

SPECIAL MEETING – March 23rd, 2004

BE IT REMEMBERED, that on this 23rd day of March, 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-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 SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 23, 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 except Commissioner Garza and Commissioner Handy.

2. Pledge of Allegiance

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

3. Prayer

Judge Garcia called on Tony Sandoval to lead the Court and Audience in Prayer.

At this time Commissioner Handy joined the meeting.

4. Open Forum

Godfrey Garza – Regional Billing Authority
Bobby Guerra, Democratic Chairman – Elections
Ricardo Ramirez – Elections
Rosalie Wisefield - Elections
Fern McClaugherty – The Commissioner's Court Agenda
Virginia Townsend – County cell phones, Pct. 1 building, storage room, probation dept., the old jail bldg., and the order of Executive Session
Eddie Olivarez – World Tuberculosis Day

5. Approval of Consent Agenda

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of items 2I, 2N and 3.

6. Elections Department – Teresa Navarro: (See Exhibit G)

A. Discussion, approval and possible action on the following but not limited to:

1. Additional early voting locations for the April 13, 2004 Runoff Election

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

2. Election Services Agreement between the County of Hidalgo and the City of Edcouch, Texas for their May 15, 2004 Municipal Election

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

7. County Clerk – J.D. Salinas, III: (See Exhibit H)

A. Selection of the 2004 Greivance Committee – drawing of three names

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve Ann Farris from Weslaco, Amelia Flores from Mission and Jeannet Aniceto from McAllen to the 2004 Grievance Committee.

At this time the Court moved to item 10.

8. Discussion regarding the clearing of a county road on lots 15 & 16 Bakers Subdivision - located in Pct. #4 – Fermin Olivarez (See Exhibit I)

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

9. County Treasurer – Norma G. Garcia: (See Exhibit J)

A. Update Hidalgo County Investment Policy

A motion was made by Commissioner Handy and seconded by Commissioner Palacios.

Steve Crain advised the court not to take action at this time.

Commissioner Handy withdrew her motion and NO ACTION was taken on this item.

At this time the Court moved to Executive Session.

10. Urban County – Diana Serna: (See Exhibit K)

A. Approval of a Subrecipient Agreement with the Monte Alto Fire Department and the UCP on behalf of Hidalgo County Pct. #1 – UCP Year 15 (2002)

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

B. Requesting authority to advertise for janitorial services for the Hidalgo County Urban County Program offices

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

UNANIMOUS vote of approval.

At this time the Court moved back to item 8.

11. Planning Department – Raul Sesin: (See Exhibit L)

A. Preliminary Approval:

- 1. Santa Cruz Ranches No. 1 – Pct. #4**
- 2. Weslaco Gardens Subdivision – Pct. #1**
- 3. Dos Jardines Phase 2 Subdivision – Pct. #3**
- 4. Paloma Del Valle Phase 3 Subdivision – Pct. #4**
- 5. La Joya Elementary School No. 18 Subdivision – Pct. #3**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 11A.1-5.

B. Final Approval:

- 1. Edinburg Compressor Station – Pct. #4**
- 2. Beda Subdivision – Pct. #1**
- 3. Los Azahares Estates Subdivision – Pct. #4**
- 4. Rio Bravo Ranch Phase 2 Subdivision – Pct. #4**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item B.1 & 4.

NO ACTION taken on items B.2 & 3.

C. Final Approval with Cash Deposit:

- 1. Veronica Estates – Pct. #3**
- 2. Tonatico Subdivision – Pct. #4**

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

D. Rescind action of final approval with a cash deposit:

- 1. Joe Fuentes Subdivision – Pct. #3**

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

12. Human Resources – Esther Cortez: (See Exhibit M)

A. Action and approval to issue payment to Esther A. Cortez in the amount of 123.72 from Acct. #4-1100-415-50-190-002-0-532 (mobile phone) for overpayment of mobile phone calls

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the payment in the amount of \$123.79.

13. Risk Management – Adan Perez: (See Exhibit N)

- A. Approval of reimbursement to the Hidalgo County's Workers Compensation Claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 67,502.69 for the period ending March 15, 2004 (3-1-04 through 3-15-04)**

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

14. Human Services – Rudy De La Viña: (See Exhibit O)

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

- 1. Authorization to pay claims:**

2003	<u>\$ 16,565.07</u>
2004	<u>\$120,846.08</u>
- 2. Indigent Health Care expenditures**

Presentation made by Rudy de La Vina.

