

**REGULAR MEETING – OCTOBER 09, 2003**

BE IT REMEMBERED, that on this 9<sup>th</sup> day of October, A.D., 2003, there was begun and held a REGULAR MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOSE FLORES	COMMISSIONER, PRECINCT NO. 3

and **J.D. SALINAS, COUNTY CLERK & EX-OFFICIO 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 REGULAR MEETING of the Commissioners' Court will be held on THURSDAY, OCTOBER 09, 2003 at 9:30 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 Judge Garcia and Commissioner Garza.

**2. Pledge of Allegiance**

Commissioner Handy led the Court and the Audience in reciting the Pledge of Allegiance.

**3. Prayer**

Commissioner Handy called on Dairen Cedillo to lead the Court and the Audience in Prayer.

**4. Open Forum**

Presentation made by the members of Valley Interfaith in reference to the salary increase for Hidalgo County Employees.

Speaking on behalf of the salary increase for Hidalgo County employees were the following citizens:

Mica Guerra – Valley Interfaith  
Ms. Gossett – Valley Interfaith  
Celia Ward – Valley Interfaith

Presentation made by Eduardo Gonzalez in reference to the salary increase for Hidalgo County employees and the Landmark Lawsuit.

Presentation made by Fern McClaugherty in reference to County expenditures.

At this time, Judge Garcia joined the meeting.

**5. Approval of Consent Agenda**

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

**6. Consent to Atlas & Hall, L.L.P. to provide legal services to the Lower Rio Grande Valley Workforce Development Board. (See Exhibit G)**

Commissioner Palacios, "For the record, judge, you had a visit with some of the attorney's and you were assured There were no conflicts. I would move that we acknowledge this and recognize that they will be representing the workforce."

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of Approval and should a conflict arise, then the conflict will be waived.

**7. Elections Department: (See Exhibit H)**

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

**1. Update on Third Special Session (Legislation) – Redistricting, Primary and Runoff information**

Presentation made by Teresa Navarro. The primary is postponed for a week in addition to the filing Deadline.

2. **Early Voting Permanent Substations for the 2004 Primary & Runoff information**
3. **Early Voting Mobiles for the 2004 Primary**
4. **Elections Department Phone Bank for 2004 Primary, Runoff and General Elections**

NO ACTION taken on items A.2- A.4. A location has not been decided upon for the Elections Department.

At this time, the Court moved to item 11.

**8. Urban County: (See Exhibit I)**

- A. Request for approval of Emergency Assistance Classification of one (1) application and the reconstruction of the housing unit under the present HOME Homeowner Occupied Housing Rehabilitation Program under the Countywide area program.**

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

- B. Approval to amend a Subrecipient Agreement approved on August 6, 2003 between Texas A & M Research Foundation and Pct. #2 through the UCP Year 16 – 2003**

A correction was made on the date. The correct date is July 22, 2003 instead of August 6, 2003.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to Approve item 8.B including funding for years thirteen and fourteen in the amount of \$55,000.00 for a new total of \$165,000.00.

- C. Request for approval of a budget and program amendment for the City of San Juan utilizing UCP funding from Years 14 & 15 (2001 & 2002)**

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

- D. Approval of Construction Contract with Mission Paving Company and Pct. #4 for Street Improvements using UCP funding for Years 9, 12, 13 & 14 (1996, 1998, 1999 & 2001)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to Approve the contract in the amount of \$57,800.00.

- E. Approval of Subrecipient Agreement with Advocacy Resource Center for Housing (ARCH) under the Emergency Shelter Grant Program for Homeless Prevention and the UCP – ESG/UCP Year 16 (2003)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to Approve the agreement in the amount of \$50,500.00 using year sixteen funding.

- F. Approval of a Subrecipient Agreement with Mujeres Unidas/Women Together under the Emergency Shelter Grant Program for Maintenance and Operations and Essential Services and the UCP – ESG/UCP Year 16 (2003)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to Approve the agreement in the amount of \$137,800.00 using year sixteen funding.

