

SPECIAL MEETING – March 30th, 2004

BE IT REMEMBERED, that on this 30th 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-OFICIO 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 30, 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.

2. Pledge of Allegiance

Judge Garcia lead the Court and the 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

- Victor Sanchez – Work environment at the District Clerk's Office
- Damian Carranza – Work environment at the District Clerk's Office
- Eliseo Borrego - Work environment at the District Clerk's Office and being an at will employee
- Mary Ramirez - Work environment at the District Clerk's Office
- Magda Solis – Work environment at the District Clerk's Office
- Patty Zapata - Work environment at the District Clerk's Office
- Linda Salinas - Work environment at the District Clerk's Office
- Oneida Llamas – Work environment at the District Clerk's Office
- Irma Rocha - Work environment at the District Clerk's Office
- Norma Cantu - Work environment at the District Clerk's Office
- Rosie Diaz – How not being under civil service affected her – they were lead to believe that they were covered under civil service
- Sonia Garza – Was never given a reason why she was let go; later found out she was not covered under civil service
- David Barrera – Fired for an unjust reason – why aren't they covered by civil service
- Virginia Townsend – Dr. Etheridge's juvenile plan, & the Open Forum
- Nancy Sheradon – Fixed Assets (San Carlos Warehouse)

- Fern McLaugherty, Roof Repair, and Pct. 4 truck

5. Approval of Consent Agenda

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

After the approval of the Consent Agenda, the Court moved to item 20 of the Regular Agenda.

6. Texas Cooperative Extension – Brad Cowan: (See Exhibit H)

A. Approve the appointment of Doug Denny, County Extension Agent – 4-H effective April 01, 2004

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval with the effective date being April 5, 2004.

The Court continued with item 8.

7. Approval to proclaim the month of April, 2004 as “Child Abuse Awareness & Prevention Month” in Hidalgo County – Soila Garcia, CASA of Hidalgo, Inc. (See Exhibit I)

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

At this time Commissioner Flores stepped out of the courtroom.

At this time Commissioner Handy stepped out of the courtroom.

The Court continued with item #6.

8. Elections Department – Teresa Navarro: (See Exhibit J)

A. Direct County Auditor to issue a manual check to U.S. Postmaster for massive mailout, permit #48 in the amount of \$ 2,948.32 (amount to be issued from acct. 4-1100-414-00-130-001-0-535-postage)

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

At this time Commissioner Handy came back into the courtroom.

B. Additional Early Voting Permanent Substations for the April 13, 2004 Runoff Election as requested by the Republican Party

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

9. Juvenile Probation – Buddy Silva: (See Exhibit K)

A. Report on the proposed Juvenile Justice Facility Construction Project (Juvenile Probation Office and Secure Detention Facility) as per Commissioners’ Court appointed project committee

Presentation made by Buddy Silva.

B. Report by Dr. Philip A. Ethridge, Ph.D. on feasibility study and findings related to the number of beds required for the proposed Juvenile Detention Facility

Presentation made by Dr. Philip Etheridge.

Commissioner Palacios stated, "For the record Buddy and Judge Longoria I am 100% behind finding the monies to build a new facility and increase the number of beds, it's going to require the court to go into CIP monies and I want you, I'll invite you when the Court is reviewing this, as a source of funding to have the facility so that the whole court can be in agreement."

At this time Commissioner Palacios stepped out of the courtroom.

At this time Commissioner Handy stepped out of the courtroom.

10. Sheriff Department – Roy Quintanilha: (See Exhibit L)

A. Requesting approval to appropriate monies from Farmers Insurance and Texas Association of Counties in the amount of \$ 6,523.60 to be distributed equally into acct. #4-1100-421-00-280-001-0- obj. #746 (office furniture) and #748 (other equip.)

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

At this time Commissioner Palacios came back to the courtroom.

11. Urban County – Diana Serna: (See Exhibit M)

A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with Quintanilla, Headley & Associates, Inc. in conjunction with the City of Alamo for the design and construction oversight of a Water/Sewer Improvement Project – installation of waterlines to Lopez Subdivision

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

B. Approval of professional engineering services contract with Quintanilla, Headley & Associates, Inc., and the City of Alamo for the design and construction oversight of a Water/Sewer Improvement Project – Installation of waterlines to Lopez Subdivision

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

At this time Commissioner Handy came back to the courtroom.