NO ACTION taken on this item.

At this time Commissioner Flores stepped away from the meeting.

15. Buildings & Grounds – Daniel Flores: (See Exhibit P)

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

Presentation made by Marty Salazar and Daniel Flores.

NO ACTION taken on this item.

At this time Commissioner Flores joined the meeting.

16. Pct. #2 – Comm. Palacios: (See Exhibit Q)

- A. Authorization to issue work order #2 to Gutierrez Engineering for the development of Phase I of the connector route in Pct. #2**

Commissioner Palacios stated that the correct name was R. Gutierrez Engineering.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve work order to R. Gutierrez Engineering.

- B. Authorization to acquire an easement for offsite roadway drainage for Sioux Rd. Project**

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

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

- A. Approval of line item transfer - \$ 800.00 (CIP 2002)**

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

B. Approval to create obj. 741 in Parks Acct. & line item transfer - \$ 25,000.00

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

18. Purchasing Department – Marty Salazar: (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: 1066 Other Information:

Physical Count:	1055	Males	988
Out of County: La Villa		Females	67
Brooks		Federal	6
2. **Current inter-local(s) and/or contract(s) for the “Housing of Inmates”**
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 Landmark final punch list and retainage;**
 - c) **County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**
 - 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. **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 to award or other options;**

Marty Salazar stated there was nothing to report on items 18.A.2 & 3.

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 Handy, the Court made a UNANIMOUS vote of approval.

At this time Commissioner Handy stepped away from the meeting.

5. **Presentation for discussion, consideration and action, if applicable but not limited to, the following:**
 - a) **A report on the status of the current agreement expiration date with Texas General Land Office (State Power Program) awarded vendor Reliant Energy;**

At this time Commissioner Handy joined the meeting.

At this time Commissioner Palacios stepped away from the meeting.

- b) **Presentation and acceptance of results of any requests for information/quotes/proposals solicited and/or received by the purchasing department from other vendors, or aggregation pools state agency awarded programs or through inter-local agreement awarded vendor for consideration by the Court;**

- c) **Status and present market conditions with options to enter, approve and/or a contract (with the term to be dictated by the Court) with a awarded vendor from TxGLO-Reliant Energy, HGAC (TXU Energy) or STAP (Awarded vendor- First Choice including approval & authorize payment of one –time \$2,500.00 membership fee) under the following options**
 - (a) **Fixed Term Prices**
 - (i) **Energy Only**
 - (ii) **Bundled (include TDSPs and all other non-by passable charges)**
 - (b) **Short term fix with specific target: Fix for 12 months- specific target for 2005 & 2006**
 - (c) **Blend & Extend Options**
 - (i) **Quick participation in event of downward move in market**
 - (ii) **Blend existing price with new price of extended term.**

Presentation made by Marty Salazar.

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve a 24 month agreement with Texas General Land Office – Reliant Energy with the bundled choice.

- 6. **Pursuant to any positive action taken by CC on items posted above, authority to cancel the approval to advertise a sealed bid project for: Electric Energy Provider for Hidalgo County**

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

- 7. **Requesting authority to lease approximately 24 copiers for the departments listed below through participation with Texas Association of School Board’s (TASB) - “Buy Board” leasing program’s awarded vendor: IKON for the 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 under lease option(s) A, B or C, which will be disbursed in court**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve for 36 months.

- 8. **Requesting exemption from competitive bidding under the Texas Local Government Code 262.024 (a) (4) for professional Loss Control services with J.C. Villafranca Consulting/Claims Service in connection with the “Above- and Below-Ground Fuel Tanks Spill Prevention/Containment Project” of Hidalgo County.**

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

- 9. **Requesting approval of a professional Loss Control services contract, subject to legal review, with J.C. Villafranca Consulting/Claims Services in connection with the “Above- and Below- Ground Fuel Tanks Spill Prevention/Containment Project” of Hidalgo. Note: Fully executed copies of the contracts will be forwarded to both the Budget Office and the Hidalgo County Auditor’s Office.**

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

At this time Commissioner Palacios joined the meeting.

10. Recommending bid award and approval of contract for: “Vending Machine Services” to bidder meeting all specifications in the following categories:

- a) **Beverages (Soft Drinks) – Vendor providing the lowest priced soft drink under the following options:**
 - 1. **All national brands (as selected by departments/programs)**
 - 2. **Brands owned by one national brand**
- b) **Snacks**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the bid award and contract to All Valley Vending, and free standing candy machine to Ford Coe.

c) Machines, Newspapers and/or Periodicals- (no bids received)

NO ACTION taken on this item.