- G. Approval of a Subrecipient Agreement with American Red Cross-South Texas Chapter under the Emergency Shelter Grant Program for Essential Services and the UCP – ESG/UCP Year 16 (2003)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to Approve the agreement in the amount of \$46,500.00 using year sixteen funding.

At this time the court moved to agenda item 10.

**9. Planning Department:** (See Exhibit J)**A. Partial Release of Letter of Credit:****1. Sun Meadows Estates – Pct. 1**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval leaving a balance of \$19,000.00 after a reduction of \$5,000.00.

**2. Tops Subdivision – Pct. 1**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval leaving a balance of \$2,000.00 after a reduction of \$15,130.00.

**10. Budget Office:** (See Exhibit K)**A. District Attorney:**

- 1. Approval to create objects 747 (Software) and 607 (Janitorial Supplies) in the District Attorney's Office general fund account.**
- 2. Approval of line item transfer**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 10.A-1 and 10.A-2 with the amount of the line item transfer being \$4,508.49.

**B. Health Department:****1. Approval of salary schedule for the denoted grants**

- a. Office of Public Health Practice (\$138,516.00)**
- b. Service Delivery Integration Project (\$649,340.00)**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 10.B-1.a & b.

**c. Office of State Epidemiologists (\$10,000.00)**

NO ACTION taken on this item.

**C. Risk/Emergency Management:**

- 1. Approval to create object code (540) Advertising**
- 2. Approval of line item transfers CIP 2001 Landfill Closure**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS Vote to approve items C.1 & 2 with the amount of the line item transfers being \$24,161.54.

**D. District Attorney's/ Sheriff Department:**

- 1. Approval to accept the grant awards for the Crime Victim Coordinator (D.A.'s Office) and Crime Victim Liaison (Sheriff's Office) from the Office of the Attorney General.**

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

- 2. Approval of budget amendment in the amount of \$39,400.00 for both the District Attorney's Office and Sheriff's Office.**

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

**3. Approval to set salaries**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to set the salaries for the Crime Victim Coordinator (D.A.'s Office) at \$30,780.32 and the Victim Liaison (Sheriff's Office) at \$30,450.00.

**4. Approval of Grantee Acceptance Notice for both departments.**

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

**E. Pct #2:**

- 1. Approval to create object code 603 (Education/Instructional Supplies) for Road Administrative account #3-1202-431-00-122-005-0**
- 2. Approval of line-item transfer in the amount of \$50.00**
- 3. Approval to create object code 607 (Cleaning & Sanitation) for CRC account #3-1100-466-00-122-018-0**
- 4. Approval of line-item transfer in the amount of \$500.00**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS Vote to approve items E.1 – 4.

**F. District Attorney:**

- 1. Approval to create object 601 in the D.A. Protective Service Court Fund**
- 2. Approval to line-item transfer in the amount of \$2,391.00**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS Vote to approve items F.1 & 2.

**G. County Court at Law # 4:**

- 1. Approval to create object codes 604, 608, 748**
- 2. Approval of line-item transfers**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS Vote to approve items G.1 & 2. The amount approved for item G.2 was \$2,719.47.

**11. Head Start: (See Exhibit L)**

- A. Appointment of one (1) Community Representative by each member of the Commissioners' Court to serve on the Hidalgo County Head Start Program Policy Council for a one (1) year term according to 45CFR Chapter XIII, Section 1304.50(b)(1)-(b)(7)**

On motion of Commissioner Handy, seconded by Commissioner Palacios and Flores, the Court made a UNANIMOUS vote of approval to re-appoint Mr. Arturo Castillo on behalf of Commissioner Handy, Mr. Homero Diaz on behalf of Judge Garcia, and to appoint Ms. Mari Gonzalez on behalf of Commissioner Flores.

Commissioner Palacios and Commissioner Garza did not appoint anyone at this time.

At this time, the Court moved to proceed to Executive Session.

**12. Human Services: (See Exhibit M)**

- 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 items 12.A 1-4.

At this time, Commissioner Handy stepped away from the meeting.

