

REGULAR MEETING – March 8th, 2004

BE IT REMEMBERED, that on this 8th day of March, A.D., 2004, 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, MARCH 08, 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 present with the exception of Commissioner Palacios and Commissioner Flores.

2. Pledge of Allegiance

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

3. Prayer

Judge Garcia called on Teresa Navarro to lead the Court and Audience in Prayer.

4. Open Forum

Teresa Navarro informed the Court of the Elections Department website and encouraged everyone to go out and vote.

5. Approval of Consent Agenda

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

6. Elections Department – Teresa Navarro: (SEE EXHIBIT G)

A. Discussion, approval and possible action of the following:

1. Amend additional duties for slot #3

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

2. Comp time for slot #3

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve comp time in the amount of \$9,905.00.

3. Amend comp time for slots #7 & 16 for redistricting, 2004 Primary and Runoff Elections

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

4. Approval of Election Services Agreement between South Texas Community College and County of Hidalgo

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

5. Create one temporary position for voter registration (mass mailout returns)

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

6. Approval to set salary

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to set salary at \$8.00 per hour.

7. Approval of Proclamation proclaiming March 2004 as “Red Cross Month” (SEE EXHIBIT H)

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

Commissioner Handy read the proclamation into the record.

8. Approval of Proclamation proclaiming March 2004 as “National Colorectal Cancer Awareness Month” (SEE EXHIBIT I)

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

Commissioner Handy read the proclamation into the record.

9. Tax Office – Armando Barrera: (SEE EXHIBIT J)

A. Requesting approval for an increase in change fund for various locations for a total of \$ 5,500.00

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

10. Urban County – Diana Serna: (SEE EXHIBIT K)

A. Requesting authorization from Hidalgo County Commissioners’ Court to authorize a waiver request for pre-award costs to the U.S. Department of Housing and Urban Development

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

11. Human Resources – Esther Cortez: (SEE EXHIBIT L)

- A. Approval to create two (2) temporary clerk/receptionist (not to exceed 6 months)**
- B. Approval of line item transfer**
- C. Approval to set salary at \$ 8.00/hr.**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 11 A-C.

12. County Clerk – J.D. Salinas, III: (SEE EXHIBIT M)

- A. Authorization and approval to decrease salary from position #001-003 by \$ 10,000.00 (vacant slot)**
- B. Authorization and approval to increase salary for position #001-030 by \$ 5,000.00 due to additional duties**
- C. Authorization and approval to increase salary for position #001-027 by \$ 5,000.00 due to additional duties (position exempt from civil service)**

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

The added responsibilities of the non-exempt position were introduced and put forth into the record.

13. Planning Department – Raul Sesin: (SEE EXHIBIT N)

- A. Preliminary Approval:**
 - 1. LO/MA Subdivision – Pct. 1**
 - 2. Pastor Estates No. 3 Subdivision – Pct. 1**
 - 3. Eldora Subdivision – Pct. 1**
- B. Final Approval with a Cash Deposit:**
 - 1. Gonzalez Apartments Subdivision – Pct. 1**
- C. Final Approval with a Letter of Credit:**
 - 1. North Ridge Acres No. 2 Subdivision – Pct. 3**

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

Raul Sesin stated, “For the record that item 13B1 was a cash deposit of \$5,500 for the septic tanks, they have been deposited with the county already, and for item C1, North Ridge Acres No. 2 there is a letter of credit in the amount of \$163,334.00 from Texas State Bank for the improvements of the subdivision.”

14. Health Department – Eddie Olivarez: (SEE EXHIBIT O)

- A. Requesting authorization and approval to amend salary schedule for Bioterrorism Grant No. 74600071762004 (Acct. #4-1293-441-00-340-113-4) to reflect approved county increase**
- B. Requesting authorization and approval to set salaries**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 14 A-B.

15. Right of Way – Godfrey Garza: (SEE EXHIBIT P)

- A. Approval for County Auditor to process manual check payable to Texas Eastern Transmission in the amount of \$ 15,925.06 as per Reimbursement Agreement with Hidalgo County and Texas Eastern Transmission**

One motion of Commissioner Handy, seconded by Commissioner Garza the court made a UNANIMOUS vote of approval subject to the information that the auditor may request.

16. Sheriff Department – Roy Quintanilha: (SEE EXHIBIT Q)

- A. Discussion and action to approve User Agreement between the Texas Department of Public Safety and the Hidalgo County Sheriff's Department to access driver's license imaging**

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

17. Budget Office – Valde Guerra: (SEE EXHIBIT R)

- A. Discussion, consideration and approval to delete slot #6 Budget Clerk and create slot #7 Budget Analyst I, and set salary**

On motion of Commissioner Handy, seconded by Commissioner Garza, the court made a UNANIMOUS vote of approval and set salary at \$32,500.00.