11. Requesting authority to re-advertise for: “Newspapers and/or Periodicals Stands”, due to no bids received for this option.

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

B. HIDALGO COUNTY SHERIFF’S DEPARTMENT SUB-STATION-

1. Pursuant to action approved by Commissioner’s Court on December 16, 2003 regarding the sally port project, presentation for discussion, consideration and action on authority to proceed with the following:

- a) **Exempt from competitive bidding requirements under Section 262-24 (a) (4) for professional architectural services with George A. Garcia, AGDC, the current project architect for the renovation/remodeling of the Sheriff’s Dept. sub-station in the Courthouse basement;**

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

- b) **Request authority to negotiate an architectural services contract with George A. Garcia, AGADC, for architectural services required in connection with the construction of a Sally-Port Compound on the east side entry (of the Courthouse) to the sub-station holding cell area;**

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

- c) **Authority to advertise for the: “Construction of a Sally Port Compound” for the Sheriff’s Depts. east side entrance of the Courthouse to the basement holding cell area.**

NO ACTION needed at this time.

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Requesting award of bid to sole bidder meeting all requirements and specifications for: One New Unused 2004 Industrial Material Handling Brush Loader.”**

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

D. HIDALGO COUNTY PRECINCT NO. 3 & 4-

- 1. Requesting authority to advertise and approval of specifications for: “Industrial Welding Supplies and Services”.**

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

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to withdraw the motion and take NO ACITON on this item.

E.HIDALGO COUNTY PRECINCT NO. 4-

- 1. Presentation for consideration, discussion, acceptance and approval if approval of Invoice(s)#5 (33462&33463) in the amount of \$ 202,153.80 and Invoice #6 (34996) in the amount of \$43,887.50 totaling \$246,041.30 from Absolute Waste Service, contracted vendor for the Landfill Closure and Capt Construction Project in Precinct No. 4 and as certified for payment by project engineer, J.E. Saenz & Associates, Inc. with authority for Auditor to issue payment after review, audit and processing procedures completed;**

NO ACTION needed at this time.

F.HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Presentation for discussion, consideration and approval of a final negotiated contract with “David Max Castro”, for “Registered Pharmacist Services” project. Note: Fully executed copies of the contract will be forwarded to the Hidalgo County Auditor’s and Budget Office.**
- 2. Presentation for discussion, consideration and approval of a final negotiated contract with “Emmalou Keys”, for “Licensed Nurse Practitioner” project. Note: Fully executed copies of the contract will be forwarded to the Hidalgo County Auditor’s and Budget Office.**

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

G.HIDALGO COUNTY WIC PROGRAM –

- 3. Requesting and recommending cancellation of the current bids project with authority to re-advertise and approval of specifications as recommended by both the purchasing department and the WIC Program attached hereto for: “Microcuvettes - Hidalgo County” RFB**

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

H. HIDALGO COUNTY AND HIDALGO COUNTY COLONIA ACCESS PROGRAM-

- 4. Requesting authority to advertise and approval of specifications as attached hereto for: "Flexible Base Material (Crushed Caliche)".**

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

11. Budget Office – Valde Guerra: (See Exhibit T)**A. District Clerk:**

- 1. Approval to create obj. #890 & 607 and line item transfer - \$ 400.00**

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

- B. Request approval to unappropriate \$ 130,740.00 in CO Series 1998 (Fund – 1328) budgeted funds to provide funding for the Pct. 3 Aerial Surveying / Mapping Project and the Outer Loop Phase One Project**

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

- C. Request approval to appropriate funds for the Pct. 3 Aerial Surveying / Mapping Project from the 1998 Certificates of Obligation Bond Series Unreserved Fund Balance in the amount of \$360,000.00 and budget same as per the attached Budget Amendment Request**

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

- D. Request approval to appropriate funds for the Outer Loop Phase One Project from the 1998 and the 2002 Certificates of Obligation Bond Series Unreserved Fund Balances and budget same as per the attached budget amendment requests**

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

- E. Request approval to appropriate funds for the funding of the TXDOT Projects from the 2001 and the 2002 Certificates of Obligation Bond Series and budget same as per the attached budget amendment requests**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval subject to receiving a clear letter from bond counsel.