**13. Purchasing Department:** (See Exhibit N)

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

<b>1. New Hidalgo County Jail:</b>	Total inmate population:	<u>1146</u>	Other information:
Physical Count:		<u>1049</u>	Males <u>973</u>
Out of County:	La Villa	<u>91</u>	Females <u>76</u>
	Brooks	<u>0</u>	Federal <u>11</u>
	6 - Other @ 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) **Requesting authority to enter into and execute a "Customer Service Agreement" as required by the City of Edinburg in connection with the transfer of accounts from Velasco Construction (as approved by CC on 9-30-03) for the Maintenance & Motor Pool Bldg. & Law Enforcement Training Facility;**

On motion of Commissioner Flores, seconded by Commissioner Palacios, 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) **Discussion and possible action on-site projects on site of 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.

- 4. **Presentation and acceptance of roster (as listed on the RFQ Acceptance Sheet attached hereto) of "Architectural Services" Pool of 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 Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

- 5. **Requesting approval of the 60 days extension (as provided in the contract) with Abrego Trucking Service for Auctioneer Service so as not to have a lapse in the services while completing the procurement process.**

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

- 6. **Requesting authority to advertise for: "Language Interpreter / Translation Services"**

Motion made by Commissioner Flores and seconded by Commissioner Palacios but the motion and the Second were withdrawn after discussion.

NO ACTION taken on this item.

At this time, Commissioner Handy joined the meeting.

- 7. Recommending award of bid and approval of contract., to multiple bidders meeting all requirements, specifications, including consideration of hauling cost for “Hidalgo County – Type D Hot Mix Asphalt-Gravel & Limestone” with a full executed copy of the contract forwarded to both Hidalgo County Budget and County Auditor’s Office.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the bid award and contract to Frontera Materials for Precinct 1 and Valley Caliche for Precincts 2, 3, and 4.

At this time, Judge Garcia stepped away from the Court and was not present for the remainder of the meeting.

- 8. Recommending award of bid and approval of contracts to multiple bidders meeting all requirements, specifications including consideration of hauling cost for “Hidalgo County – Hot Mix Cold Laid” with a full executed copy of the contract to both the Hidalgo County Budget Office and County Auditor’s Office.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the bid award and contract to Frontera Material for Precinct 1 and Valley Caliche Precincts 2, 3 and 4.

- 9. Presentation by the Hidalgo County Auditor’s Office, Budget Office and Purchasing Department for discussion, consideration and approval of an “Order” for all General Fund Budgets for:**
- a) **Cut off date for submission of Requisitions by 11-7-03;**
  - b) **All open Purchase Orders at 12-31-03 for which there is not a proper invoice for physical receipt of goods and/or services, will be charged to 204 budgets;**

Item 9.b should read “2004 budgets.”

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 9.a & b.

- 10. Presentation and acceptance of corrected roster (as listed in the corrected RFQ Acceptance Sheet attached hereto) of the “Real Estate Appraiser’s & Surveyors” pool. An RFQ submitted by an engineering firm, on March 07, 2003 at 10:18 a.m. was erroneously accepted as part of the Engineers’ pool.**

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

- 11. Presentation, consideration, acceptance and approval of a claim/invoice # 05-5214 from VSL in the amount of \$ 2,000.00 which reflects Phase I of the current contract for consulting services for the bid project titled “Turnkey Solution- Courthouse Security” with authority for auditor to issue payment after review, audit and processing procedures completed.**

NO ACTION taken on this item.

- 12. Presentation for discussion, consideration, acceptance and approval of a request by the Law Offices of Roberto Jackson, Jr., Mauro Reyna, III, Eloy Sepulveda & Associates, A Joint Venture, to withdraw the Statement of Qualification submitted in response to the RFQ/P for “Delinquent Ad Valorem Tax Collection Services” on October 1, 2003 (acceptance date)..**

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

Commissioner Palacios, “For the record, I have not been contacted by any member of this committee. I Have not had any discussions with them.”

**CORRECTED PAGE****B. HIDALGO COUNTY PRECINCT NO 1-**

1. **Recommending bid award and approval of contract to the sole bidder meeting all requirements and/or specifications for RFB-“Landfill Access” project. A fully executed contract will be forwarded to both Hidalgo County Budget Office and Auditor’s Office.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the bid award and contract to BFI, a sole bidder, in the amount of \$2,175.00.

