

SPECIAL MEETING – February 24th, 2004

BE IT REMEMBERED, that on this 24th 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
AGENDA**

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 24, 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 Flores.

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

Gilbert Garza expressed his gratitude to the the Court for the approval of the Resolution regarding taxes and The elderly.

Dr. Lori Ochoa commented on items that were discussed at the Washington D.C. trip to benefit Hidalgo County.

Virginia Townsend commented on the ethics involved when individuals employed in the precincts work on the Commissioner's campaigns.

Fern McClaugherty commented on the check Hidalgo County issued to the Health Services District during last week's meeting.

Abel Cisneros of Border Waterworks commented on the projects completed by this Non-Profit Organization and presented the County with an award for their continuing support.

5. Approval of Consent Agenda

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

6. Urban County – Diana Serna: (See Exhibit G)

A. Approval to rescind professional services architectural contract with Alcocer, Garcia Associates Design Consulting, with the City of Alamo for design and construction of a Neighborhood Facility (Library)

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

B. Approval of a Subrecipient Agreement with the Boys & Girls Club of Alamo (Youth Services) and the UCP on behalf of the City of Alamo and Pct. #1 – UCP Year 16 (2003)

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

C. Approval to appropriate \$ 36,610.17 and approve budget using the existing Urban County Conference Account for use by Urban County Program

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

Tony Sandoval pointed out that there is a breakdown of the Budget, and it is not Federal Funds as she stated earlier. The usage of funds is about 44% of the Budget.

7. Head Start – Teresa Flores: (See Exhibit H)

A. Discussion and approval to renew Interlocal Agreement for the Elsa Head Start Center

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

At this time Commissioner Handy stepped away from the Court.

B. Requesting approval of Memorandum of Understanding between Hidalgo County Head Start Program and The Rensselaerville Institute

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

C. Discussion and approval to advertise for sealed bids on the following repairs:

- 1. Air conditioning repairs**
- 2. Plumbing repairs**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve items 6.C.1 & 2.

8. Human Services – Rudy De La Viña: (See Exhibit I)

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

- 1. Authorization to pay claims:**

2003	<u>62,673.05</u>
2004	<u>133,341.44</u>
- 2. Indigent Health Care expenditures**

Presentation made by Rudy De La Vina.

9. **Sheriff Department – Roy Quintanilha:** (See Exhibit J)
- A. **Approval to appropriate December 31, 2003 fund balance (unreserved) in the amount of \$66,883.93 in the Sheriff’s Investigation Fund 104 for the year 2004**
 - B. **Approval to appropriate the December 31, 2003 fund balance (unreserved) in the amount of \$ 15,930.48 in the Sheriff’s Inv. Fund 102 for the year 2004**
 - C. **Approval to appropriate the December 31, 2003 fund balance (unreserved) in the amount of \$ 4,732.01 in the Sheriff’s Federal Sharing – U.S. Dept. of Justice Fund for the year 2004**
 - D. **Approval to appropriate the December 31, 2003 fund balance (unreserved) in the amount of \$ 77,567.30 in the Sheriff’s Federal Sharing – U.S. Department of Treasury Fund for the year 2004**

Tony Sandoval stated that should there be any unpaid expenditures over 5,000 dollars they will have to adjust the 2003 fund balance and come back to the Court and take the monies out of 2004 fund balance.

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

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

A. **Preliminary Approval:**

- 1. **Pueblo Estates Subdivision Unit No. 1 – Pct. #4**
- 2. **Llamas Subdivision – Pct. #3**
- 3. **Huisache Acres No. 4 Subdivision – Pct. #2**
- 4. **Eli Subdivision – Pct. #4**
- 5. **Danny’s Subdivision – Pct. #2**

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

B. **Final Approval:**

- 1. **La Plazita Subdivision – Pct. #1**
- 2. **Monica Estates Subdivision – Pct. #3**

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

At this time Commissioner Handy joined the Court.

C. **Final Approval with Cash Deposit:**

- 1. **Nacahuita Acres Subdivision – Pct. #1**

Raul Sesin stated, “For the record, Nacahuita Acres Subdivision is a seven lot subdivision with a cash deposit in the amount of \$7,000 deposited with the County in escrow. The cash is already there for the septic tank installation which will be done at a later date.