- B. Approval to pay back longevity pay for two (2) Fraud Investigators & approval of budget amendment:**

- **Employee #010545**
- **Employee #087416**

On motion of Commissioner Handy, seconded by Commissioner Garza, the court made a UNANIMOUS vote of approval for employee # 010545 in the amount of \$2,157.50 and employee # 087416 in the amount of \$500.00.

Constable Pct. #3 – Larry Gallardo: (SEE EXHIBIT S)

- A. Acceptance and approval of the Interlocal Contract between County of Hidalgo and Lower Rio Grande Valley Development Council – January 01, 2004-August 31, 2004 Regional Solid Waste Enforcement Grant**
- B. Approval to appropriate the budget in the amount of \$ 50,000.00**
- C. Approval to create position**
- D. Set salary**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval of items A-D and set salary at \$29,987.00 plus fringe benefits.

18. Risk Management – Adan Perez: (SEE EXHIBIT T)

- E. Approval of Reimbursement to the Hidalgo County Workers' Compensation Claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 72,651.56 for the period ending February 2004**

- 1. Shooting Range Facility-bid opening held on 2-25-04 with participation of five (5) vendors. Project architect, V-A Architecture currently reviewing and tabulating bids received for recommendation to CC as award or other options;**

Marty Salazar stated there was nothing to report.

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

- 5. Presentation of Evaluation Committee's evaluation, scoring and grid, for the purpose of ranking the responses received as "qualified" by Hidalgo County Commissioner's Court, of the Statements of Qualifications received in response to the County's "Loss Control Services-Hidalgo County" RFQ.**

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

This item should read "to qualify for approval".

- 6. Presentation of recommendation by William Rusteberg, Consultant, on award of "Deferred Compensation-Section 457 Plan" a component of the RFP for "Section 125 Cafeteria Plan Administration, Voluntary Products & Administration and Funding Vehicles for Deferred Compensation-Section 457 Plan" for the purpose of the Commissioner's Court ranking; and,**

Presentation made by William Rusteberg.

- 7. Authority for Purchasing, Consultant and Legal Counsel to negotiate a contract for "Deferred Compensation-Section 457 Plan" a component of the RFP for "Section 125 Cafeteria Plan Administration, Voluntary Products & Administration and Funding Vehicles for Deferred Compensation-Section 457 Plan" with the Number One Ranked firm meeting all requirements.**

On motion of Commissioner Handy, seconded by Commissioner Garza, the court made a UNANIMOUS vote to approve the contract with Reyna Financial.

- 8. Presentation for discussion, consideration & action of a request by a participating vendor (Culligan Water) to withdraw the bid submitted for: "Drinking and/or Spring Water Service". If approved, copy of request attached hereto.**

On motion of Commissioner Handy, seconded by Commissioner Garza, the court made a UNANIMOUS vote of approval to allow the bid to be withdrawn.

- 9. Recommending award of bid and approval of contract for: "Drinking and/or Spring Water Service", to lowest bidder meeting all specifications and/or requirements. Fully executed**

copy of contract will be forwarded to both Budget Office and Hidalgo County Auditor's Offices.

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

- 10. Requesting authority to advertise for: "Lease of Office Space in the City of Edinburg for two (2) Justices of the Peace and a Constable. NOTE: Specifications to be developed with Elected Officials and thereafter presented to Commissioner's Court for approval including the term with options for extension/renewals prior to any publication of ads."**

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

- 11. Presentation for discussion, consideration and action on a request by Texas Commercial Energy for Hidalgo County to approve and execute a "Letter of Authorization" for release of billing information including approval to execute any other subsequent requests by potential participants in the sealed bid project approved for advertising on 3-02-04 for procurement of: "An Electric Energy Power Provider for Hidalgo County."**

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

- 12. Requesting authority to purchase, lease and/or rent 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.; County Clerk;92nd State District Court; J.P.-Pct. 1-Pl.2;J.P.-Pct. 2-Pl.2;J.P.-Pct. 3-Pl.2; Pct. 1-Parks;Veterans, County Judge, and Constable-Pct. 3.**

NO ACTION taken on this item.