**C. HIDALGO COUNTY PRECINCT NO 2-**

1. **Requesting approval of Change Order No. 2 (increase) in connection with “McColl Road Improvements” in the amount of \$ 8, 993.63 with S&G Paving Co. Inc.**

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

2. **Requesting acceptance and approval with authority for Auditor to process payment(s) # 5 & 6 (final payment) *through a manual check* (after review, audit and processing procedures completed), for invoice(s) submitted by S&G Paving Company in connection with the McColl Road Improvements Project**

# 5	\$ 167,567.85
#6 (final)	\$ <u>92,841.46</u>
<b>Total</b>	<b>\$ 260,409.31</b>

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to Auditor’s review, as stated on the Agenda.

3. **Presentation for discussion, consideration, acceptance and approval of claims/invoices from two vendors Varmicon Industries with a total of \$ 18,096.00 and W.T. Liston with a total of \$ 10,888.20 for the purchase of pipes, inlet boxes and related supplies in connection with the South I Road Project acquired through quotes inasmuch as the pipes required were not part of the current pipe contract in place for Hidalgo County with authority for Auditor to issue payment (after review, audit and processing procedures completed) and as detailed in the grid provided and attached hereto;**

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

Steve Crain, legal counsel, “For the record, the item should be submitted as a claim. This item is a claim.”

4. **Presentation for discussion, consideration, acceptance and approval of an:**

**ORDER**

**AUTHORIZING ISSURANCE, SALE AND DELIVERY OF \$ 600,000.00 HIDALGO COUNTY, TEXAS TAX NOTES, SERIES 2003; PAYABLE FROM THE LEVY OF A DIRECT AND CONTINUING ANNUAL AD VALOREM TAX WITHIN THE LIMITS PRESCRIBED BY LAW AS AUTHORIZED PURSUANT TO CHAPTER 137, ACTS OF 73<sup>RD</sup> . LEGISLATURE, REGULAR SESSION 1993(GOVERNMENT CODE SECTION 1431.001 ET. SEQ.); PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON, AND MAKING OTHER PROVISIONS REGARDING SUCH NOTES AND MATTERS INCIDENT THERETO.**

NO ACTION taken on this item.

**D. HIDALGO COUNTY PRECINCT NO 3-**

- 1. Recommending bid award to the vendor submitting the lowest bid and meeting all specifications as recommended by project architect, George A. Garcia, (AGADC), for the construction of the Precinct No.3- Multi Service Center;**

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

Commissioner Palacios, "For the record, what is the total price on this?"

Marty Salazar, "The total price is \$1,561,709.00"

- 2. Presentation for consideration , discussion, acceptance and approval with authority for Auditor to pay (after, review, and processing procedures completed) invoice number One (1) in the amount of \$ 4,197.09 for reimbursable expenses under basic services and invoice number five (5) in the amount of \$4,900.00 for architectural services in connection of the design and construction of a Multi-Service Center in Hidalgo County Precinct No. 3 from George A. Garcia, (AGADC), project architect.**

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

- 3. Recommending bid award to the lowest bidder meeting all requirements as attached hereto for: "three (3) New Model 2003 Tandem Dump Trucks"**

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

- 4. Presentation for discussion, consideration of claims/invoices from Eduardo Garza, dba, Benny's Caliche Hauling in the amount of \$ 42,627.40 with the Court's acceptance and approval of a total billing of \$42,627.40 with authority for Auditor to issue a manual check today for \$\_\_\_\_\_ to vendor and subject to submission of executed "Affidavits of No Claims Made" from Benny's Caliche and any sub-contractors engaged during the hauling period.**

NO ACTION taken on this item.