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

- 2. **Joel Fuentes Subdivision – Pct. #3**

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

D. Final Approval with Letter of Credit:

1. Cielo Azul No. 5 Subdivision – Pct. #1

Raul Sesin stated, "For the record there is a Letter of Credit for a 35 Lot Subdivision from Texas State Bank #1940S amount of \$259,724.00 which is for the improvements paving drainage septic tank.

2. Rio Rico East Subdivision – Pct. #1

Raul Sesin stated, "For the record, Rio Rico East and Rio Rico West have the same Letter of Credit even though there are two different plats. They have the same owner. The Letter of Credit is in the amount of \$82,000 from Texas State Bank and it is form # 1897-F.

At this time the Court made a motion on items 10.D.1, 2 & 5.

3. MGM Grand Ranches Subdivision – Pct. #4

4. Los Venados Phase 2 Subd. – Pct. #4

On motion of Commissioner Handy, seconded by Commissioner Palacios the Court made a UNANIMOUS vote to approve items 10.D.3 & 4.

Commissioner Garza abstained from this vote due to the fact that he owns both these subdivisions.

5. Rio Rico West Subdivision – Pct. #1

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve items 10.D.1, 2 & 5.

11. Budget Office – Valde Guerra: (See Exhibit L)

A. WIC:

1. Approval to create obj. #890 (other) & line item transfer

B. Civil Service:

1. Approval to create obj. 339 (other prof. serv.) & line item transfer - \$ 25,000.00

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve items 11.A-1 & B-1.

C. Probate Court:

1. Approval of budget amendment - \$ 51,500.00 (Fund 1243)

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

12. Health Department – Eddie Olivarez: (See Exhibit M)

A. Requesting authorization and approval to extend Permit Fee Waivers when the following organizations are purchasing a temporary health permit, valid for only fourteen (14) days from purchase:

- **Public Schools and their PTO's**
- **Officially sanctioned Boys Scout & Girl Scout Organizations**

- **Private non-profit or private not for profit organizations must submit a copy of their 501-C-3 IRS non-profit tax exemption certificate, i.e. churches, charter/private schools, civic organization**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve all items under 12.A.

13. Buildings & Grounds – Daniel Flores: (See Exhibit N)

- A. Status of old jail building**
- B. Maintenance of county grounds**
- C. Status of renovation of administration building**
- D. Discussion, consideration and approval of temporary office relocation/assignment of workers' compensation staff, safety officers and Probate Court staff**

Presentation made by Marty Salazar and Daniel Flores.

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on Item D1.

At this time Marty Salazar asked the Court to move to Addendum Item #1.

14. Pct. #1 – Comm. Handy: (See Exhibit O)

- A. Request approval to appropriate unreserved Pct. #1 R & B funds to Pct. #1 R & B Accts.**

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

Tony Sandoval pointed out that the current fund balance is \$221,329.75 which is the transfer that is being made and if for some reason there is an unpaid 2003 bill that surfaces later then the monies will have to be reappropriated as per approval of Commissioner's Court.

15. Pct. #2 – Comm. Palacios: (See Exhibit P)

- A. Discussion and possible action to approve Interlocal Agreement between City of Hidalgo & Hidalgo County**

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

16. Pct. #3 – Comm. Flores: (See Exhibit Q)

- A. Request authorization and approval to instruct legal counsel to draft new tax abatement guidelines and criteria so that the county can continue to enter into tax abatement agreements as provided for by the Texas Tax Code**

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

- B. Requesting authorization to appropriate Pct. #3 Unreserved fund balance into 2004 R & B operating budget**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a

UNANIMOUS vote of approval.

17. Pct. #4 – Comm. Garza: (See Exhibit R)

A. Request approval of line item transfer - \$ 29,020.97 - Pct. #4 Parks

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

At this time the Court moved into Executive Session.

Judge Garcia stepped away from the Court and did not return until after the Recess.

18. Purchasing Department: (See Exhibit S)

A. HIDALGO COUNTY –

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

1. **New Hidalgo County Jail:** Total inmate population: 1010 Other Information: 10
Physical Count: 1000 Males 926
Out of County: La Villa Females 34
Brooks Federal 12
2. **Current inter-local(s) and/or contract(s) for the “Housing of Inmates”**

Marty Salazar stated 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);**
- b) **Presentation for discussion, consideration and action (if necessary) regarding final punch list and retainage;**

Presentation made by Marty Salazar. A discussion on this item was held.

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

Nothing to report on items 3.A & C.