B. 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 L&G Engineering in connection with the "Various Road & Bridge Projects" of Precinct No. 3;**

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

- 2. Requesting approval of a professional engineering services contract, subject to legal review, with L&G Engineering in connection with the "Various Road & Bridge Projects" of Precinct No. 3; NOTE: Fully executed copies of the contracts will be forwarded to both the Budget Office and Hidalgo County Auditor's Offices.**

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

- 3. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024 (a) (4) for professional engineering services with Dannenbaum Engineering**

Corporation in connection with the “Assessment (Including Permit) for New Landfill Site” of Precinct No. 3.

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

4. **Requesting approval of a professional engineering services contract, subject to legal review, with Dannenbaum Engineering Corporation in connection with the “Assessment (Including Permit) for New Landfill Site” of Precinct No. 3. NOTE: Fully executed copies of the contracts will be forwarded to both the Budget Office and Hidalgo County Auditor’s Offices.**

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

Steve Crain stated, ”For the record Dannenbaum is part of the pool.”

C. HIDALGO COUNTY PRECINCT NO. 4-

1. **Presentation for consideration, discussion, acceptance and approval of Invoice No. 10ENG. 486 from J.E. Saenz & Associates, Inc. in the amount of \$21,580.00 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 Garza, seconded by Commissioner Handy, the court made a UNANIMOUS vote of approval.

D. HIDALGO COUNTY HEALTH DEPT.-

1. **Consideration and approval for a Memorandum of Agreement between Hidalgo County Health Department TB Division and the Valley AIDS Council.**

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

E. HIDALGO COUNTY ROW DEPT.-

1. **On 12-2-03, C.C. approved to declare surplus (100’ of abandoned Railroad right of way at Encinitos road) also described as approximately: “A 7.90 acre tract of land (real property) located in Hidalgo County Precinct No. 4,” and further described in the legal description attached hereto as Exhibit “A” for the purposed of disposition;**

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

Commissioner Garza stated, “For the record when we post this for sale that we post it as is, and that we will only give a special a quick claim or if required a warrantee deed because we will only guarantee since we owned it, not prior and whatever environmental issues, the county is not responsible for it.”

2. **Pursuant to Texas Local Government Code, Chapter 272, Section 272.001 (a), requesting authority to publish a “Notice for Sale or Exchange” of the tract of land described in Item #1 above and approved for surplus and disposition;**

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

- 3. Requesting approval of the minimum bid amount as per the “fair market value” appraisal (already obtained and on file by ROW dept.) as required by the “code” of \$5,850.00, plus all other related costs and/or expenses incurred by Hidalgo County.**

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

- 4. Presentation for consideration, discussion and approval of a request for authority to advertise the “Lease of a Tract (approximately five (5) acres) of Land” for the use as a site to stockpile and hold soil/dirt for the reconstruction of the McColl Rd. & Mission Inlet levees including road ramps with the location within the following parameters; ¼ mile east & west of McColl Rd. and between the North Levee of the IBWC and the south levee of the Mission Inlet**

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

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

23. Closed Session: (SEE EXHIBIT Y)

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. M-02-345 and M-02-543; Mark Steven Kelley vs. Hidalgo County et.al**
- D. Potential Litigation regarding insurance coverage**
- E. Potential Litigation – TAC insurance coverage**
- F. Potential Litigation – IKON/IOS CAPITAL**

NO ACTION taken on items A-F.

24. Open Session: (SEE EXHIBIT Y)

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to go into executive session.

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Cause No. M-02-345 and M-02-543; Mark Steven Kelley vs. Hidalgo County et.al**
- D. Potential Litigation regarding insurance coverage**

E. Potential Litigation – TAC insurance coverage

F. Potential Litigation – IKON/IOS CAPITAL

NO ACTION taken during Executive Session on items A-F.

25. Closed Session:

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

26. Open Session:

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

On motion of Judge Garcia, seconded by Commissioner Handy, the court made a UNANIMOUS vote of approval to adjourn.

Judge Garcia withdrew his motion, and Commissioner Handy withdrew her second to adjourn this meeting. After a brief discussion on item 23E-3, the court decided not to approve the amendment.

On motion of Commissioner Garza, seconded by Commissioner Handy, the court made a UNANIMOUS vote to adjourn.

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, MARCH 08, 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.

No concerns were voiced by Tony Sandoval, County Auditor.

