

REGULAR MEETING – NOVEMBER 10, 2003

BE IT REMEMBERED, that on this 10th day of November, 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-OFFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

Oscar L. Garza, Jr.
Commissioner, Pct. #4

COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 10, 2003 at 10:00 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:

Judge Garcia informed the Court that they could not reconvene Friday's meeting, November 7, 2003. Steve Crain, Legal Counsel, advised the Court that since there was a two day break, it would be impermissible to reconvene the meeting.

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

- Terry Crocker, Chief Executive Officer of Tropical Texas for MHMR, discussed the appointments to MHMR and effects of funding cuts.
- Dolores Castillo voiced her concerns regarding the BFI Landfill lawsuit and its effects.
- Jimmy Steidinger commented on the BFI Landfill.
- Virginia Townsend commented on the BFI Landfill.
- Fern McLaugherty voiced her opinions regarding the county's attorney and the redistricting.

At this time, the court took a short recess, and proceeded with the Drainage District Agenda. .

5. Approval of Consent Agenda

At this time the Court proceeded with the Consent Agenda.

6. Planning Department: (SEE EXHIBIT G)

A. Preliminary Approval:

1. Un Nuevo Amanecer Subdivision – Pct. #1

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

B. Final Approval:

1. Sandhill Subdivision Phase I – Pct. #4

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

C. Reimbursement of Cash Deposit:

1. Alfonso Flores Subdivision – Pct. #4

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$1,000.00.

7. Head Start: (SEE EXHIBIT H)

A. Discussion and approval for Request for Qualifications of Preparation of Guidelines and Fundraising Procedures Manual for Center Parent Committees and Policy Council

Presentation made by Mrs. Teresa Flores. NO ACTION taken on this item.

Commissioner Garza left the meeting.

8. Budget Office: (SEE EXHIBIT I)

A. Pct. #3:

1. Approval of line item transfers – CIP 2001 & 2002

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

Judge Garcia left the meeting.

B. Fire Marshal:

1. Approval to create obj. 607 & line item transfer

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$150.00.

C. Approval of budget amendments:

1. **General Litigation** - \$60,000.00
2. **Fire Marshal** - \$3,000.00
3. **Pct. #3 – Landfill** - \$105,000.00
4. **Jail Project Fund 1330** - \$68,651.66

Valde Guerra for the Record: It is \$60,000.00 for Litigation, \$105,000.00 for the Landfill. That would give you an approximate fund balance for today of \$5,052,566.83. Your three (3) budget amendments for the General Fund total out, there's additional budget amendments on the agenda under Human Services. But your total budget amendments for today are \$206,928.29.

Judge Garcia joined the meeting.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.C.1-4.

D. Human Services:

1. **Authorization to create position of hospital base eligibility worker position #26 Rio Grande Regional Hospital**

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

2. **Authorization to set salary at \$ 20,380.18 for 2003 and \$ 21,806.79 for 2004 (7% salary increase)**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to set the salary for year 2003 in the amount of \$ 20,380.18.

NO ACTION taken on the salaries for year 2004.

Commissioner Garza joined the meeting.

3. **Request budget amendment in the amount of \$ 3,928.29 for 2003 & appropriate same**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the corrected amount of \$2,364.27

Commissioner Garza joined the meeting.

E. County Extension:

1. **Approval to create obj. 746 & line item transfer**

F. Juvenile Justice Court:

1. **Approval to create obj. 540 & line item transfer**

Motion of item 8.E, F, and G on next page.

G. 370th District Court:**1. Approval to create obj. 748 & 550 & line item transfer**

County Extension line item transfer was in the amount of \$3,100.00, Juvenile Justice Court transfer was in the amount of \$368.00 and 370th District Court was in the amount of \$19,499.07.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.E-G.

