Z)**A. Discussion, consideration and formal action to approve transfer of the Payroll Department from County Auditor's Office to the County Treasury as allowed under Local Government Code Chapter 113.042(a)**

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

At this point, the Court went back to item #9.

B. Requesting authorization to accept the cost-share funds from Mr. Oscar Ramirez Blanco in the amount of \$ 4,750.00 to apply caliche at Mile 5 Rd. & Iowa Rd.

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

C. Requesting authorization to appropriate cost-share from Mr. Oscar Ramirez Blanco into Pct. #3 expense acct. #3-1203-431-00-123-005-0-673 (road materials)

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

D. Requesting approval of a Contractual Agreement for Right of Way Procurement with TxDOT for FM 1924 from FM 494 to SH 107

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

25. Human Services: (NO EXHIBITS)

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

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

NO ACTION taken on item 25.A.1-4.

26. Purchasing Department: (SEE EXHIBIT AA)

A. HIDALGO COUNTY -

1. New Hidalgo County Jail

a) Total Inmate Population:	1206	Other Information:	_____
Physical Count:	1066	Males:	1127 Total
Out of County: La Villa	133 (19 Females & 114 Males)	Females:	79 Total
Brooks	0	Federal:	13

*There is also one (1) inmate in the hospital, and six (6) at no charge.

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

NO ACTION taken on this item.

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

- a) County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval.

NO ACTION taken on this item.

- b) Reports by Hidalgo County Sheriff's Department and Rey Vargas (V-A Architecture), consulting architect regarding on-site projects in connection with 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 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 this item.

- c) Requesting authority to advertise a competitive bid for "Hidalgo County Shooting Range Facility, Law Enforcement Shooting Range Facility, Jogging Track, Driver Training Track, Parking Lot(s), and Utility Extensions" with presentation by Project Architect Rey Vargas (V-A Architecture) for consideration, discussion, acceptance and approval including, but not limited to, the following:
- i. Tentative Project Schedule
 - ii. Statement of Probably Construction Cost

- iii. **Bid Proposal Form**
- iv. **Schematic Drawings**
- v. **Quintanilla/Headley and Associates' Construction Cost Estimate.**

Commissioner Garza requested to structure the bid for a Metal Building, the water lines to city code, berm as an alternate, and the caliche road/driveway.

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

- d) **Presentation for consideration, discussion, acceptance and approval of an invoice/claim (#HCSD011602B \$2,283.00) with authority for Auditor to issue payment (after review, audit and processing procedures completed) from state awarded vendor (Productivity Center, Inc.) through the Texas Building and Procurement for software license renewal fee.**

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

- 4. **Requesting authority to exercise the sixty (60) day grace period (extension) as provided under the current contract, so as not to have laps during bidding process for: Tires-Hidalgo County.**

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

- 5. **Requesting authority to advertise for: "Tires-Hidalgo County" with specifications to be reviewed by user department(s).**

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

- 6. **Presentation by A.B. Flores, Group Health Insurance Consultant, for consideration, discussion and action on the draft requirements, specifications and scope of insurance plan attached hereto for "Group Health Insurance-Hidalgo County" RFP with the following options:**

- i. **Agent(s) and their related services or**
- ii. **Net of Commissions (Direct) submissions.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval of item 26.A.6.i & ii, as stated by Marty Salazar

B. HIDALGO COUNTY PRECINCT NO 1 –

- 1. **Requesting exemption from competitive bidding requirements for professional engineering services with Sigler, Winston, Greenwood & Assoc., Inc. in connection with RFB-"Excavation Subgrade Preparation, Placement of Curb and Gutter and Storm Sewer Facilities for Mile 6 North from FM1015 Easterly Canal", project**

Commissioner Handy joined the meeting.