On motion of Commissioner Handy, seconded by Commissioner Garza, 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. Constable Pct. #3 – Project STOP**
 - B. J.P. Pct. #3, Pl. 1**
 - C. 93rd District Court**
 - D. Texas Cooperative Extension**
 - E. Child Welfare**
 - F. Pct. #1 – R & B**
 - G. Pct. #1 – Parks**
 - H. Indigent Defense**
 - I. 332nd District Court**
 - J. District Attorney – Gen. Fund**
 - K. District Clerk**
 - L. County Clerk**
 - M. Buildings & Grounds**
 - N. Elections Department**
 - O. Planning Department**
 - P. Computer Department**
 - Q. Health – Clinics**
 - R. Health – Mobile Clinic**
 - S. Risk Management**
- 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. Tax Refunds: (SEE EXHIBIT D)

| Taxpayer | Payer | Amount |
|--|--------------------------|-------------------|
| A. Coates Energy Trust & Inter | Coates Energy | \$5,919.47 |
| B. Reynaldo R. & Maricela Cantu | Greenpoint | \$3,922.05 |
| C. Sam's Real Estate Business | Sam's Real Estate | \$2,673.73 |
| D. City of Weslaco | Edwards Abstract | \$8,951.18 |

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

- A. North Alamo Water Supply – north of Trenton Rd. on I Rd.**
- B. North Alamo Water Supply – Mile 10 North on Mile 5 ½**
- C. North Alamo Water Supply – Mile 10 North on Mile 5 ½**
- D. Sharyland Water Supply – Hoehn Dr. & Rogers Rd.**
- E. Interior Rds. (subdivisions) – Thompson Subdivision**

6. Purchasing Department: (SEE EXHIBIT F)**A. HIDALGO COUNTY BUDGET OFFICE-**

- 1. Requesting authority to purchase computer equipment from a CISV vendor CDW-Government through the State of Texas Building and Procurement Catalogue Purchasing Program for Req. #46115 in the amount of \$103.49.**

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. #45971 for SJS Computers in the amount of \$1,050.00 and b) Req. #46192 for CDW Government in the amount of \$57.50.**

C. HIDALGO COUNTY COURT AT LAW NO. 3-

- 1. Requesting authority to purchase three (3) 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. # 46067 in the amount of \$2,505.00.**

D. HIDALGO COUNTY ELECTIONS DEPT.-

- 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. #46197 in the amount of \$696.99.**

E. HIDALGO COUNTY JUVENILE PROBATION-

- 1. Requesting authority to computer equipment and peripherals from a CISV vendor, Dell Marketing, through the State of Texas Building and Procurement Catalogue Purchasing Program for Req. #46045 in the amount of \$19,984.48 for thirteen (13) computers.**

**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, MARCH 08, 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 Z)**

1. Roll Call

All were present with the exception of Commissioner Palacios and Commissioner Flores.

2. Open Forum

No presentations were made during Open Forum.

3. Approval of Consent Agenda

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

Commissioner Garza stated, "For the record I abstained because I have an interest on one of the items. It's a Discharge Permit 2-A, and I have my affidavit here."

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

5. Risk Management – Adan Perez:

- A. Approval of Reimbursement to the Hidalgo County Workers' Compensation Claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 4,534.56 for the period ending February 2004**

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

UNANIMOUS vote of approval.

There was not a need to go into Executive Session due to the fact that there was not a Real Estate Acquisition.

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 Garza, the Court made a UNANIMOUS vote to adjourn this day's 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, MARCH 08, 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 AA)**

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

Commissioner Garza stated, "For the record I abstain because I have an interest on one of the items. It's a Discharge Permit 2-A and I have my affidavit here."

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge Permit:**
 - A. Richard Garza – MGM Grand Ranches**
 - B. Juan Trujillo – Tierra Prometida**
- 3. Line item transfer - \$ 6,719.48**
- 4. Line item transfer - \$ 3,000.00**

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, MARCH 08, 2004 at 11:30 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

2. Closed Session:

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

A. C-640-03A, C-641-03-B, C-644-03E, C-645-03-F, C-647-03-H; Hidalgo County vs. Texaco, Inc.: Kerr-McGee Oil & Gas Onshore, L.L.C.; TotalElf E & P USA, Inc., El Paso Production Oil & Gas Co.; SWEPI, L.P.

3. Open Session:

A. C-640-03A, C-641-03-B, C-644-03E, C-645-03-F, C-647-03-H; Hidalgo County vs. Texaco, Inc.: Kerr-McGee Oil & Gas Onshore, L.L.C.; TotalElf E & P USA, Inc., El Paso Production Oil & Gas Co.; SWEPI, L.P.

4. Closed Session:

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

5. Open Session:

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

NO ACTION taken at this time.

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 8th day of March, 2004

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

By: _____
Mari Gutierrez, Deputy

I, JUAN D. SALINAS, III, County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on March 8th, 2004.

Signed this _____ day of _____ 2004.

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

By: _____
Mari Gutierrez, Deputy

(Seal)