9. Urban County: (SEE EXHIBIT J)**A. Approval of Program Amendment – Pct. #4 – UCP Year 15 (2002)**

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

B. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with Quintanilla, Headley & Associates in connection with City of Edcouch for the design of plans and specifications for the Edcouch Water/Sewer Improvements Year 16 (2003)

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

C. Approval of professional services engineering contract with Quintanilla, Headley & Associates with City of Edcouch for the design of plans and specifications for City of Edcouch Water/Sewer Improvements Year 16 (2003)

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

D. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with Halff & Associates in connection with City of Progreso for the design of UCP Year 16 (2003) Street Improvement Project

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

E. Approval of professional services engineering with Halff & Associates with the City of Progreso for the design UCP Year 16 (2003) Street Improvements Project

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

10. Pct. #2: (SEE EXHIBIT K)

A. Discussion and possible action to approve Interlocal Agreement between the City of San Juan and the County of Hidalgo for Arco Iris, Las Palmas and Primavera II Subdivision

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

11. Pct. #4: (SEE EXHIBIT L)

A. Requesting approval and authorization for County Auditor to issue payment (after review and processing procedures completed) to SASCON Inc. for a total of \$ 94,905.29 for the following four invoices:

Inv. #1 – (paving of Lane Sub. I & II)	\$32,852.04	P.O. #522775
Inv. #1 – (paving of Trenton Rd.)	\$26,720.25	P.O. #517398
Inv. #1 – (paving of Monte Cristo Sub.)	\$23,994.75	P.O. #517399
Inv. #1 – (paving of Tower Rd. Sub.)	\$11,338.25	P.O. #517512

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

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: \$95,672.97 - with a balance of \$4,509,467.00.**

This item was approved through the Consent Agenda.

- 2. Indigent Health Care expenditures**
- 3. Modify Services being provided**
- 4. Report and Recommendations regarding Indigent Health Care**

Presentation made by Rudy de la Vina. NO ACTION taken on item 12.A.1-4.

13. Risk Management: (SEE EXHIBIT N)

A. Discussion, consideration and action regarding Public Officials Endorsement for excluded coverages on certain public officials

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

14. Purchasing Department: (SEE EXHIBIT O)

A. HIDALGO COUNTY –

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

- 1. New Hidalgo County Jail: Total inmate population: 1097 Other Information: 9**

Physical Count:	<u>1076</u>	Males	<u>1000</u>
Out of County:	La Villa <u>13</u>	Females	<u>76</u>
	Brooks <u>0</u>	Federal	<u>15</u>

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) **Recommending bid award to the vendor submitting the lowest bid for item A and Item A. 1 (Law Enforcement Shooting Range and Canopy) respectively;**
- b) **Recommending to reject bids received on Bid Items B&C and re-advertise same through consultation with project engineer Quintanilla, Headley & Assoc.;**

Presentation made by Tommy Canul. NO ACTION taken on item 14.A.3.a & b.

c) County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment approval;

NO ACTION taken on this item.

d) 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.

Commissioner Garza left the Court.

4. Requesting authority for any Hidalgo County Department (subject to appropriation and funding) to participate in and enter a Procurement Card Service Contract with Bank One, awarded contractor, under the Texas Building and Procurement Commission.

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

5. Discussion and action on approval of sole respondent as qualified for award of “Grade & Step Consulting Services- Hidalgo County” RFQ&P.

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

6. Requesting authority for Purchasing Department to direct Legal Counsel to negotiate a final contract for “Grade & Step Consulting Services - Hidalgo County” with firm meeting all requirements.

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

Commissioner Garza joined the meeting.

7. **Presentation for consideration, discussion and approval of final negotiated contract for “Delinquent Tax Collection Services-Hidalgo County” with Number One ranked firm meeting all requirements. Fully executed copies of the contracts will be forwarded to both the Budget Office Hidalgo County Auditor’s Office, before the commencement of any work or presentations of any invoices for payment.**

NO ACTION taken on this item.

8. **Recommending approval of final negotiated contract for “Deferred Compensation and/or Voluntary Insurance Plans Consultant Services - Hidalgo County” with sole respondent meeting all requirements. Fully executed copies of the contract will be forwarded to both the Budget Office and Hidalgo County Auditor’s Office, before the commencement of any work or presentations of any invoices for payment.**

On motion of Commissioner Handy, seconded by Commissioners’ Flores and Garza, the Court made a UNANIMOUS vote of approval with a fee of \$18,500.00 and an additional \$50.00 per month fee on an as needed basis, subject to funding.

9. **Requesting approval of floor plans as reviewed and accepted by DPS-(Sergeant Felipe Escobedo) for the building under construction and as awarded on September 2, 2003 for the “Lease of Office Space for Department of Public Safety (DPS) In The City of Weslaco”**

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

10. HIDALGO COUNTY

Commissioner Palacios Abstained from this item, and excused himself from the Court.