- F. Request approval of line item transfer in the amount of \$ 24,000.00 in the CO Series 2001 from obj. #899 parking facility to obj. #334 parking facility – eng. & arch.**

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

At this time Commissioner Flores stepped away from the meeting and did not return.

G. Discussion, review and direction on department requests for equipment not funded during the 2004 Budget Process

NO ACTION needed at this time.

12. County Judge – Lorie Ochoa: (See Exhibit U)

A. Approval of Replacement Deed to P.R. Avila; Lot 10, Block 3, Ruthven Addition to City of Donna, Hidalgo County, Texas

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

At this time the Court moved to item #9.

The Court did not present a motion to go into Executive Session due to the fact that there was nothing to report under the Closed Session items.

13. Closed Session: (See Exhibit V)

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

NO ACTION taken on these items.

14. Open Session: (See Exhibit V)

A. Real Estate Acquisition

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

NO ACTION taken on these items.

15. Closed Session:

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

16. 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, 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, MARCH 23, 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 to approve the consent agenda with the exception of item 2 I, 2N, & 3.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Line item transfers: (See Exhibit B)**
 - A. Budget Office**
 - B. TABC**
 - C. Pct. #3 – Landfill**
 - D. Pct. #2 – Adm.**
 - E. Pct. #2 – Landfill**
 - F. Sheriff Department – Jail (2)**
 - G. Sheriff Department**
 - H. Human Services**
 - I. Computer Department (2)**

NO ACTION taken on the line item transfer of Obj. 664 to Obj. 679.

- J. County Clerk – Rec. Mgmt.**
- K. District Clerk**
- L. J.P. Pct. #1, Pl. 1**
- M. WIC**
- N. Risk Management**

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

- O. Law Library**
- P. Health – Bioterrorism Grant**
- Q. Master Court #1**
- R. Fire Marshal**
- S. Tax Office**
- T. Pct. #1 – Adm.**

- 3. Right of Way – Permits:** (See Exhibit C)
- A. Dewbre Petroleum – “I” Rd. south of Pecina Rd.**
 - B. La Joya Water Supply – 495 & Bensten Palm Dr.**
 - C. Southwestern Bell – along Mile 17 ½**
 - D. Southwestern Bell – north Tom Gill Rd.**
 - E. Southwestern Bell – along Mile 7**
 - F. Southwestern Bell – along Chapin Rd.**
 - G. Engleman Irrigation District – Mile 20 on Engleman Rd.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on item 3.

- 4. Planning Department:** (See Exhibit D)
- 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)**
- 5. Monthly Fee Reports:** (See Exhibit E)
- A. District Clerk - \$ 256,258.36 – February**
- 6. Purchasing Department:** (See Exhibit F)
- A. HIDALGO COUNTY 398th DISTRICT COURT-**
 - 1. Requesting authority to enter into a maintenance agreement for a 3010 Copier with Copy Data Valleywide for one the 2004 fiscal year in the amount of \$486.00. (Req #43742) Effective January 3, 2004 through January 3, 2005**
 - B. HIDALGO COUNTY AUDITOR’S OFFICE-**
 - 1. Requesting authority to enter into a maintenance agreement with Xerox for a 5624 Copier in the amount of \$1,080.00. Effective upon approval. Req #46759**
 - 2. Requesting authority to enter into a maintenance agreement with IKON for a Canon Copier in the amount of \$1,476.00. Effective upon approval. Req #47057**
 - C. HIDALGO COUNTY COMPUTER DEPARTMENT-**
 - 1. Requesting authority to purchase compute equipment from CISV vendors, through the State of Texas Building and Procurement Catalogue Purchasing Program for the following; a) Req #46927 for Dell Marketing in the amount of \$1,321.77, b) Req #46664 for S.J.S. Computers in the amount of \$359.00, and c) Req #47134 for S.J. S. Computers in the amount of \$300.00.**
 - D. HIDALGO COUNTY DISTRICT ATTORNEY-**
 - 1. Requesting authority to enter into a maintenance agreement for five Time Stamp Machines with Jones & Cook Stationers in the total amount of \$450.00. (Req #46645) Effective January 6, 2004 through January 6, 2005.**
 - E. HIDALGO COUNTY ELECTIONS DEPARTMENT-**
 - 1. Requesting authority to enter into a maintenance agreement for two fax machines and one copier with Ikon Office Solutions for the 2004 fiscal year for the following; a)Req #46889 for one copier in the amount of \$2,604.88, b) Req #47367 for one fax machine in the amount of \$218.62. c) Req #46879 for one fax machine in the amount of \$249.00. Effective upon approval.**
 - F. HIDALGO COUNTY SHERIFF’S DEPT.-**