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:

1. **Presentation of bids received (and subject to funding) for Hidalgo County Law Enforcement Shooting Range Berm &/or Parking, Road Access Drives, Sitework and Flatwork with recommendation by project engineer, Quintanilla, Headley & Associates award to the lowest bidder meeting all specifications and requirements;**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval with the exception that the caliche road be deleted.

2. **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;**

NO ACTION taken on this item.

- 4. 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 Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

- 5. Presentation for discussion, consideration, with modification, if necessary, of the approved specifications and requirements in connection with the location of an awarded vendor, “Funeral and Burial Services for Paupers in Hidalgo County”.**

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

At this time the Court moved to Item 11.

Items 6-10 were discussed at 1:45 p.m. when at which time the Court returned from Recess.

At this time the Court returned from the Recess and resumed with the Regular Agenda.

All members of the Court were present when Court resumed after the Recess with the exception of Commissioner Handy and Commissioner Flores.

- 6. Discussion, consideration and action, if applicable on, but not limited to, the following:**
- a) Presentation by Mr. Ruben de los Santos from Reliant Energy on the status of the current contractual agreement with Hidalgo County through the State of Texas General Land Office award;**
 - b) Status and present market conditions with options to renew with Reliant Energy through the State of Texas General Land Office award;**
 - c) Presentation of procurement options for the Court to consider in connection with selection of an energy provider with examples of results from other political subdivisions;**
 - 1. Request offers from state awarded vendors or inter-local agreement member awardees;**
 - 2. Request aggregation through a purchasing cooperative or pool such as TASB, CUC, and STAP;**
 - 3. Hire consultant to develop specifications, receive bids, tabulate, evaluate and recommend award and authorize publications of sealed bids;**
 - 4. Commissioners Court ranking of the firms for the purpose of award.**

NO ACTION taken on any items under 18.A.6.

- 7. Presentation by Mr. William Rusteberg, consultant for the deferred compensation plan RFP on the participation received for the project: “Section 457-Deferred Compensation Plans”,**

Presentation made by William Rusteburg.

8. Presentation by firm submitting responses to the County's RFP for deferred compensation plan with question and answer session between Court and vendors;

Presentations were made by various vendors that participated in this plan.

Commissioner Palacios stated, "For the record we do not have a Quorum. Wait no we do."

9. Closing remarks and/or recommendations by consultant as to scoring of the firms responding to the RFP for deferred compensation plans; and, if applicable;

Presentation made by William Rusteberg.

At this time the Court made a motion to adjourn this day's meeting.

10. Commissioners Court ranking of the firms for the purpose of award.

NO ACTION taken on this item.

11. Presentation for discussion, consideration and approval of specifications, requirements and scope of services for the Request for Proposal, under a best value award for: "Cellular Phones" for Hidalgo County, project, if approved;

- a) Anticipated advertisement dates of 2-28-04, 3-6-04, with acceptance of proposals on 3-17-04

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

B. HIDALGO COUNTY AUDITOR'S OFFICE-

1. Requesting authority to purchase and enter into, from a CISV vendor (through the State of Texas Building and Procurement award), a Software License/Support Agreement for Sage Millennium with Information Design, Inc. in the amount of \$22,915.00 for the 2004 Fiscal Year. (Req. #43560)

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

C. HIDALGO COUNTY BUDGET OFFICE-

1. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) for Carolyn Arnold- CACC Communications Consultant in the amount of \$ 1461.31 for the following:

SWBT ACCOUNT 956-318-2000 Invoice # 03693- \$1461.31

- a) Adjustment for billing errors on Off Premise Mileage, Local Plus, Caller ID and appropriate interest

- b) SBCLD - Adjustment for International Saver Plan billed to County in error.

\$4,897.34

X 30%

1,461.31

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on Items C.1- a & b.

D. HIDALGO COUNTY HEALTH DEPT.-

- 1. Presentation for discussion, consideration, acceptance and approval for the purposes of ranking by Hidalgo County Commissioner's Court as "Qualified", the sole response received to the RFQ & P in connection with "Registered Pharmacist Services" for Hidalgo County Health Dept., project from David Max Castro.**
- 2. Requesting authority for Purchasing Department to negotiate a contract with David Max Castro, as "Qualified" for Registered Pharmacist Services for Hidalgo County Health Department.**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on Items D.1& 2.