Presentation fro discussion, consideration, acceptance and approval of claims/invoices with authority for Auditor to issue payment after review, audit and processing procedures completed for the following:

a) Hidalgo County Court At Law No. 2	- El Fenix Bakery-	\$ 9.00	3-1100-412-00-022-001-0-630;
	-Wall paper Express	\$ 349.75	3-1100-412-00-022-001-0-431;
b) Hidalgo County Law Library	West Group Payment Center	\$ 800.00	3-1247-412-50-100-000-0-640;
	Same as Above	\$1,681.40	same as above;
	Staples, Inc.	\$ 269.96	3-1257-412-50-100-001-0-600;
	Corporate express	\$ 250.60	3-1247-412-50-100-001-0-602;
c) Hidalgo County Youth Village	-Ace Fire & Sound	\$ 160.00	3-1248-423-33-310-001-0-432;
	-Buster Lind Produce (2 req.)	\$ 45.20	3-1248-423-33-310-001-0-630;
	-Flowers Baking Co.	\$ 8.43	same as above;
	-Exquisita Tortillas	\$ 15.55	same as above;
	-Jones & Cook	\$ 75.00	3-1248-423-33-310-001-0-432;
	-Sysco (2 req.)	\$1,027.70	3-1248-423-33-310-001-0-630;
	-Valley Bottle Water (2 req.)	\$ 42.50	3-1248-423-33-310-001-0-608;
d) Hidalgo Co. Const., Pct. 3	-Dunn’s Auto Repair	\$ 80.00	3-1100-421-00-293-001-0-432;
	-Filter on Quick	\$ 50.95	3-1100-00-293-001-001-0-434;
	-Goodyear Service	\$ 130.69	3-1100-421-00-293-001-0-432;
	-VSL	\$ 119.00	same as above

-Motion on next page.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval of item 14.A.10.

Commissioner Flores stepped away from the Court.

B. HIDALGO COUNTY PRECINCT NO. 1-

- 1. Requesting approval of a contract with Sascon, Inc. (as awarded by Commissioner's Court on 10-14-03) for the project titled, "Excavation Subgrade Preparation, Placement of Curb and Gutter and Storm Sewer Facilities for Mile 6 North from FM 1015 Easterly Canal". A fully executed copy of contract will be forwarded to both Hidalgo County Budget and Auditor's Office.**

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

- 2. Presentation for consideration, discussion, acceptance and approval of Invoice Number Seven (7) totaling \$ 2,000.00 for buildings 1,2&3 in connection with architectural services for the renovations of the existing facilities of the multi-purpose center buildings as submitted by project architect, George A. Garcia, AGADC, (subject to appropriation) with authority for Auditor to issue payment after review, audit and processing procedures completed;**

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

- 3. Presentation for discussion, consideration, acceptance and approval of Application & Certificate for Payment No. 1 (and with all required documentation submitted) from Rio Valley Const., Inc. in the amount of \$ 54,921.37 (subject to appropriation) and as certified by project architect, George A. Garcia in connection with the roof installation of Precinct No. 1's multi-purpose center with authority for Auditor to issue payment after review, audit and procedures completed.**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Requesting authority for surveys, appraisals, and acquisition of additional right of way on Pueblo Street in Lopezville, Texas;**

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

D. HIDALGO COUNTY PRECINCT NO.3-

- 1. Recommending bid award and approval of contract to the lowest bidder meeting all specifications attached hereto for: "Construction of a Restroom Facility at Anzalduas Park as recommended by project architect AGADC. A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.**

*Continuation of item 14.D.1.

Correction stated by Marty Salazar: We inadvertently have placed the wrong object code. It should be corrected to #739, which is funded at \$64,971.02.

Low bidder is Finco Construction @ \$64,000.00.

On motion of Commissioner Handy, seconded by Commissioner Garza, 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 “Lane I & II Subdivision Paving Improvements” in the amount \$4,303.29 with Sascon Inc.**

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

- 2. Presentation for consideration, discussion acceptance and approval of Invoice No. 5 –ENG 447 from J. E. Saenz & Associates, Inc. in the amount of \$ 35,100.00 with authority for Auditor to issue payment (after review, audit and processing procedures completed) in connection with services rendered to date on the Landfill Cap and Closure,PhaseII, Part B;**

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

- 3. Presentation for consideration, discussion, acceptance and approval of claim (Inv. ENG 384) from J.E. Saenz & Associates, Inc., in the amount of \$ 1,502.50 with authority for Auditor to issue payment (after review, audit and processing procedures completed) in connection with engineering services required to comply with County’s obligation to pave area rendered for Nuestra Clinica Project.**

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

F. HIDALGO COUNTY HUMAN SERVICES-

- 1. Authority to advertise an RFP or RFB for: “Funeral & Burial Services for Paupers for Hidalgo County”.**

Mr. Pyle commented/made a presentation on “Funeral & Burial Services for Paupers for Hidalgo County”.

