

REGULAR MEETING – OCTOBER 14, 2003

BE IT REMEMBERED, that on this 14th 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
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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 14, 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.

2. Pledge of Allegiance

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

3. Prayer

Judge Garcia called on Commissioner Handy to lead the Court and Audience in Prayer.

4. Open Forum

- Mr. Servando Ramirez, Mayor of Penitas, commented on flooding and damages done to homes in Barcelona Heights, Penitas.
- Mr. Godfrey Garza discussed drainage and flooding issues in the Penitas area.
- Mr. Virginia Townsend voiced her opinions on County Policies.
- Mr. Fern McClaugherty talked about County Vehicles.

5. Approval of Consent Agenda

At this time, the Court proceeded with the Consent Agenda.

6. Approval of Resolution honoring Mrs. Carolina Ayala for 37 years of service and dedication with the Hidalgo County Automobile Department (SEE EXHBIT F)

Commissioner Handy read the Resolution into the Record.

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

Commissioner Flores is away from the Court.

7. Approval of Resolution honoring Dr. Ida H. Acuna, County Extension Agent – Family & Consumer Sciences, County Coordinator for 27 years of services to Hidalgo County (SEE EXHBIT G)

Commissioner Handy read the Resolution into the record.

Present with Ms. Acuna are Nora Garza, Jennifer Burns, Patty Loya, Brad Cowen, and Dell Rankin.

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

8. Head Start: (SEE EXHBIT H)

- 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 Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to appoint Dr. Lucas Hinojosa for an additional one year term.

For the Record as per Commissioner Garza: Judge...it's not the veterinarian, it's the educator. Because there's two doctors, Lucas Hinojosa's.

9. Budget Office: (SEE EXHBIT I)

Commissioner Flores is away from the Court for item #9.

A. Sheriff Department – COPS More 2002:

- 1. Approval to create obj. #748 – other equipment & line item transfer - \$ 23,969.81**

See item H.

B. Indigent Defense Program:

- 1. Approval to create obj. #336 & line item transfer - \$ 800.00**

See item H.

C. 13th Court of Appeals:

- 1. Approval to create obj. #535 & line item transfer - \$ 152.35**

See item H.

D. J.P. Pct. #4, Pl. 2:

- 1. Approval to create obj. #748 & 746 & line item transfer - \$ 1,357.00**

See item H.

E. County Auditor:

- 1. Request approval to transfer accumulated fund balance of \$ 8,861.37 plus additional interest earned for 2003 from Hidalgo County Self Insurance Fund (2201) to General Fund**

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

F. Probate Court:

- 1. Approval to create obj. #748 & line item transfer - \$ 1,000.00**

See item H.

G. TABC:

- 1. Approval to unappropriate \$ 2,150.00 from Insurance Acct. & appropriate same into TABC acct.**

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

H. LLEBG (Auxiliary Court):

- 1. Approval to create obj. #350,432,442,531,535,550,583,584,601,602,630,631,662,743,745 & line item transfer - \$ 64,453.72**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 9.A, B, C, D, F, and H.

10. Urban County: (SEE EXHBIT J)

Commissioner Flores is away from the Court for item #10.

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

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

B. Requesting exemption form competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Noe Garza Engineers, Inc. in connection with Hidalgo County Pct. #4 for the design and reconstruction of streets located within Pct. #4

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

C. Approval of professional services engineering contract with Noe Garza Engineers, Inc. with Hidalgo County Pct. #4 for the design and reconstruction of streets located within Pct. #4

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

11. Buildings & Grounds: (SEE EXHBIT K)

Commissioner Flores is away from the Court for item #11.

A. Notification from Department of the Army regarding the transfer of an M60A3 Tank from the Hidalgo County Courthouse to The Mission Veterans' Memorial Park in Mission, Texas

NO ACTION taken on this item.

12. County Auditor: (SEE EXHBIT L)

Commissioner Flores is away from the Court for item #12.

A. Approval to delete four (4) payroll positions and one (1) assistant accounts payable auditor position from the County Auditor's 2003 budget and transfer/create said positions in the Treasurer's 2003 budget Position (slot #) 001-010, 001-011, 001-012, 001-013 and 001-019

NO ACTION taken on this item.