C. Approval of a Subrecipient Agreement with Mujeres Unidas (battered and abused spouses) and the Urban County Program on behalf of Hidalgo County Pct. #2 using UCP Year 16 (2003) funds

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

D. Authorization to purchase “Fire Rescue/Incident Command Fire Excursion” – City of Palmview Fire Station Equipment – Yr. 14 (2001)

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

E. Requesting authorization for County Judge to sign Request for Release of Funds (RROF) and Finding of No Significant Impact (FONSI) for 2000 – City of Palmview – Parks and Recreational Facilities – 1999/2000/2001 – City of Palmview Parks and Recreational Facilities

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

F. Request for approval of a budget and program amendment for the City of Palmview utilizing UCP funding from Years 14, 15 & 16 (2001-2003)

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

G. Request approval to provide down payment and closing cost assistance through the UCP Homebuyer Program to Pedro Handy and Melissa Trevino after meeting compliance with conflict of interest provisions

At this time Diana Serna asked Commissioner Handy to abstain from voting on this item because she is the 4th cousin of Mr. Pedro Handy.

At this time an affidavit was introduced to the Court signed by Commissioner Handy that read she would be abstaining from this item.

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

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

A. Acknowledgment to the Commissioners’ Court on Eduardo Sanchez being awarded the Social Worker of the year for this Region of the state and nominated for Social Worker of the year state wide

Presentation made by Eddie Olivarez. Mr. Olivarez informed the Court that Eduardo Sanchez was named as Social Worker of the year.

Commissioner Flores stepped out of the courtroom.

B. Request authorization and approval to increase the SDI Fee for Service Contract (Contract No. 746000717A2004 Change Notice No. 01) in the amount of \$ 2,900.00 revised contract amount \$652,240.00

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

C. Approval to allocate \$ 2,900.00 into – Acct. #4-1293-441-00-340-018-4-604

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

13. Computer Department – Renan Ramirez: (See Exhibit O)

A. Approval of department name change from Computer Department to Information Technology Department

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

B. Approval to adopt Information Technology policies as per Texas Gov. Code 202

NO ACTION on this item.

At this time Judge Garcia stepped out of the courtroom.

14. Budget Office – Valde Guerra: (See Exhibit P)

A. District Attorney:

- 1. Approval of budget amendment in the amount of \$ 1,896.32 to the D.A. L.E.O.S.E. Acct.**
- 2. Approval of line item transfer from salaries - \$ 1,203.75**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 14 A.1 & 2.

B. Human Resources:

- 1. Approval of line item transfer from salaries into temporary full time employees**

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

- 2. Approval of line item transfer – CIP Fund**

NO ACTION at this time.

C. Computer Department:

- 1. Approval to create obj. 679 & line item transfer - \$ 2,000.00**

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

D. Buildings & Grounds:

- 1. Approval of line item transfer from bldg. rental - \$ 11,000.00**

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

E. Approval of New Tax Resale Deed for Lost Tax Resale Deed to Englantina Pena, Lot 8, Block 31, City of Mission, Hidalgo County, Texas

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

F. Discussion, consideration and action, if applicable on item 12J. of March 16, 2004 Agenda

Valde Guerra read the account # for the record “ 4-1100-415-14-115-002-0339 as apposed to 001.”

The action taken on March 16th, 2004 was for account #001 which is the budget office. The proposal being made is for a countywide administration, which is acct.# 002.

The Court held a discussion and there will not be a change on item 12.J of the March 16, 2004 Agenda.

NO ACTION taken on this item.

At this time Judge Garcia came back into the courtroom.

15. County Auditor – Tony Sandoval: (See Exhibit Q)

A. Discussion, consideration and approval to certify Tobacco Settlement Distribution Expenditure Statement

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

16. County Judge – Lorie Ochoa: (See Exhibit R)

A. Discussion and approval of resolution appointing Jim Darling as the Hidalgo County Representative to the Board of Directors of the Rio Grande Regional Water Authority

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to appoint Jim Darling as the representative.

At this time Commissioner Flores came back into the courtroom.

17. Constable Pct. #3 – Larry Gallardo: (See Exhibit S)

A. Approval to authorize clothing allowance for two (2) non-uniform law enforcement deputies in the amount of \$ 500.00 per deputy and issue payment of same in conjunction with the next regular payroll

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

B. Approval to create obj. #119 (clothing allowance) & line item transfer - \$ 1,000.00

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

18. Human Services – Rudy De La Viña: (See Exhibit T)

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

- 1. Authorization to pay claims: 2003_____**

2. Indigent Health Care expenditures

No presentations were made at this time.

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

A. Status of old jail building

Status Report done by Marty Salazar.

B. Maintenance of county grounds

Status report done by Daniel Flores.

C. Status of renovation of administration building

Status report done by Marty Salazar.

At this time Commissioner Garza stepped out of the courtroom.

At this time the Court moved to the Addendum item.