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

G. HIDALGO COUNTY SHERIFF'S DEPARTMENT-

1. **Requesting authority to purchase computer software from CISV vendors, SHI-Government Solutions and Uptime Devices, Inc., through the State of Texas building and Procurement Catalogue Purchasing Program in the total amount of \$53,242.00. Forwarded and reviewed by Computer Department.**

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

2. **Requesting appointment of purchasing dept. and/or other designated parties to grade & evaluate the responses received for the (RFP/Q) "Physician Services" for the Hidalgo County Adult Detention Facility, for the purpose of presentation of scoring grid to Commissioner's Court to rank as "qualified."**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve the appointments of Dr. Cortinas (present provider) and Dr. Ivan Melendez.

Commissioner Palacios joined the meeting.

H. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM-

1. **Requesting authority to purchase telecommunication equipment from, SBC DataComm, a vendor on State contract Texan 200-SWB-EPI through the Interlocal agreement with the State of Texas Department of Information Resource (DIR) in the amount of \$ 18,616.00 to include installation and equipment. Forwarded, Reviewed, and Recommended by I.T. Department.**

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

2. **Requesting authority to enter into a service agreement with SBC DataComm for two DSI circuit at \$ 280.00 a month and \$ 220.00 a month. Effective upon approval.**

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

I. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 2-

1. **Recommending bid award and approval of contract for: "Road Construction of Whitewing Subdivision" to low bidder meeting all specifications. (Colonia Access Program Project)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve E.M. Roth Inc.

2. **Requesting authority to advertise for: "Flexible Base Material" (Force Account standard revised) (Colonia Access Program Project)**

NO ACTION taken on this item.

15. Pct. #1: (SEE EXHIBIT P)

- A. Discussion, consideration & action on progress report as it pertains to additional work required at the Weslaco Multi-Purpose Facility**
- B. Authorization to advertise for “Remediation of existing and/or additional affected areas”**

NO ACTION taken on item 15.A & B.

16. Closed Session: (SEE EXHIBIT Q)

All members of the Court were present, with the exception of Commissioner Flores.

1. On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to go into Executive Session, as stated on the agenda.
2. On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to go into Executive Session, for the second time, to discuss item 16.E.

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

- A. Real Estate Acquisition**
- B. Potential Litigation – Noelia Sanchez Rodriguez**
- C. Cause #T-131-03-E; Pharr-San Juan-Alamo I.S.D., Hidalgo-Kenedy Co. Education District No.1, City of Alamo, STCC and Hidalgo County vs. Rene Garza aka Rene Ramon Garza, individually & dba Mr. Taco, et. al**
- D. Potential Litigation – Roswitha Herold**
- E. Cause #CL-39,207-D; Omar Ramon dba River Valley Construction vs. Hidalgo County**
- F. M-03-156; Wanda Diaz, individually and as next friend of Roberto Castillo, Jr., minor child and as representative of the estate of Roberto Castillo, Sr., deceased vs. Hidalgo County and Enrique Escalon, Hidalgo County Sheriff and unknown deputies of the Hidalgo County Sheriff’s Office**

NO ACTION taken the first time the Court went into Executive Session.

NO ACTION taken the second time the Court went into Executive Session.

17. Open Session: (SEE EXHIBIT Q)

All members of the Court were present, with the exception of Commissioner Flores.

A. Real Estate Acquisition

NO ACTION taken on this item.

B. Potential Litigation – Noelia Sanchez Rodriguez

NO ACTION taken on this item.

C. Cause #T-131-03-E; Pharr-San Juan-Alamo I.S.D., Hidalgo-Kenedy Co. Education District No.1, City of Alamo, STCC and Hidalgo County vs. Rene Garza aka Rene Ramon Garza, individually & dba Mr. Taco, et. Al

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to contract the Law Firm of Thorton and Summers, to look after the interests of Hidalgo County.

