

SPECIAL MEETING – February 17, 2004

BE IT REMEMBERED, that on this 17th day of February, A.D., 2004, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOSE FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

and **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

STATE OF TEXAS §

COUNTY OF HIDALGO §

COMMISSIONERS' COURT MINUTES

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 17, 2004 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 Commissioner Garza.

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

- Dr. Paul Diaz commented on the Health Services District.
- Godfrey Garza gave a brief summary on the trip to Washington, D.C. last week.

Commissioner Garza joined the meeting.

5. Approval of Consent Agenda

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

6. Approval of Official Bond: (See Exhibit H)

A. Eduardo Bazan, Constable Pct. #5

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

7. Tax Office – Armando Barrera: (See Exhibit I)

A. Approval of Interlocal Cooperation Agreement between Hidalgo County and Bermea's Volkland Inc. dba Mid Valley Express, for the issuance of Motor Vehicle License Renewal Stickers

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval of agreement between Hidalgo County and Bermea's Volkland, Inc.

8. Sheriff Department – Chief Castellanos: (See Exhibit J)

A. Approval to authorize the County Treasurer to process payment of clothing allowance to a non-uniform officer in the Sheriff’s Office and make payment of same in conjunction with the regular payroll of February 27, 2004

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

B. Presentation and discussion of the 2003 Racial Profiling Report as presented by the Hidalgo County Sheriff’s Department in accordance with Article 2.133 of the Texas Code of Criminal Procedures

Presentation made by Roy Quintanilla.

NO ACTION taken on this item.

C. Discussion and action to adjust slot #002-296 from \$ 23,376.37 to \$ 25,357.50 annually due to an increase of duties and licensing of the employee

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

9. Planning Department – Raul Sesin: (See Exhibit K)

A. Final Approval:

1. Los Naranjos Subdivision – Pct. 4

Raul Sesin stated, “For the record, we do not have colonia’s we have rural subdivisions”.

The subdivision is not in Pct. 4, it is in Pct. 3. It is a typographical error.

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

B. Release of Letter of Credit:

1. North Ridge Acres Subdivision – Pct. 3

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

10. Right of Way – Godfrey Garza: (See Exhibit L)

A. Discussion and recommendation for approval of Road Map for Hidalgo County

NO ACTION taken on this item.

11. County Auditor – Tony Sandoval: (See Exhibit M)

A. Discussion and action on “Agreement to extend period of Limitation” on various funds to allow Comptroller of Public Accounts sufficient time to complete an extensive audit

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

12. Urban County – Diana Serna: (See Exhibit N)

A. Request for authorization to purchase playground equipment for the Skate Park from Skateboard International, Inc. for City of Donna – Parks, Recreational Facility Project using UCP funds from Year 16 (2003)

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

B. Approval of a budget/program amendment for the City of Progreso using UC Year 14 (2001) funding for street improvements, Year 15 (2002) and Year 16 (2003) funding for Parks, Recreational Facilities

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

Commissioner Garza stepped away from the Court.

C. 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 the City of Edcouch for the design of Year 15 & 16 streets

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

D. Approval of professional services engineering contract with Quintanilla, Headley & Associates with City of Edcouch for the design of Year 15 & 16 streets

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

Commissioner Garza joined the meeting.

E. Approval of Interlocal Agreement between the County of Hidalgo and Proyecto Azteca, a Nonprofit Organization, for the Colonia Self Help Center Initiative Program Contract #723013

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

F. Approval of Construction Contract with All Pro Contractors, Inc. – City of Granjeno – Public Facilities – UC Years 13, 14, 15 & 16 (2000-2003)

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

G. Approval of a Budget/Program Amendment for the City of San Juan using UC Year 16 (2003) funding for street improvements

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

13. County Judge – Lorie Ochoa: (See Exhibit O)

A. Approval of Resolution supporting Proposition 13 introduced by State Representative Roberto Gutierrez

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

B. Discussion, consideration and possible approval of Resolution requested by Texas Association of Counties seeking the assistance of all county officials in Texas to support the proposed amendment prohibiting unfunded mandates

NO ACTION taken on this item.