- 5. Presentation for discussion, consideration and requesting approval of the final negotiated contract for "Right-of-Way Acquisition Provider Services- Precinct No. 3" to L&G Engineering, number one ranked firm. A fully executed copy of the contracts will be forwarded to both the Budget and Hidalgo County Auditor's Office, before the commencement of any work or presentations of any invoices for payment.**

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

**E. HIDALGO COUNTY PRECINCT NO 4-**

- 1. Requesting approval of Change Order No. 1 (increase) in connection with "Paving of 87<sup>th</sup> & Parking Lot" in the amount \$ 137.75 with Mission Paving Co. Inc.**

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

**F. HIDALGO COUNTY ADULT PROBATION (CSCD) DEPARTMENT –**

1. **Recommending award of RFP and approval of contracts for “TAIP Assessments and Outpatient Services CSCD” to New Buildings and Rio Grande Valley Council on Alcohol and Drug Abuse (RGVCADA), respectively. Fully executed copies of the contracts will be forwarded to both The Hidalgo County Budget Office and Auditor’s Office, before the commencement of any work or presentations of any invoices for payment.**

The item should read to “New Beginnings not New Buildings.”

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

**G. HIDALGO COUNTY AUDITOR’S DEPARTMENT-**

1. **Requesting authority to purchase a HP print/copy/scan machine from CDW Government, through the interlocal agreement with Department of Resources of Information Catalogue Program req # 36131 \$ 16,280.00**

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

**H. HIDALGO COUNTY BUILDINGS & GROUNDS DEPARTMENT-**

1. **Presentation of a report on the situation and circumstances surrounding the issuance of a Purchase Order # 521865 in the amount of \$ 6,360.12 to Finco Construction, contractor for the renovation of the basement at the Courthouse for the immediate repair of exposed electrical wiring and sealing of conduits to protect life and property during a weekend so as not to interrupt the operation of County business and as requested by Mr. Daniel Flores, Buildings & Grounds Director.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to ratify as stated according to Steve Crain, Legal Counsel.

**I. HIDALGO COUNTY CO. CLERK’S OFFICE-**

1. **Requesting authority to advertise an RFP for “Providing County Court at Law information for Hidalgo County Clerk’s Office on the Internet”.**

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

**J. HIDALGO COUNTY HEALTH DEPARTMENT-**

1. **Presentation for discussion, consideration and approval of an Interlocal Agreement between South Texas Community Collage and Hidalgo County Health Department in connection with Nursing/ Allied Health Program, subject to legal review.**

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

**K. HIDALGO COUNTY RISK MANAGEMENT-**

2. **Recommending bid award to the lowest bidder meeting all specifications attached hereto for: “One (1) New Model 2004 short bed pickup & one (1) New Model 2004 Extended Cab short bed truck”**

NO ACTION taken on this item.

**14. Closed Session:** (See Exhibit O)

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

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

- A. Real Estate Acquisition**
- B. Cause No. CL-39,207-D; Omar Ramon d/b/a River Valley Construction vs Hidalgo County**

NO ACTION taken on during Closed Session.

**15. Open Session:**

- A. Real Estate Acquisition**

NO ACTION taken on this item.

- B. Cause No. CL-39,207-D; Omar Ramon d/b/a River Valley Construction vs Hidalgo County**

NO ACTION taken on this item.

**16. Closed Session:**

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

NO ACTION taken on this item.

**17. 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 Commissioner Flores, the Court made a UNANIMOUS vote of approval to take a short recess.

After the Court reconvened, the Court continued with addendum #1, and then Addendum #2.

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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 REGULAR MEETING of the Commissioners' Court will be held on THURSDAY, OCTOBER 09, 2003, at 9:30 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 on the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (See Exhibit A)**
  - A. 370<sup>th</sup> District Court**
  - B. County Court at Law # 3**
  - C. County Court at Law # 4**
  - D. 92<sup>nd</sup> District Court**
  - E. 206<sup>th</sup> District Court**
  - F. J.P. Pct. #1, Pl. 2**
  - G. Sheriff Department (3)**
  - H. Elections Dept.**
  - I. Constable Pct #1**
  - J. District Clerk**
  - K. County Clerk**
  - L. Human Services**
  - M. Computer Dept.**
  - N. Buildings & Grounds**
  - O. District Attorney**
  - P. Pct #1-Sanitation**
  - Q. Pct #1-R&B**
  - R. Pct #2**
  - S. Pct #3-R&B**
  - T. Budget Office**
- 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 Fee Reports – September: (See Exhibit C)**
  - A. District Clerk \$ 286,959.15**