D. Potential Litigation – Roswitha Herold

NO ACTION taken on this item.

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

- 1.) Presentation made by Omar Ramon regarding Linda Vista Subdivision. NO ACTION taken on this item. The Court went into Executive Session, for the second time, to discuss this item only.
- 2.) Commissioner Garza informed Mr. Omar Ramon that the County’s attorney would be contacting his attorney regarding the case. NO ACTION taken on this item.

F. M-03-156; Wanda Diaz, individually and as next friend of Roberto Castillo, Jr., minor child and as representative of the estate of Roberto Castillo, Sr., deceased vs. Hidalgo County and Enrique Escalon, Hidalgo County Sheriff and unknown deputies of the Hidalgo County Sheriff’s Office

NO ACTION taken on this item.

18. Closed Session:

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

NO ACTION taken on this item.

19. 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 Handy, the Court made a UNANIMOUS vote of approval to adjourn this meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 10, 2003, at 10:00 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.V and 2.DD.

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

2. Line item transfers: (SEE EXHIBIT A)

- A. Human Resources**
- B. County Court #2**
- C. R & B – Adm.**
- D. Pct. #1 – R & B**
- E. Pct. #1 – Parks**
- F. Pct. #1 – Adm.**
- G. Pct. #1 – Sanitation (2)**
- H. Pct. #2 – R & B**
- I. Pct. #2 – Adm.**
- J. Pct. #3 – Parks**
- K. Pct. #4 – R & B**
- L. Sheriff Department**
- M. Sheriff – Jail (2)**
- N. Fire Marshal**
- O. Planning Department**
- P. Tax Office**
- Q. Buildings & Grounds**
- R. County Clerk**
- S. County Court #1**
- T. 92nd District Court**
- U. 389th District Court**
- V. Health – Adm. (2) – NO ACTION taken on this item.**
- W. Health – Clinics**
- X. Health – Title V**
- Y. Health – T.B. Control**
- Z. Health – Title V Family Planning Grant**

Consent Agenda :

Item #2 continued:

AA. Border Colonia Access Program – Pct. 2

BB. Border Colonia Access Program

CC. D.A. – Gen. Fund

DD. Sheriff's L.E.O.S.E. (2) – NO ACTION taken on this item.

EE. WIC

FF. J.P. Pct. #4, Pl. 2 (2)

GG. Health – Mobile Clinic

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. J.P. Palacios	55,190.49
B. J.P. Espinoza	40,455.87
C. J.P. Morales	25,022.52
D. J.P. Ochoa	43,048.84
E. J.P. Saenz	20,748.85
F. J.P. Trevino	44,301.40
G. J.P. Garza	52,037.31
H. J.P. Contreras	32,749.88
I. J.P. Jackson	19,024.06
J. Law Library	5,285.50
K. Sheriff Escalon	42,823.09
L. Anzalduas Park	1,148.04
M. Delta Lake	388.01
N. Constable Aguirre	1,760.00
O. Constable Alaniz	800.00
P. Constable Gallardo	780.00
Q. Constable Rios	1,480.00
R. Constable Bazan	580.00

5. Urban County: (SEE EXHIBIT D)

A. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the Home Program (7 families)

6. Right of Way – Permits: (SEE EXHIBIT E)

A. North Alamo Water Supply:

- **Sioux Rd. east of FM 1423**
- **Mile 9 ½ on Mile 4 ½**
- **Mile 5 ½ north of Mile 19N**
- **Mile 10N on Mile 4W**

Consent Agenda:

Item #6 continued:

- **Canton Rd. on Tower Rd.**
- **Tower Rd. on Minnesota Rd.**
- **Tower Rd. on Minnesota Rd.**

7. Purchasing Department: (SEE EXHIBIT F)

A. HIDALGO COUNTY COURT NO. 2-

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 \$ 3,333.84. Forwarded and Subject to I.T. Departments Review.**

B. HIDALGO COUNTY COMPUTER DEPARTMENT-

1. **Requesting authority to purchase computer equipment req # 37631 from a CISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$ 140.00.**

C. HIDALGO COUNTY CIVIL SERVICE-

1. **Requesting authority to enter into a rental agreement with Xerox for a 5855CA Copier under State of Texas contract 985-A5 through the State of Texas Building and Procurement in the amount of \$336.00 a month. Effective upon approval.**