E. HIDALGO COUNTY SHERIFF'S DEPT.-

- 1. Requesting authority to re-advertise an RFB-"Estray Services", project for Sheriff's Dept., due to no bids received and to attract participation, (or in the alternative);**

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

- 2. Discussion and/or consideration of other options.**

NO ACTION taken on this item.

F. HIDALGO COUNTY WIC PROGRAM-

- 1. Requesting authority to advertise and approval of specifications as attached hereto for: "Microcuvette- Hidalgo County", RFB.**

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

G. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 4-

- 1. Requesting authority to advertise for: "Road Construction of Austin Gardens, Summerwood and Plantation Oaks North Subdivision" (Colonia Access Program Project)**
- 2. Requesting authority to advertise for: "Road Construction of Simpatico Acres, Sandy Ridge & Meadowlands Subdivisions" (Colonia Access Program Project)**
- 3. Requesting authority to advertise for: "Road Construction of Acacia, Faysville, Hillcrest Terrace and Seminary Estates" (Colonia Access Program Project)**
- 4. Requesting authority to advertise for: "Road Construction of RCW, Adam Lee and Cottonwood" (FOR ASPHALT ONLY) (Colonia Access Program Project)**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on Items G.1, 2, 3 & 4.

At this time the Court went into Recess until 1:45 p.m. and moved on to open the Drainage District meeting.

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

19. Closed Session: (See Exhibit T)

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. Cause No. C-2477-02-F; Antonia Flores vs. Hidalgo County

See motion for this item below.

D. Pending and/or potential litigation; Elpidio R. Salazar vs. Hidalgo County Sheriff's Department

E. Pending and/or potential litigation; Norberto Sandoval vs. Hidalgo County Sheriff's Department

F. Potential Litigation – IKON/IOS CAPITAL

NO ACTION taken on items 19.A, B, D, E and F.

20. Open Session: (See Exhibit T)

A. Real Estate Acquisition

B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project

C. Cause No. C-2477-02-F; Antonia Flores vs. Hidalgo County

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to enter into an agreement with the plaintiff in an amount not exceed \$15,000.

D. Pending and/or potential litigation; Elpidio R. Salazar vs. Hidalgo County Sheriff's Department

E. Pending and/or potential litigation; Norberto Sandoval vs. Hidalgo County Sheriff's Department

F. Potential Litigation – IKON/IOS CAPITAL

NO ACTION on items 20.A, B, D, E & F.

At this time the Court moved back to item 18 on the Regular Agenda.

21. Closed Session:

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

22. Open Session:

Commissioners' Court 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.

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 24, 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 Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval of the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Line item transfers: (See Exhibit B)**
 - A. Sheriff – Jail**
 - B. County Court #1**
 - C. J.P. Pct. #4, Pl. 2**
 - D. DPS – L/W**
 - E. Elections Department**
 - F. Fire Marshal**
 - G. Health – Sanitation**
 - H. Health – Clinics**
 - I. Court Reporter Fund**
 - J. Courthouse Security**
 - K. Pct. #1 – Lateral Rds.**
 - L. Child Protective Court**
 - M. Pct. #4 – Paved/unpaved**
- 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 – Mile 6 West & Mile 9 North**
 - B. North Alamo Water Supply – Sharp Rd. on Curry Rd.**
- 5. Urban County: (See Exhibit E)**
 - A. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (12 families) – Location of properties is confirmed not to be inside entitlement entities**

6. Purchasing Department: (See Exhibit F)

A. HIDALGO COUNTY CLERK'S OFFICE-

1. Requesting authority to enter into a maintenance agreement for the transcriber and recorder with Lanier in the amount of \$745.00 for one year. (Req. # 42545) Effective upon approval

B. HIDALGO COUNTY COMPUTER DEPT. –

1. Requesting authority to purchase computer equipment from CISV vendors, through the State of Texas Building and Procurement Catalogue Purchasing Program for the following: a) Req. #45081 for CDW-Government in the amount of \$91.99; b) Req. #45108 for S.J.S. Computers in the amount of \$262.00; c) Req. #45144 for CDW Government in the amount of \$98.57; d) Req. #45145 for S.J.S. Computers in the amount of \$475.00; and e) Req. #45481 for CDW-Government in the amount of \$671.48.

C. HIDALGO COUNTY RISK MANAGEMENT-

1. Requesting authority to purchase computer hardware and peripherals from a CISV vendor, S.J.S. Computers, through the State of Texas Building and Procurement Catalogue Purchasing Program for Req. #45175 in the amount of \$2,480.00.