- 1. Requesting authority to purchase one pager from a CISV vendor, Advance Paging & Wireless, through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$19.95. (Req #46903)**

G. HIDALGO COUNTY WIC PROGRAM-

- 1. Requesting authority to purchase one computer printer from a CISV vendor, CDW-Government through the State of Texas Building and Procurement Catalogue Purchasing Program in the amount of \$480.00. (Req #46310)**

**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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 23, 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 W)**

1. Roll Call

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

2. Open Forum

Tony Sandoval, County Auditor – concerns on items 16, 17, 18, & 19
Godfrey Garza, Drainage District – concerns on items 16, 17, 18, & 19

3. Approval of Consent Agenda

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

At this time the Court went back to Open Forum.

4. Update Hidalgo County Drainage District #1 Investment Policy

NO ACTION needed at this time.

5. Approval to create obj. 442 (rental) & line item transfer - \$ 5,838.60

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

6. Approval to delete vacant slot #17

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

7. Approval to create two (2) laborer positions and set salary @ \$ 21,082.83 each

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

8. Approval to delete vacant slot #26 truck driver and create shredder operator and set salary @ \$21,271.14 (approved by H.R.)

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

9. Approval to increase salary for slot #60 Shredder operator by \$ 2,000.00 due to certification/additional duties

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

10. Approval to create Field Construction Supervisor position and set salary @ \$ 36,750.00

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

11. Requesting exemption from competitive bidding requirements for professional/engineering services with TEDSI Infrastructure Group

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

12. Approval of professional services agreement with TEDSI Infrastructure group for services related to east District Lateral drains

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

13. Requesting exemption from competitive bidding requirements for professional/engineering services with Dannenbaum Engineering Corporation

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

14. Approval of professional services agreement with Dannenbaum Engineering Corporation for services related to west District Lateral drains

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

15. Discussion and approval of amendment to the Agreement for professional services with S & B Infrastructure, Ltd. regarding the removal of Article 6.3 retainage in the development of Master Drainage System Phase II for the design and expansion of the Raymondville Drain Outfall System

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

At this time the Court moved to item 17.

16. Presentation and discussion on Raymondville Drain Outfall System status

Presentation made by Godfrey Garza and the Project Manager of the Raymondville Project.

NO ACTION needed at this time.

At this time the Court moved to adjourn this day's meeting.

17. Discussion and approval of Work Authorization #9 of the Agreement for Professional Services with S&B Infrastructure, LTD. in the development and implementation of the study and design for the southern watersheds of Hidalgo County, Texas for analyzing the impacts regarding the development and implementation for the HCDD #1 Master Drainage System Phase II for the design and expansion of the Raymondville Outfall Drain System

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

18. Discussion and approval of amendment to Work Authorization #2 of the Agreement with S&B Infrastructure, LTD., and authorization to proceed with Phase II/III of the environmental process of the Master Drainage System Phase II, as approved by Board of Directors on August 05, 2003

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval subject to the notice of intent being issued by the core.

19. Discussion and approval of amendment to Work Authorization #1 of the Agreement for professional services with S&B Infrastructure, LTD., regarding the authorization to continue management through Phase II/III of the environmental process, as approved by Board of Directors on August 05, 2003

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

20. Risk Management – Adan Perez:

A. Approval of reimbursement to the Hidalgo County's Workers Compensation Claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$5,112.78 for the period ending March 15, 2004 (3-1-04 through 3-15-04)

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

21. Purchasing Department – Marty Salazar:

- A. Recommending to reject the sole bid received for the RFB-"Sale of Recorded Easements" project and requesting approval to re-advertise the same.**

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

There was not a motion to go into Executive Session due to the fact that there was nothing to report on the items listed under Closed Session.

The Court moved to item 16.

22. 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.

23. Open Session:

- A. Real Estate Acquisition**

NO ACTION taken on this item.

24. Closed Session:

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

25. Open Session:

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

On motion of Commissioner Palacios, seconded by Commissioner Handy, 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, MARCH 23, 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 X)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge permits:**
 - A. City of McAllen – Lot 10, Re-subdivision of Lots 15-16 Blk. 2, CE Hammonds Sub.**
- 3. Line item transfer - \$10,000.00**

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 23rd 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 23, 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)