14. Health Department – Eddie Olivarez: (See Exhibit P)

A. Requesting authorization and approval to dispose of dental equipment through the county surplus – equipment acquired from Smith County Public Health District – June 11, 1999 (see attached list)

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

B. Authorization and approval to accept the donation from the Texas Department of Human Services consisting of pre-owned office computers and accessories – the equipment will be added to the Health Department’s inventory list and properly tagged (see attached materials list)

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

C. Requesting authorization and approval to dispose of out dated computer equipment through the county’s surplus – the used equipment was donated from the Texas Department of Health on March 2000 (list attached)

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

D. Requesting authorization and approval to delete position #042 Advance Nurse Practitioner (acct. #4-1100-441-00-340-003) and create Family Nurse Practitioner (title change only – no budgetary impact)

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

Steve Crain stated, “For the record, the position is vacant”.

Commissioner Garza stepped away from the Court.

15. Indigent Defense Program – Judge Flores: (See Exhibit Q)

A. Request approval to accept Formula Grant

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

16. District Clerk – Omar Guerrero: (See Exhibit R)**A. Overview and status of the District Clerk's office during current tenure****B. Approval on Agreement between Hidalgo County and the Office of the Attorney General Contract No. 04-C0118****C. Presentation for discussion, consideration and action of the following:**

- Acquisition of module/component to the current jury system software called the Juror Information Management Systems
- Acquisition of the replacement of twenty (20) computers due to the necessity in preparation for eventual scanning capabilities

NO ACTION taken on this item.

Valde Guerra stated that Mr. Guerrero is still feeling under the weather. They will be placed on next week's Agenda.

At this time Commissioner Garza joined the Court.

17. Budget Office – Valde Guerra: (See Exhibit S)**A. 275th District Court – Approval to create obj. 534 & line item transfer - \$ 3,619.00**

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

B. Approval of budget amendments to properly fund in 2004 approved P.O.'s that were encumbered in 2003 for various accounts/fund:

1. General Fund
2. Workers' Comp Fund
3. Special Revenue Fund
4. Border Colonia Fund
5. Jail Project Fund
6. Certificates of Obligation 2001 Fund
7. Certificates of Obligation 2002 Fund

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

Commissioner Garza stepped way from the Court.

18. Human Services – Rudy De La Viña: (See Exhibit T)**A. Discussion and/or action, including, but not limited to the following items:**

1. Authorization to pay claims:

2003	<u>55,337.34</u>
2004	<u>87,966.07</u>
2. Indigent Health Care expenditures

Presentation made by Ruby De la Vina.

The total expenditures to date is \$2,344,965.62

Commissioner Handy stepped away from the Court.

19. Buildings & Grounds – Daniel Flores: (See Exhibit U)

- A. Status of old jail building**
- B. Maintenance of county grounds**
- C. Status of renovation of administration building**

Presentation made by Daniel Flores.

NO ACTION taken on items 19.A, B & C.

20. Pct. #2 – Comm. Palacios: (See Exhibit V)

A. Approval to create obj. 741 (vehicles) & 742 (heavy equipment) and line item transfers:

- **R & B Acct. \$337,691.50**
- **Landfill Acct. \$230,910.75**

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

Commissioner Garza joined the meeting.

B. Approval to create obj. 671 (bldg. r & m supp.) & line item transfer – CRC Acct. - \$ 200.00

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

C. Approval to create obj. 742 (heavy equipment) & line item transfer – CIP Acct. - \$ 62,277.43

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

D. Approval to delete vacant Mechanic I position for County Wide Shop

E. Approval to create Mechanic II position – County Wide Shop

F. Set salary at \$ 23,056.00

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on Items 20. D, E, & F.

Commissioner Palacios stepped away from the Court.