D. HIDALGO COUNTY TAX OFFICE-

1. Requesting authority to enter into a maintenance agreement with Cummins-Allison for the Money Counter machine model 4021 in the amount of \$187.00 for one year. (Req. #44718) Effective March 7, 2004 through March 6, 2005.
2. Requesting authority to enter into a maintenance agreement with Cummins-Allison for the Money Counter machine model 4062 in the amount of \$422.00 for one year. (Req. #44716) Effective March 28, 2004 through March 27, 2005.
3. Requesting authority to enter into a maintenance for a fax machine with Copy Graphics in the amount of \$200.00 for one year. (Req. #44709) Effective February 21, 2004 through February 21, 2005.

E. HIDALGO COUNTY TX DEPT. OF PUBLIC SAFETY-

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 of \$2,519.38.

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

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 24, 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 V)**

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 were made during Open Forum.

3. Approval of Consent Agenda

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

4. Approval to amend budget and appropriate unliquidated outstanding purchase orders (12-31-03) into 2004 budget

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

5. Authorization to enter into an Interlocal Agreement with the City of McAllen for maintenance on Mission Inlet Pilot Channel across the Palmview Golf Course

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

6. Purchasing Department:

- A. Requesting approval to exercise the option to renew an additional Six (6) month term as provided in current contract(s) for: Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products.**

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

- B. Requesting authority to advertise and approval of specifications as attached hereto for: “Gasoline/On & Off Highway Diesel Products”.**

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

UNANIMOUS vote of approval.

C. Pursuant to Texas Water Code, Title 4 (General Law Districts), Chapter 49, Section 226 (Sale or Exchange of Surplus Land or Personal Property), requesting consideration, discussion and approval of, but not limited to the following:

1) Declaration of a “Finding of Surplus” by the “Board” of Hidalgo County Drainage District No. 1 for the property described as “Tract I & Tract II”, A 25 foot strip of land and being more particularly described as:

Tract I- “A 0.208 acre tract of land out of Hidalgo County Drainage District No. 1, Levee Right of Way across Lot 3 Block 9; A. J. McColl Subdivision of Porcion 68; Hidalgo County Texas, recorded in Volume 21, Page 598, deed records;

Tract II- “A 1.32 acre tract of land out of Hidalgo County Drainage District No. 1, Levee Right of Way across Lot 1 Block 18, Steele & Pershing Subdivision and Lot 3 Block 9; A J. McColl Subdivision of Porciones 66, 67 & 68; Hidalgo County, Texas, Recorded in Volume 8, Page 115, deed records and Volume 21, Page 598, deed records;”

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 6.C-1.

2) Requesting approval of the “Order” by the “Board” authorizing the disposition of the surplus property described above by;

1 Private or public sale;

2 Exchange for other land, interest in land or personal property needed by the district

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve all items under 6.C-2.

3) Approval of the minimum bid amount as per the “fair market value” appraisal (already obtained and on file by district) as required by the “code” of \$28,000.00 and all other related costs.

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

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

10. Open Session:

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

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to adjourn until 1:45 p.m. when at this time the Court will proceed with items 18.A.6-10 of the Regular Agenda.

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting at 4:05 p.m.

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 24, 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 W)**

On motion of Commissioner Garza, seconded by Commissioner Palacios, 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. City of McAllen – Palm View Municipal Golf Course**
 - B. Robert Salinas – Rio Rico Acres West Subdivision**
- 3. Approval of Line item transfer - \$ 35,000.00**
- 4. Approval of Line item transfer - \$ 1,000.00**

COMMISSIONERS' COURT

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 24, 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:

ADDENDUM

1. Purchasing Department: (See Exhibit U)

Pct. #4:

Consider and approve an order authorizing the purchase and acquisition of certain personal property and the financing thereof; approving certain installment purchase terms under the authority of Section 271.001 et seq., Local Government code; authorizing a maximum loan in the principal amount of Two hundred twenty thousand dollars (\$220,000) payable from available funds from the County, subject to annual appropriation; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; and approving other matters incident thereto, for the following listed equipment.

1. Bid No. 2004-052-03-10

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 of the form of the contract covering the purchase with an estimated cost of \$30,000.00.

2. Bid No. 2004-053-00-00

Thank you

Requesting approval to purchase 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

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

At this time the Court moved back to Regular Agenda.

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 24th day of February, 2004

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

By: _____
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 24th 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