D. HIDALGO COUNTY PARKING LOT SECURITY-

1. **Requesting authority to purchase uniforms with embroidery from a vendor on the State of Texas CMBL. Galls, in the amount of \$1,140.54.**
2. **Requesting authority to purchase a Dome Security Camera from a vendor on the State of Texas CMBL, Rio Radio Supply, in the amount of \$ 2,091.50. Forwarded and Subject to I.T. Departments Review.**

E. HIDALGO COUNTY RISK MANAGEMENT-

1. **Requesting authority to purchase computer supplies req# 38442 from a CISV vendor, S.J.S., through the State of Texas and Procurement Catalogue Purchasing Program in the amount of \$166.00. Forwarded and Subject to I.T. Department Review.**

F. HIDALGO COUNTY 275TH DISTRICT COURT-

1. **Requesting authority to purchase computer hardware, equipment, software and peripherals from the following CISV vendors through the State Texas building and Procurement Catalogue Purchasing Program in the amount of \$4,741.00 for Dell marketing and \$1,953.44 from CDW- Government.**

G. HIDALGO COUNTY HUMAN RESOURCES-

1. **Requesting authority to purchase security equipment from CISV vendor, Starr Telecommunication, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$3,968.00.**
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 \$ 4,305.00. Forwarded and Subject to I.T. Departments Review.**

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

**Oscar L. Garza, Jr.
Board Member**

NOTICE

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 MONDAY, NOVEMBER 10, 2003 at 10:00 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

The Court RECESSED the Commissioners' Court meeting and proceeded with the Drainage District Agenda.

1. Roll Call

All members of the Court were counted present.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

At this point, the Court proceeded with the Drainage District Consent Agenda.

4. Approval of Monthly Estimate #1 to Mercer & Ussery Inc. in the amount of \$37,635.30 (Business 83 outfall irrigation line adjustment) (SEE EXHIBIT R)

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$37,635.30, subject to all proper documents being submitted.

5. Purchasing Department: (SEE EXHIBIT S)

- A. Requesting exemption from competitive bidding requirements and approval of contract for professional/ engineering services for Soil Testing Services with Millennium engineering Group, for the “North and South Levee I Road” Project, on an “as needed basis”. A fully executed copy of the contract will be forwarded to Hidalgo County Budget and Treasure’s Office.**

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

- B. Requesting authority to participate in and enter into a Procurement Card Service Contract with Bank One, awarded contractor, under the Texas Building and Procurement Commission.**

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

- C. Requesting approval for advertisement for: RFP- Governmental Accounting Software**

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

6. Closed Session: (SEE EXHIBIT T)

On motion of Commissioner Garza, 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. C-3216-99A; North Alamo Water Supply Corporation, Jimmy Steidinger, and Hidalgo County Irrigation District No. 1 vs. BFI Waste Systems of North America, Inc. and BFI, Inc.**

NO ACTION taken on this item.

7. Open Session: (SEE EXHIBIT T)

- A. Real Estate Acquisition**

NO ACTION taken on this item.

- B. C-3216-99A; North Alamo Water Supply Corporation, Jimmy Steidinger, and Hidalgo County Irrigation District No. 1 vs. BFI Waste Systems of North America, Inc. and BFI, Inc.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to reject any and all offers currently on the table and to proceed with the case.

8. Closed Session:

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

NO ACTION taken on this item.

9. 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 Commissioners' Flores and Handy, the Court made a UNANIMOUS vote of approval to adjourn the Drainage District Meeting.

At this point, the Court resumed with the Commissioners' Court meeting.

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 MONDAY, NOVEMBER 10, 2003 at 10:00 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

**DRAINAGE DISTRICT
(SEE EXHIBIT U)**

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

All members of the Court were present at this point.

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Line item transfer - \$ 25,000.00**
- 3. Line item transfer - \$ 10,000.00**
- 4. Discharge Permits:**
 - A. Mission CISD – Raquel Cavazos Elem. School**
 - B. City of Edinburg – Hacienda Las Fuentes**
- 5. Permits:**
 - A. Hesco Gathering Company – Trenton & “I” Rd.**

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 10th day of November, 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 November 10, 2003.

Signed this _____ day of _____ 2003.

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

(Seal)

By: _____
Priscilla Torres, Deputy Clerk