21. Pct. #3 – Comm. Flores: (See Exhibit W)

A. Discussion and approval of Interlocal Cooperation Agreements between the County of Hidalgo and the City of Alton, Sullivan, Granjeno & Palmview

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

B. Discussion and action to authorize County Auditor to process payments through manual checks, for ROW Acquisitions as certified by TXDOT and Pct. #3 – the project contract #C-03-173-10-09 (FM 1924 ROW Acquisition) for the area from SH 107 to FM 494 (dollar amount not to exceed \$ 200,000.00)

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

Tony Sandoval commented that these monies are to expand the Right of Way acquisitions located in Pct. 3 through the Department of Transportation.

22. Pct. #4 – Comm. Garza: (See Exhibit X)

A. Request authorization to enter into an Interlocal Cooperation Agreement between City of Edinburg and the County of Hidalgo on the following: Tres Hermanos Rd.

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

B. Approval of Invoice #ENG 441 in the amount of \$ 75,027.40 from J.E. Saenz & Associates, Inc. with authority for County Auditor to issue payment (after review, and processing procedures completed) in connection with CIP Paving Improvements Projects Contract #02-281-12-10

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

C. Approval to unappropriate \$ 200,000.00 from Acct. #4-1200-431-00-260-001-0-711 & appropriate same into Acct. #4-1204-431-00-124-007-0-711

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

D. Request authorization and approval to create the following FLSA Exempt position: Park Director

E. Request to set salary - \$ 24,900.00

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

Commissioner Palacios joined the meeting.

23. Purchasing Department – Marty Salazar: (See Exhibit Y)

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail: Total inmate population: 1,029 Other Information:

Physical Count:	<u>1,022</u>	Males	<u>959</u>
Out of County: La Villa	<u>0</u>	Females	<u>63</u>
Brooks		Federal	<u>12</u>

Commissioner Garza stepped away from the Court.

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

Marty Salazar stated that there was nothing to report.

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

a) Detention Facility Law Enforcement Center Design- Build Contract Action (if necessary);

- 1. Requesting exemption from competitive bidding requirements under section 262.024(a)(4) for professional/legal services with the law firm of Montalvo and Ramirez;**

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

- 2. Requesting approval of a letter of engagement with Montalvo and Ramirez for legal services in connection with pending litigation for the New Law Enforcement Center & Adult Detention Facility with authority for attorney to engage necessary consultants;**

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

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

Marty Salazar Stated there was nothing to report.

Commissioner Garza joined the meeting.

Commissioner Flores stepped away from the Court.

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:

- 1. Shooting Range Facility- at the request of the project architect, V-A Architecture, bid opening date of 2-04-04 extended to 2-25-04 with additional advertising to attract more participation;**
- 2. Shooting Range Berm-bid opening took place as scheduled and published on 2-04-04, project engineer, Quintanilla, Headley & Associates currently tabulating and evaluating bids to recommend award;**
- 3. Possible construction options for additional pod(s)-status of a request for qualifications for architectural services pending clarification on ownership of architectural documents.**

According to Marty Salazar, there was Nothing to report on items C.1, 2 & 3.

4. Requesting authority to purchase, lease and/or rent (whichever is most advantageous to county) approximately 24 copiers for the departments listed below through participation

with Texas Building & Procurement Commission state awards and programs including other purchasing cooperative programs and inter-local agreements such as, TASB, TCPN for: Health Dept. including clinics-sanitation-adm., Purchasing, County Clerk, 92nd . State District Court, J.P. –Pct.1-Pl.2, J.P.-Pct.2, J.P.-Pct.3-Pl.2, Pct.1-Parks, Veterans, County Judge, and Constable-Pct.3

The Court decided take action after Executive Session.

NO ACTION taken on this item.

5. Requesting approval to execute the contract for consulting services with Insurance Advisory Group, Inc.

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

6. Presentation for 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: “Exhibit A” attached hereto.

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

Commissioner Handy joined the meeting.