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

- 2. **Requesting approval of professional engineering services contract with Sigler, Winston, Greenwood & Assoc., Inc. in connection with RFB-"Excavation Subgrade Preparation, Placement of Curb and Gutter and Storm Sewer Facilities for Mile 6 North from FM 1015 Easterly Canal", project**

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

3. **Presentation for discussion, consideration, acceptance and approval of plans and specifications as developed and drafted by Sigler, Winston, Greenwood & Assoc., Inc. for project Pct. 1 titled "Excavation Subgrade Preparation, Placement of Curb and Gutter and Storm Sewer Facilities for Mile 6 North from FM 1015 Easterly Canal".**

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

C. HIDALGO COUNTY BUILDING AND GROUNDS –

1. **Requesting authority to advertise for the renovation/remodeling of the Administration Building Atrium with presentation by Project Architect Alcócer, Garcia & Associates Design Consultants for discussion, consideration and approval including but not limited to the following;**
 - i. **Original Approved Design**
 - ii. **Consideration and authority for architect to proceed with re-design options.**

Commissioner Palacios stepped away from the Court.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS to approve item C.1.ii., subject to Bond Counsel.

2. **Presentation for consideration, discussion, acceptance and approval to advertise for the engagement of a Consultant(s)/Contractor(s) for a facility assessment study including but not limited to the following;**
 - i. **Structure Stability**
 - ii. **Roof**
 - iii. **M.E.P.**
 - iv. **H.V.A.C.**
 - v. **A.D.A.**

NO ACTION taken on item 25.C.2.

After discussing item 26.C. 1 and 2, the Court proceeded with item 21.

D. HIDALGO COUNTY INDIGENT DEFENSE-

1. **Requesting authority to purchase computer equipment from a CISV vendor, QA systems, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$13,066.00. Forwarded and Subject to Computer Department Review.**

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

E. HIDALGO COUNTY RISK MANAGEMENT-

1. **Requesting authority to purchase computer hardware, software, and peripherals from a CISV vendor, S.J.S. Computer, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$8,099.00. Forwarded and Subject to Computer Department Review.**

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

27. Closed Session:

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

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

- A. **Real Estate Acquisition**
- B. **Pending and/or potential litigation**

NO ACTION taken on this item.

28. Open Session:

- A. Real Estate Acquisition**
- B. Pending and/or potential litigation**

NO ACTION taken on this item.

29. Closed Session:

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

NO ACTION taken on this item.

30. Open Session:

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

NO ACTION taken on this item.

After Open Session, the Court proceeded with item #16.

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

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 23, 2003, at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda, with the exception of items 2.N, 2.U, and 2.W.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Budget Office**
 - B. Indigent Defense**
 - C. Insurance**
 - D. County Court #5**
 - E. J.P. Pct. #5, Pl. 1**
 - F. Fire Marshal**
 - G. Purchasing Department**
 - H. Jail**
 - I. Risk Management**
 - J. Constable Pct. #3**
 - K. District Attorney**
 - L. Tax Office**
 - M. Sheriff Department**
 - N. J.P. Pct. #3, Pl. 2** – On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, subject to change from \$466.32 to the corrected amount of \$428.76.
 - O. 275th District Court**
 - P. J.P. Pct. #1, Pl. 2**
 - Q. Constable Pct. #5**
 - R. 370th District Court**
 - S. Workers Comp Fund**
 - T. U.S. Dept. of Justice COPS More 2002**
 - U. Health Department – Sanitation** – On motion of Commissioner Handy, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$8,215.00, subject to change of the corrected account structure #3-1100-441-33-340-002-0.
 - V. Right of Way**
 - W. Pct. #1 – R & B** – On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, subject to change in the correct amount of \$273.63.
 - X. Pct. #4 – R & B**

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. Monthly Collection Reports – July: (SEE EXHIBIT C)