B. Transfer the budgeted salary and fringe benefit amounts associated with the above five (5) positions out of the County Auditor's 2003 budget and transfer said amounts into the County Treasurer's 2003 budget

C. Effective October 06, 2003 (for the payday of October 24, 2003)

Valde Guerra stated for the Record: We've officially transferred the monies from the Auditor's office to the Treasurer's Office. There was action taken on the 23rd that the intent and the action was to transfer these slots from the auditor's office to the treasurer's office. So, with respect to 12.A, by transferring the money, the positions are transferred as well. So, to clarify the record, the four payroll positions and the one assistant accounts payable, auditor's position have been effectively transferred from the auditor's office to the treasurer's office.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 12.B & C.

13. Planning Department: (SEE EXHIBIT M)**A. Preliminary Approval:**

Commissioner Flores was away from the Court for items A.1-6, B1-5, & D-F.

1. Westlake Subdivision – Pct. #1

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, with one entrance to the subdivision.

2. San Cristobal Subdivision – Pct. #4**3. Celia Subdivision – Pct. #2****4. South Tower Heights Subdivision – Pct. #2****5. Angelica Subdivision – Pct. #1****6. Hortencia's Subdivision – Pct. #4****B. Final Approval:****1. Sacame Subdivision – Pct. #1****2. Bio-O-Heaven Subdivision – Pct. #1****3. Tesoro Estates Phase II Subdivision – Pct. #1****4. Jeshua Subdivision – Pct. #1****5. Jardin Del Valle Apts. Phase I – Pct. #4**

Raul Sesin, Planning Department, clarified that on item 13.A.6. the Subdivision's name is Horestancia Subdivision.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 13.A.2-6 and 13.B.1-5.

C. Final Approval with Letter of Credit:**1. Pita Subdivision – Pct. #3**

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

After discussing item A.1 and C.1, the Court proceeded to go into Executive Session.

2. Berny Estates Unit I Subd. – Pct. #4**3. Camino Real Viejo No. 4 Subd. – Pct. #1****4. Haddonfield Subd. Phase II – Pct. #4****5. North Ridge Acres Subd. – Pct. #3**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 13.C.2-5. Commissioner Garza Abstained from item #C.4, and signed an affidavit. Specific votes as follow:

AYE: Judge Garcia, Commissioners' Handy and Palacios

NAY: None

ABSTAIN: Commissioners' Garza and Flores

Commissioner Flores was away from the Court.

D. Final Approval with a Cash Deposit:**1. Faith Fellowship Bible Church Subd. – Pct. #3****2. Catete Farms Subdivision**

Raul Sesin stated to the Board that Faith Fellowship Bible Church Subdivision had deposited with the County \$1,250.00, and Catete Farms Subdivision had deposited \$6,000.00, for improvements of the septic tanks.

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

E. Partial Release of Letter of Credit:**1. New Monte Cristo Phase III Subdivision – Pct. #3**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Garza was not present for this vote.

F. Partial Reimbursement of Cash Deposit:**1. Will Subdivision – Pct. #4**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Garza was not present for this vote.

14. Pct. #2: (SEE EXHIBIT N)

Commissioners' Flores and Garza were away from the Court for item #14.

A. Authorization to create full-time temporary Community Resource Center Coordinator for Parks & Recreation Department until December 31, 2003**B. Set salary in the amount of \$ 24,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 14.A & B, and monies would be appropriated from the Parks account.

C. Approval to create obj. #748 & line item transfer - \$ 1,000.00 (Road Adm. Acct.)**D. Approval to create obj. #604 & 679 & line item transfer - \$ 1,000.00 (CRC Acct.)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 14.C & D.

E. Approval to appropriate the Hidalgo County North San Juan Park Grant budget in the amount of \$500,000.00 for the period 08/29/02 to 08/31/05

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

15. Pct. #3: (SEE EXHIBIT O)

Commissioners' Flores and Garza were away from the Court for item # 15.

A. Requesting approval to unappropriate \$ 200,000.00 from C.O. 2002 Pct. #3 Heavy Equipment Acct. #3-1332-431-00-123-017-0-742 and appropriate same into Pct. #3 New Bldgs. Acct. #3-1332-419-00-123-016-0-720

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

B. Approval of Amendment to Tax Abatement Agreement with Rio Grande Snacks Co./Frito Lay

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

Commissioner Garza joined the meeting.

16. Pct. #4: (SEE EXHIBIT P)

Commissioner Flores was away from the Court on item #16.

- A. Requesting approval and authorization for County Auditor to issue payment (after review, and processing procedures completed) to Mission Paving Co., Inc. in the amount of \$ 12,012.75 for the following:**
 - 1. Invoice #5356199 – (paving of 87th St. & Parking lot) P.O. #518728**

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

17. 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 this item.

At this point, the Court proceeded into Executive Session for the second time.