Judge Garcia stepped away from the Court.

7. Requesting authority to exercise the sixty (60) day grace period under the current contract for “Leasing of Vehicles”, so as to have no lapse in service while bid process is on going.

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

8. Requesting authority to advertise and approval of draft specifications as attached hereto for “Leasing of Vehicles” project.

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

9. Pursuant to the Court’s directive (02-10-04), requesting authority to re-advertise for “Engineering Services Hidalgo County” for the purpose of expanding the engineering pool participation and allowing the 24 current respondents to either pick up their packets and resubmit or leave their packets until the next acceptance date of March 10, 2004.

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

B. HIDALGO COUNTY PRECINCT NO. 1-

1. Requesting approval of draft specifications as attached hereto for “Lease of Office Space City of Weslaco- Pct No. 1” project approved for re-advertising on 2-10-04.

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

2. **Presentation for discussion, consideration, acceptance and approval of Application and Certificate for payment No.1, for period through 1-31-04 from Spacemaker Construction in the amount of \$11,780.00 with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the contract for remodeling and/or improvement of the Pct. 1-Multi-purpose Center and as certified by project architect, George A. Garcia, AGADC**

Commissioner Flores joined the meeting.

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

C. HIDALGO COUNTY PRECINCT NO. 3-

1. **Requesting exemption from competitive bidding under the Texas Local Government Code 262.024(a)(4) for professional engineering services with Cook-Joyce, Inc. in connection with the “Peñitas Landfill Project” of Precinct No.3**

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

2. **Requesting approval of a professional engineering services contract, subject to legal review, with Cook-Joyce, Inc. in connection with the “Peñitas Landfill Project” of Precinct No. 3. Fully executed copies of the contracts will be forwarded to both the Budget Office and Hidalgo County Auditor’s Office.**

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

3. **Presentation for consideration, discussion, acceptance and approval with authority for Auditor to pay (after review, audit and processing procedures completed) invoice numbers six (6) and seven (7) in the amounts of \$7,377.00 and \$2,144.00 respectively 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 Garza, the Court made a UNANIMOUS vote of approval.

D. HIDALGO COUNTY PRECINCT NO. 4-

1. **Presentation for consideration, discussion, acceptance and approval of an invoice in the amount of \$58,150.94 from Absolute Waste Services contracted vendor for the Landfill Closure and Capt Construction Project with authority for Auditor to issue payment (after review, audit and processing procedures completed);**

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

2. **Presentation for consideration, discussion, and approval to accept an offer (based on the specifications and requirements drafted and as recommended by project engineer, J.E. Saenz & Associates, Inc.) from Absolute Waste Services, a CMBL vendor under the Texas building & Procurement Commission's program in the amount of \$30,000.00 in connection with services necessary due to unforeseen nor anticipated supplemental contouring of approximately 6,000 cubic yards of structural fill at the northwest corner of the landfill;**

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

Judge Garcia joined the meeting.

3. **Presentation for consideration, discussion, acceptance and approval of a contract in an amount with Absolute Waste Services for the detailed in item B above and subject to funding. Note: Fully executed copies of the contract will be forwarded to both Auditor and Budget offices.**

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

4. **Requesting authority to advertise and approval of specifications for: "One (1) New Unused 2004 Tractor" with authority to finance purchase in accordance with the Public Finance Act, Texas Local Government Code, § 271.000, et.Seq., and in accordance with the terms for the form of the contract covering the purchase.**
5. **Approval of an "Order" authorizing issuance of \$188,016.00 County of Hidalgo Personal Property Note, Series 2004 prescribing the terms and form thereof; levying a continuing direct annual ad valorem tax for the payment of said notice; approving the sale and delivery of the note; and making other provisions regarding such note and matters incident thereto.**
6. **Requesting approval to purchase (subject to funding through items 4&5 above) through the inter-local agreement with Houston Galveston Area Council (H-GAC) Vendors: Dallas Mack Sales, L.P. and Dickson Equipment Co. from Dallas, Texas, with specifications, attached hereto and as requested by the Precinct for:**