5. **Right of Way – Permits:** (See Exhibit D)
  - A. Southwestern Bell – along Terrace Rd. west of Old La Blanca Rd.
  - B. Southwestern Bell – along Old La Blanca Rd. between Mile 9 North Rd. and Terrace Rd.
  - C. Southwestern Bell – along Mile 9 North Road east of Old La Blanca Rd.
  - D. United Irrigation District – Los Ebanos Rd. north of centerline of Mile 8 North
  - E. North Alamo Water Supply – Mile 6 West on Mile 17 North
  - F. North Alamo Water Supply – west of Brushline Rd. on Pinkston Rd.
  - G. Sharyland Water – Monte Cristo Rd. & Big “5” Rd.
  
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 Edcouch
  - B. Request for approval of one (1) applicant for assistance under the HOME Homeowner Occupied Housing Rehabilitation Program – City of La Joya
  - C. Request cancellation of one (1) Housing Rehabilitation Loan Application in City of La Joya
  - D. Requesting cancellation of one (1) Housing Rehabilitation Loan Application in the City of Palmview
  - E. Requesting cancellation of two (2) commitment letters through the HOME Homebuyer Assistance Program
  
7. **Purchasing Department:** (See Exhibit F)
  - A. **HIDALGO COUNTY 206<sup>TH</sup> DISTRICT COURT-**
    1. Requesting authority to purchase computer hardware and peripherals from a CISV vendor, Dell Marketing, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 2,544.00. Subject and forwarded to the Computer Department for Review.
  - B. **HIDALGO COUNTY COMPUTER DEPARTMENT-**
    1. Requesting authority to purchase computer equipment from a CISV vendor, CDW Government, through the State of Texas Building and Procurement Catalogue Purchasing Program for req # 35994 in the amount of \$ 4,134.00
  - C. **HIDALGO COUNTY ELECTIONS DEPARTMENT-**
    1. Requesting authority to purchase computer software from a CISV vendor, Geographic Data Technologies, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 790.00. Forwarded and Subject to Computer Department for Review.
  - D. **HIDALGO COUNTY TAX OFFICE-**
    1. Requesting authority for services from The Software Group for the Data Conversion of tax information received from the Progreso I.S.D. in the amount of \$ 2,300.00.
    2. Requesting authority to enter into a maintenance agreement with Pitney Bowes for a Standalone Folder Machine in the amount of \$ 491.00 per year. Effective November 1, 2003 through October 31, 2004.
    3. Requesting authority to purchase telecommunication equipment from a CISV vendor, Phone Den, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 2,150.00

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on THURSDAY, OCTOBER 09, 2003 at 9:30 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 Add. #1

Judge Garcia and Commissioner Garza were absent.

**1. Purchasing Department – 370<sup>th</sup> District Court:**

**A. Presentation for discussion, consideration and approval of a request declare surplus an Xcribe Steno Ram II (stenograph machine), with asset #17641 & serial #7097777 for the purpose of trade-in for a rebate in the amount of \$ 500.00 after purchase of replacement unit from The Stenograph Corp. of the ElanMira realtime writer stenograph machine**

NO ACTION taken on this item.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to Take a ten-minute recess before proceeding with Addendum #2.

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on THURSDAY, OCTOBER 09, 2003 at 11:00 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 #2**

**See Exhibit Add. #2**

Commissioner Handy, "For the record, we reconvened at 11:30 a.m."

Judge Garcia and Commissioner Garza were absent.

**1. Health Department:**

**A. Approval of budget amendment for Biomist (mosquito spray)**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of Approval to purchase Biomist, a mosquito spray, for the amount of \$28,380.00 and possibly get an airplane to spray the Precincts.

**2. Closed Session:**

**Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.074 to discuss the following:**

**A. Interview of applicants for the position of Health Director for Hidalgo County**

NO ACTION taken on this item until there is a full Court.