A. J.P. Palacios	\$ 68,369.64
B. J.P. Espinoza	46,644.31
C. J.P. Morales	29,573.38
D. J.P. Ochoa	52,081.17
E. J.P. Saenz	24,645.35
F. J.P. Trevino	83,510.62
G. J.P. Garza	72,161.44
H. J.P. Contreras	51,979.85
I. J.P. Jackson	16,780.27
J. Law Library	1,842.80
K. Sheriff Escalon	52,182.52
L. Anzalduas Park	2,060.04
M. Delta Lake	1,328.02
N. Constable Aguirre	790.00
O. Constable Alaniz	720.00
P. Constable Gallardo	480.00
Q. Constable Rios	7,280.00
R. Constable Bazan	560.00

5. Monthly Fee Reports – August: (SEE EXHIBIT D)

- A. County Clerk - \$ 508,546.46**
- B. District Clerk - \$ 237,956.22**

6. Approval of Minutes: (SEE EXHIBIT E)

- A. September 16, 2003**

7. Tax Refunds: (SEE EXHIBIT F)

Taxpayer	Payer	Amount
A. Beatrice Anguiano	Beatrice Anguiano	755.54
B. Marvin D. & K. M. Towse	Provident Funding	676.93
C. Jo Ann Pumroy	Jo Ann Pumroy	1,233.55
D. Walter M. & Ethel B. Needels	Walter M. & E.B. Needels	808.95
E. Eusebio Garcia	Eusebio Garcia	661.33
F. Donald L. & Mary E. Magnuson	Donald L. & M. E. Magn.	539.52

8. Purchasing Department: (SEE EXHIBIT G)**A. HIDALGO COUNTY SHERIFF'S DEPARTMENT –**

- 1. Requesting authority to enter into a rental agreement through the State of Texas Building and Procurement with Minolta for a Di200 Copier Machine in the amount of \$130.00 a month.**

**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, SEPTEMBER 23, 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

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

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

2. Approval of Minutes: (SEE EXHIBIT E)

A. September 16, 2003

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

**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, SEPTEMBER 23, 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 Flores.

2. Open Forum

No presentations made under Open Forum. NO ACTION taken on this item.

3. Approval of Consent Agenda

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

4. Approval of Interlocal Cooperation Agreement between Hidalgo County Drainage District #1 and Hidalgo County Irrigation District #2 in San Juan (installation of pipe) (SEE EXHIBIT BB)

NO ACTION taken on this item.

5. Discussion and action on amendment to existing Interlocal Agreement between Hidalgo County and Hidalgo County Drainage District #1 (SEE EXHIBIT CC)

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

Judge Garcia stepped away from the Court.

6. Discussion and authorization to do an uncontrolled photogrammic flight of the flooded areas in Hidalgo County (SEE EXHIBIT DD)

NO ACTION taken on this item.

7. Authority to declare emergency photogrammic flight of Hidalgo County due to weather conditions (SEE EXHIBIT EE)

NO ACTION taken on this item.

8. Purchasing Department: (SEE EXHIBIT FF)

A. Presentation by A.B. Flores, Group Health Insurance Consultant, for consideration, discussion and action on the draft requirements, specification and scope of insurance plan attached hereto for "Group Health Insurance-Hidalgo County" RFP with the following options:

- i. Agent(s) and their related services or**
- ii. Net of Commissions (Direct) submissions.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 8.i & ii, as stated by Marty Salazar, Purchasing Agent.

- B. Recommending award of bid and approval of Contract for: "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products" to multiple vendors meeting all required specifications. (Vendors and: Hollon Oil Company and Oil Patch Company) Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Budget and Auditor's Office.**

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

- C. Presentation of recommendation by project engineer to select a soil testing firm (Millennium Engineers Group, Inc.) to conduct soil testing for the: "Hauling Services of Fill Dirt-(North & South Levee I Road Project-Additional Roads)", on an "As Needed Basis".**

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

9. Closed Session:

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

- A. Real Estate Acquisition**

NO ACTION taken on this item.

10. Open Session:

- A. Real Estate Acquisition**

NO ACTION taken on this item.

11. Closed Session:

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

NO ACTION taken on this item.

12. 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 Palacios, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting at 2:05 p.m.

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 23 day of September, 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.