Item	Description:	Qty	Unit Price	Total Price
	"Two (2) New (unused) 2004 Mack CV713 Granite Cab & Chassis Roll-Off Truck" FOB Precinct No.4.(from Dallas Mack).	2	\$70,722.00	\$141,444.00
	H-GAC FEES			\$600.00
A.	SUB-TOTAL ITEM #1			\$142,044.00
	"Two (2) New (unused) 2004 G & H Roll Off Hoist and Tarper" (from Dickson Equip)	2	\$22,786.00	\$45,572.00
	H-GAC FEES			\$400.00
B.	SUB-TOTAL ITEM #2			\$45,972.00
C.	(A + B) TOTAL:			\$188,016.00

NO ACTION taken on items D.4, 5 & 6.

E. HIDALGO COUNTY HEALTH DEPARTMENT-

1. **Requesting approval of draft specifications as attached hereto for "Licensed Nurse Practitioner" project.-**

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

F. HIDALGO COUNTY COMMUNITY SERVICE AGENCY-

1. **Requesting cancellation of previous project (No. 03-208) authorized by Commissioner's Court on July 22, 2003 and requesting authority to advertise and approval of modified specifications as well as contract terms and conditions (as dictated by funding source) as attached hereto for: "Repairs and /or Replacements of Refrigerator, Central & Window A/C and Heater". RFB**
2. **Requesting cancellation of previous project (No. 03-209) authorized by Commissioner's Court on July 22, 2003 and requesting authority to advertise and approval of modified specifications as well as contract terms and conditions(as dictated by funding source) as attached hereto for: "Repairs and/or Replacement of Electric, Propane or Natural Gas Water Heaters". RFB**
3. **Requesting cancellation of previous project (No. 03-209) authorized by Commissioner's Court on July 22, 2003 and requesting authority to advertise and approval of modified specifications as well as contract terms and conditions(as dictated by funding source) as attached hereto for: "Repairs and/or Replacement of Heater & Propane Gas Tanks". RFB**

On motion of Commissioner Palacios, seconded by Commissioner Garza and Handy, the Court made a UNANIMOUS vote of approval on items F.1, 2 & 3.

Commissioner Garza stepped away from the Court.

G. HIDALGO COUNTY CLERK-

1. **Requesting authority to advertise and approval of specifications attached hereto for: "Lease of Office Space in the City of Mission" RFB**

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

H. HIDALGO COUNTY WIC PROGRAM-

1. **Presentation for award of a sole quote received meeting all specifications and requirements as attached hereto with approval of the lease contract for a: "Short Term Lease Space for WIC Clinic in the South City of McAllen". Note: Fully executed copies of the contract will be forwarded to Hidalgo County Auditor's and Budget Office.**

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

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

24. Closed Session: (See Exhibit Z)

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. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Potential Litigation – IKON/IOS CAPITAL**

NO ACTION taken on these items.

25. Open Session: (See Exhibit Z)

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Potential Litigation – IKON/IOS CAPITAL**

NO ACTION taken on these items.

26. Closed Session:

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

27. Open Session:

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

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 17, 2004, 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 of approval.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Line item transfers: (See Exhibit B)**
 - A. 389th District Court**
 - B. County Court #5**
 - C. J.P. Pct. #2, Pl. 1**
 - D. J.P. Pct. #5, Pl. 1**
 - E. Pct. #1 – Landfill**
 - F. Pct. #3 – Landfill**
 - G. Tax Office**
 - H. County Clerk**
 - I. Buildings & Grounds**
 - J. Purchasing Department**
 - K. Sheriff Department**
 - L. Constable Pct. #5**
 - M. D.A. – Bad Checks**
 - N. Pct. #1 – Parks**
 - O. Elections Department**
- 3. Planning Department: (See Exhibit C)**
 - A. Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**
- 4. Right of Way – Permits: (See Exhibit D)**
 - A. North Alamo Water Supply – FM 493 on Mile 20 North**
 - B. North Alamo Water Supply – 3rd St. on Mile 17 ½**
 - C. North Alamo Water Supply – Curry Rd. on Tower Rd.**
 - D. North Alamo Water Supply – Nolana Rd. on I Rd.**
 - E. North Alamo Water Supply – Mile 11 North & Mile 2 ½ West**