18. Purchasing Department: (SEE EXHIBIT Q)

Commissioner Flores was away from the Court for all of item #18.

A. HIDALGO COUNTY –

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

- 1. New Hidalgo County Jail:**

Total inmate population:	_____ 1174 _____	Other Information:	
Physical Count:	_____ 1080 _____	Males	_____ 1096 _____
Out of County:	La Villa _____ 86 _____	Females	_____ 78 _____
	Brooks _____ 0 _____ Federal _____ 16 _____	Other	_____ 8 _____

- 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) **Presentation for discussion, consideration, acceptance and approval of Request for Payment #1, in the amount of \$ 19,012.50 submitted by V-A Architecture, project architect, in connection with the Shooting Range Facility w/6 Lane Jogging Track to be constructed on site of the New Adult Detention Facility, Law Enforcement Center, Motor Pool & Maintenance Bldg., and Law Enforcement Training Facility located on El Cibolo Road, Edinburg, Texas;’**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval. Commissioner Handy was away from the Court for this item.

- 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 for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provide in contract) with AmeriPride Services.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Handy was away from the Court for this item.

- 5. 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 (subject to funding)**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Handy was away from the Court for this item.

- 6. Requesting authority to advertise for: "Language Interpreter/Translation Services" for the following departments, including but not limited to: a) Health Department (as mandated by funding source) b) WIC Program (as mandated by funding source) and any other departments/programs requiring said services on an "AS NEEDED BASIS" ONLY.**

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

- 7. Requesting acceptance and approval of Request for Payment No.5 in the amount of \$ 129,513.00 (dated 02-18-03) from V-A Architecture with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the architectural services contract for the design and construction of a new Juvenile Justice Center (Detention Center) Project;**

Correction as stated by Marty Salazar, Purchasing Department, is in the amount of \$123,513.00, and not \$129,513.00.

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

B. HIDALGO COUNTY PRECINCT NO 1-

- 1. Recommending bid award to the vendor submitting the lowest bid meeting all specifications as recommended by project engineer, Sigler, Winston, Greenwood & Assoc., Inc. Pct 1 project titled "Excavation Sub grade 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 Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$205,542.00.

- 2. Presentation for consideration, discussion, acceptance and approval of Invoice Number Four (4) for buildings 1 & 2 in the amount of \$ 21,120.00 and Invoice Number Five (5) for building 3 in the amount of \$ 11,700.00 in connection with the architectural services for the renovations of the existing facilities of the multi-purpose center building as submitted by project architect, George A. Garcia, AGADC**

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

C. HIDALGO COUNTY PRECINCT NO 2-

- 1. Requesting authority to purchase telephone equipment from a CISV vendor, Starr Telecommunication, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 7,420.00. Forwarded and Subject to Computer Departments Review.**

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

2. 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 73RD. 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

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

D. HIDALGO COUNTY PRECINCT NO 3-

1. Requesting authority to advertise and approval of specifications attached hereto for: "Supplying and Installing Liner for Cell "O" and "P" at Penitas Landfill"

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

2. Requesting discussion, consideration, acceptance and approval of claims with totals for the following;

(a) Contreras Electric	\$ 92.00
(b) Dunn's Auto Repair	\$ 410.00
(c) Spikes	\$ 222.57
(d) Express Lube	\$ 86.75
(e) VSL	\$ 49.00

with authority for Auditor to issue payment after, review, audit and processing procedures completed.

Marty Salazar clarified that this item was for the Constable's Dept. and not a Pct. #3 item.

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

3. Presentation for discussion, consideration of claims/invoices from Eduardo Garza, dba, Benny's Caliche Hauling in the amount of \$ 42,627.40 (in invoices) 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 \$ 42,627.40 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 as well as any other required required documentation.

Commissioner Garza clarified for the Record: Eduardo Garza is no relation to me.

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

E. HIDALGO COUNTY 370TH DISTRICT COURT-

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

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

2. **Requesting authority to purchase an Elan Mira real time stenograph machine from a state awarded vendor, Stenograph, through the State of Texas Building & Procurement Catalogue Purchasing Program in the amount of \$ 4,520.00.**

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

F. HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE-

1. **Presentation for discussion, consideration, acceptance and approval of a claim in the amount of \$49.28 from Ortiz Auto Repair with authority for Auditor to issue payment after review, audit and process procedures completed**

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

G. HIDALGO COUNTY JUDGE'S OFFICE –

1. **Requesting authority to purchase telephone equipment from CISV vendor, Starr Telecommunications, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 17,710.52. Forwarded and Subject to Computer Department Review.**

CORRECTION as read by Marty Salazar was in the amount of \$11,395.00, and not as stated on the agenda.