**3. Open Session:**

**A. Selection of applicant for the position of Health Director for Hidalgo County**

NO ACTION taken on this item until there is a full Court.

**4. Closed Session:**

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

NO ACTION taken on this item. The Court did not go into Executive Session.

**5. Open Session:**

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

NO ACTION taken on this item. The Court did not go into Executive Session

**6. Risk Management:**

**A. Discussion of the Hidalgo County response to Texas Association of Counties (TAC) with regards to mold claims**

NO ACTION taken on this item.

**7. Purchasing Department:**

**A. Buildings & Grounds:**

**1. Requesting approval to exercise the additional 60 day grace period extension, as provided under the current contract, for “chiller service and repairs” under the same rate, terms and conditions with Advance Cooling, Inc.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on THURSDAY, OCTOBER 09, 2003 at 9:30 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 all items on the Drainage District's Consent Agenda.

Judge Garcia and Commissioner Palacios were not present.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge Permits: (See Exhibit P)**
  - A. Harold Munal – Cielo Azaul**

**COUNTY OF HIDALGO  
RAMON GARCIA  
COUNTY JUDGE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on THURSDAY, OCTOBER 09, 2003 at 9:30 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 Q**

**1. Roll Call**

All members of the Court were counted present with the exception of Judge Garcia and Commissioner Garza.

**2. Open Forum**

No presentations were made. NO ACTION taken on this item.

**3. Approval of Consent Agenda**

At this time the Court Moved to approve all items on the Drainage District's Consent Agenda.

**4. Discussion and action to release excess easement across lots 44-50 at Cardona at Bentsen Lake Phase II (Vol. 41, Page 99, map records, Hidalgo County**

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

**5. Discussion and action of request from the City of Pharr on relief of flooding in the Minnesota and Sugar Road area.**

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

Commissioner Palacios abstained from the vote due to potential conflict of interest.

Godfrey Garza, "For the record, we have a request from the City of Pharr that is addressed to Commissioner Palacios And I will read it for record purposes. Please accept this letter as a formal request for emergency relief due to the Recent flooding at Minnesota Terrace on East Minnesota Road. The City of Pharr has acquired the required Right of Way for storm water run-off. The Drainage District's assistant will provide their residents relief for future hazard from Torrential rains and also increase public safety on Minnesota Road due to flooding. The City will provide all Engineering And will remove all "inaudible" from the proposed Drainage District assigned by the Assistant City Manager."

Steve Crain, "For the record, this does benefit the Drainage District?"

Godfrey Garza, "Yes, it is within the District's boundary and fits within the cause of the District's existence."

**6. Purchasing Department:**

- 1. Recommending award of bid and approval of Contract for: "Drainage Improvements-City of Progreso" to low bidder meeting all required specifications. A fully executed copy of the contract will be forwarded to Hidalgo County Budget Office and Auditor's Office.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the bid award in the amount of \$103,690.00 to Asago, LLC with the

Recommendation of the engineer as well as the Drainage District Manager.

2. **Requesting approval of the final negotiated letter of engagement with Hicks Thomas & Liliensern, LLP, for the rendering of "Mineral Rights/ Lease Investigations" for Hidalgo County Drainage District No. 1, on an "As Needed Basis".**

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

**7. Closed Session:**

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

**Board of Directors 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**

NO ACTION taken on items A & B.

**8. Open Session:**

- A. **Real Estate Acquisition**
- B. **Potential Litigation**

NO ACTION taken on items A & B.

**9. Closed Session:**

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

NO ACTION taken on during Executive Session.

**10. Open Session:**

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

NO ACTION taken during Executive Session

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting at 12:00 noon.

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.

Dated this the 9<sup>th</sup> day of October, 2003

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

By: \_\_\_\_\_  
Priscilla Torres, Deputy

**I, JUAN D. SALINAS, III, County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on October 09, 2003.**

Signed this \_\_\_\_ day of \_\_\_\_\_ 2003.

**ATTEST:**

\_\_\_\_\_  
**JUAN D. SALINAS**  
**County Clerk and Ex-Officio Clerk**  
**Of the Commissioners' Court of**  
**Hidalgo County**