- F. Southwestern Bell – Thomas Drive east of FM 2061**
- G. Texas Eastern Transmission – Alberta Rd.**
- H. Texas Eastern Transmission – Sioux Rd.**
- I. Texas Eastern Transmission – Owassa Rd.**

5. Monthly Fee Reports – January: (See Exhibit E)

- A. County Clerk – \$ 471,086.19**
- B. District Attorney - \$ 162,529.53**
- C. District Clerk - \$ 225,398.82**

6. Tax Refunds: (See Exhibit F)

- A. Paul M. Anderson \$ 4,000.00**

7. Purchasing Department: (See Exhibit G)

A. HIDALGO COUNTY CLERK’S OFFICE-

- 1. Requesting authority to enter into a lease agreement with Dicaphone Corp. on a Dictaphone in the amount of \$ 79.15 a month for one year (Req #43138). Effective upon approval.**

B. HIDALGO COUNTY DISRICT ATTORNEY –

- 1. Requesting authority to purchase computer software from a CISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Purchasing Program for Req # 44500 in the amount of \$ 769.95.**

C. HIDALGO COUNTY ELECTION’S-

- 1. Requesting authority to enter into a maintenance agreement with Southwest Business Machines in the amount of \$ 883.00 for nine (9) typewriters, two (2) lathem time stamps, and one (1) time recorder. Effective January 1, 2004.**

D. HIDALGO COUNTY TAX OFFICE-

- 1. Requesting authority to enter into a maintenance agreement with ABA Moriah Corporation for the maintenance of a line printer on Req # 44406 in the amount of \$1,845.00 for one year. Effective upon approval.**

E. HIDALGO COUNTY WIC PROGRAM-

- 1. Requesting authority to enter into a maintenance agreement for sixteen (16) copiers with Digital Office Systems for the following; four copiers CS1500 in the amount of \$24.99 a month (all on req # 41676). Effective January 1, 2004 through August 31, 2004.**

DRAINAGE DISTRICT BOARD OF DIRECTORS

NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, FEBRUARY 17, 2004 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 AA)

1. Roll Call

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

2. Open Forum

No presentations were made during Open Forum.

3. Approval of Consent Agenda

At this time the moved to approve the Consent Agenda.

4. Approval of pay request #1 to Asago, L.L.C. for the amount of \$ 25,521.75 (Progreso Drainage Improvement Project)

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

5. Approval to increase P.O. for Gutierrez Engineering on the South "I" Rd. Project in the amount \$30,000.00 to cover reimbursable amounts for geotechnical services

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

6. 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.

7. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

8. Closed Session:

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

9. Open Session:

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

On motion of Commissioner Handy, seconded by Commissioner Palacios and Commissioner Palacios, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, FEBRUARY 17, 2004 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
(See Exhibit BB)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge Permit:**
 - A. County of Hidalgo – Pct. #3 Multi-Purpose Complex Subdivision**
- 3. Purchasing Department:**
 - A. Requesting authority to purchase computer and telecommunication equipment from a CISV vendor, Global Data Systems through the State of Texas Building and Procurement Catalogue Purchasing Program for Req # 44472 in the amount of \$4,228.40.**

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 17th day of February, 2004

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

By: OFFICIAL MINUTES
Ruby Guerra, Deputy

I, JUAN D. SALINAS, III, County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on February 17th 2004.

Signed this _____ day of _____ 2004.

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

(Seal) By: _____
Ruby Guerra, Deputy