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

Commissioner Garza stepped away from the Court.

2. **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 for six (6) computers at \$ 1, 371.00 each and two (2) laptops \$ 2,544.01 each. Forwarded and Subject to Computer Departments Review.**

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

H. HIDALGO COUNTY HEALTH DEPARTMENT-

1. **Requesting approval to remove from inventory a 1998 Ford F-150 Pick up, asset number 033146. Vehicle was involved in an accident and declared a "Total Loss".**

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

Commissioner Garza joined the meeting, and Judge Garcia excused himself from the meeting.

I. HIDALGO COUNTY ELECTIONS DEPARTMENT-

1. **Requesting discussion, consideration, acceptance and approval of claims from Wal-Mart totaling \$137.01 with authority for Auditor to issue payment after, review, audit and processing procedures completed.**

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

J. HIDALGO COUNTY RISK MANAGEMENT-

1. **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"**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve Philpott Motors in the amount of \$28,593.00.

K. HIDALGO COUNTY YOUTH VILLAGE-

1. **Presentation for discussion, consideration, acceptance and approval of a claim in the amount of \$298.00 from Goodyear Auto Parts Service Center with authority for Auditor's to issue payment after review, audit and process procedures completed.**

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

L. HIDALGO COUNTY TX. COOP. EXTENSION SERV.-

1. **Presentation for discussion, consideration, acceptance and approval of a claim(s) for the following:**
 - a) **Req. # 001054 Broadway Hardware \$ 21.15 Acct. # 3-1100-461-00-380-001-0-671**
 - b) **Req. # 001055 Staples \$ 23.78 # 3-1100-461-00-380-001-0-601**
 - c) **Req.# 001056 Carwash Carwash \$ 39.94 # 3-1100-461-00-380-001-0-434****with authority for Auditor to issue payment after review, audit and process procedures completed.**

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

19. Closed Session: (SEE EXHIBIT R)

- 1.) On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to go into Executive Session. Item # 19.B will not be discussed. Commissioner Flores was away from the Court.
- 2.) On motion of Commissioner Garza, seconded by Commissioners' Palacios and Handy, the Court made a UNANIMOUS vote of approval to go into Executive Session on items pending litigation. Commissioner Flores was away from the Court.

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 to discuss the following:

- A. Real Estate Acquisition**
- B. Sale of Real Estate**
- C. Pending and/or potential litigation**
- D. Pending/potential litigation – Gerald Schuller vs. Hidalgo County and Hidalgo County Sheriff's Department**
- E. Evaluation of duties and responsibilities of the Human Resources Director/Civil Service Secretary**
- F. Interview of applicants for the position of Health Director for Hidalgo County**
- G. Cause #CL-39,207-D; Omar Ramon dba River Valley Construction vs. Hidalgo County**

20. Open Session: (SEE EXHIBIT R)

NO ACTION taken during Executive Session the 2nd time around. Commissioner Flores was away from the Court.

A. Real Estate Acquisition

NO ACTION taken on this item.

B. Sale of Real Estate

NO ACTION taken on this item. It was not discussed during Executive Session.

C. Pending and/or potential litigation

NO ACTION taken on this item. This item was deferred until next week.

D. Pending/potential litigation – Gerald Schuller vs. Hidalgo County and Hidalgo County Sheriff's Department

NO ACTION taken on this item. This item was deferred until next week.

E. Evaluation of duties and responsibilities of the Human Resources Director/Civil Service Secretary

NO ACTION taken on this item. This item was deferred until next week.

F. Selection of applicant for the position of Health Director for Hidalgo County

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

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval that the employment of Mr. Olivarez to be effective in two weeks from today.

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

NO ACTION taken on this item. This item was deferred until next week.

After approval of the Open Session items, the Court continued with item #6. (The first time the Court went into Executive Session)

The 2nd time the Court went into Executive Session, the Court Continued with item #18.

21. Budget Office – Human Resources/Civil Service: (SEE EXHBIT S)

A. Approval of line item transfer

B. Approval to set salary (effective 10/14/03)

NO ACTION taken on item 21.A & B.

22. Closed Session:

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

NO ACTION taken on this item.

23. Open Session:

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

NO ACTION taken on this item.

On motion of Commissioner Garza, 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 14, 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.

No concerns were stated by the Auditor.

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Border Colonia Access Program Pct. 4**
 - B. U.S. Dept. of Justice COPS More 2002 Grant**
 - C. Right of Way**
 - D. R & B – Adm.**
 - E. Health – T.B. Elimination**
 - F. Health – OPHP**
 - G. Health – Sanitation**
 - H. Health – Clinics**
 - I. Probate Court**
 - J. Constable Pct. #3 (2)**
 - K. 93rd District Court (2)**
 - L. 370th District Court**
 - M. 389th District Court (2)**
 - N. 398th District Court**
 - O. J.P. Pct. #4, Pl. 1**
 - P. Pct. #1 – R & B**
 - Q. Pct. #2 – Sanitation**
 - R. Pct. #2 – Adm.**
 - S. Pct. #2 – Parks**
 - T. Pct. #3 – Landfill**
 - U. County Judge**
 - V. Elections Department**
 - W. Tax Office**
 - X. Fire Marshal**
 - Y. Constable Pct. #5**
 - Z. Adult Probation**
 - AA. Veterans Services**
- 3. Planning Department: (SEE EXHIBIT B)**
 - A. Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**

4. Urban County: (SEE EXHIBIT C)**A. Requesting cancellation of one (1) Housing Rehabilitation Loan Application in the City of Mercedes****5. Tax Refunds: (SEE EXHIBIT D)**

Taxpayer	Payer	Amount
A. Edinburg Real Estate Network	Edinburg Real Estate	3,058.09
B. Margarita Vela & Alma Carrera	Margarita Vela	1,254.34
C. Rafael & Elvia L. Ornelas	Lone Star National	607.78
D. Consuelo Ramirez	Consuelo Ramirez	560.96
E. Forest Valley Development LTD.	Forest Valley Dev.	2,042.26
F. Forest Valley Development LTD.	Forest Valley Dev.	1,293.89
G. L. Juan Vasquez	Pablo Rodriguez	505.12
H. John W. & Sandra S. Hamann	Nationsbanc Mort.	927.38
I. Edinburg Real Estate Network I	Edinburg Real Estate	742.21
J. Elisa L. Castillo	Elisa L. Castillo	640.85

6. Purchasing Department: (SEE EXHIBIT E)**A. HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY-**

1. Requesting authority to purchase computer equipment from a CISV vendor, CDW- Government, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 500.86. Subject and Forwarded to the Computer Department Review.

B. HIDALGO COUNTY JUDGE'S OFFICE-

1. Requesting authority to purchase computer printers from a CISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount \$ 323.57.

C. HIDALGO COUNTY JUVENILE PROBATION-

1. Requesting authority to enter into a 60-month lease agreement with Xerox for CC65 Digital Copier through State Contract 985-A3 under the Texas Building Procurement in the amount of \$ 440.64 a month. Effective upon approval.

D. HIDALGO COUNTY TAX OFFICE-

1. Requesting authority to purchase computer equipment from a CISV vendor, Multiwave, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 237.75. Forwarded and Subject to Computer Department Review.

E. HIDALGO COUNTY ROAD & BRIDGE ADMINISTRATION DEPARTMENT-

1. Requesting authority to enter into a 36-month lease agreement with Xerox Copy Machine in the amount of \$ 220.66 a month. Effective upon approval
2. 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 \$1,395.00. Forwarded and Subject to Computer Department Review.
3. Requesting authority to purchase a Laser Jet Printer from a CISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 3,278.20. 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, OCTOBER 14, 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

Commissioner Flores was away from the Court on this item.

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve all items listed on the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfer - \$ 707.75 (SEE EXHIBIT T)**
- 3. Line item transfer - \$ 2,000.00 (SEE EXHIBIT T)**

**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 TUESDAY, OCTOBER 14, 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

1. Roll Call

All members of the Court were counted present, with the exception of Judge Garcia and 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 proceeded with the Consent Agenda.

4. Approval of Joint Resolution between Hidalgo County Drainage District #1 and Delta Irrigation District to share information/studies regarding water shed (SEE EXHIBIT U)

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

5. Approval to de-obligate \$ 10,000.00 (dept. 000-006) (SEE EXHBIT V)

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

6. Approval of budget amendment - \$ 10,000.00 (dept. 000-001) (SEE EXHIBIT V)

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

Steve Crain: Commissioner (Handy)...When you approved the Consent Agenda, that was the entire Consent Agenda, and not just the item we were discussing. Is that correct?

Commissioner Handy: That is correct.

7. 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.

8. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

9. Closed Session:

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

NO ACTION taken on this item.

10. Open Session:

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

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting at 12:15 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.

Dated this the 14th 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 14, 2003.

Signed this ____ day of _____ 2003.

ATTEST:

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