20. Pct. #1 – Comm. Handy: (See Exhibit V)

A. Discussion and appropriate action to consider establishing a formal process by which Head Start Program employees, through a designated representative, may meet and confer with designated County Management on matters pertaining to personnel policies and conditions of employment

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

The Court continued with item 21.

21. Pct. #2 – Comm. Palacios: (See Exhibit W)

A. Approval of Resolution acknowledging the efforts of U.S. Representative Lloyd Doggett regarding the recently passed transportation projects within Hidalgo County

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

Commissioner Handy read the resolution into the record.

At this time the Court continued with item 7.

22. Pct. #3 – Comm. Flores: (See Exhibit X)

A. Appointment to Civil Service Commission

NO ACTION taken on this item.

23. Pct. #4 – Comm. Garza: (See Exhibit Y)

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.

5. **Presentations (with questions & answers, if applicable) by the two (2) architectural firms ROFDW Architects and V-A Architecture submitting Statements of Qualifications in response to the Hidalgo Count’s RFQ/P for “Architectural Services/Renovations of Former Hidalgo County Sheriff’s Department” project, for the purpose of finalizing evaluation/scoring form and ranking by Hidalgo County Commissioner’s Court, if approved;**

Presentation made by Mr. Figueroa from ROFDW Architects.

Presentation made by Mr. Canul from VA Architects.

At this time the Court ranked with both firms.

At this time the Court continued with items 7 and B.1-4 and C.1 during which the numbers were totaled.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve ROFDW Architects as the number one firm.

6. **Authorization for Purchasing Department to negotiate a professional architectural services contract with the number one(1) ranked firm for the Hidalgo County’s RFQ/P for “Architectural Services/Renovations of Former Hidalgo County Sheriff’s Department” project.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the architectural services contract with ROFDW Architects.

At this time the Court will continue with item 24.D-1.

7. **Requesting authority to advertise and approval of specifications for: “Hidalgo County Industrial Welding Services and Supplies”.**

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

B. HIDALGO COUNTY PRECINCT NO. 1-

1. **Recommending award of bid and approval of contract for “Lease of Office Space- City of Weslaco”, to low bidder meeting all requirements. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

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

2. **Requesting approval of Change Order No. 1 (decrease) in connection with “Mold Remediation-Multi Purpose Center-Weslaco, Texas” in the amount of \$8,000.00 with ARC Abatement.**

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

3. **Presentation for discussion, acceptance and approval of project as completed on a clearance notice received from Raba-Kistner, Consulting Engineers, based on their final inspection and as presented by project architect’s(AGADC) Certificate of Completion.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on the mold remediation portion only.

4. **Presentation for discussion, consideration, acceptance and approval with authority for Auditor to issue payment (after review, audit and processing procedures completed) of Application of Certificate for Payment No. 1 (final), dated, November 30,2003, from ARC Abatement for “Mold Remediation-Precinct No.1-Multi-Purpose Center, Weslaco, Texas” in the amount of \$31,164.00 & as certified by project architect, George A. Garcia, AGADC.**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for consideration, discussion and approval to award a short term contract (solicited through sealed quotes) to Superior Alarms for a “Security Alarm System Including Monitoring Services” in the amount of \$ 12,227.00, but in no event to exceed the statutory bid limit of \$ 25,000.00.**

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 items 5 & 6.

D. HIDALGO COUNTY PRECINCT NO. 3-

1. **Presentation for discussion, consideration, and action on a request by awarded contractor Finco Construction to have Commissioners Court rescind the award of bid and contract (approved by CC 11-10-03) for construction of the restroom facility at Anzaldua’s Park including the reimbursement to Hidalgo County of the sum of \$ 1,500.00 to cover the expenses incurred and associated with the procurement of the project and as recommended by project architect, George A. Garcia, AGADC; if approved**

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

At this time Commissioner Garza and Judge Garcia stepped out of the courtroom.

2. **Requesting authority to re-advertise the project for the: “Construction of Restroom Facility at Anzaldua’s Park” in Precinct No. 3 under project architect, George A. Garcia, AGADC;**

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

3. **Requesting authority to release bid bond (cashiers check submitted in lieu of bond document) after receipt of \$ 1,500.00 from Finco Construction;**

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

E. HIDALGO COUNTY PRECINCT NO. 4-

1. **Requesting approval to purchase “One (1) New 2004 Ford F-150 Pick-up Super Cab through the State of Texas Building and Procurement Awarded Contract No. 070-A-1 Vendor is Philpott Motors, from Port Neches, Texas, on the total amount of \$13,607.00. delivery charges included.**

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

At this time Commissioner Garza came back into the courtroom.

F. HIDALGO COUNTY CLERK OFFICE-

1. **Recommendation of bid award and approval of the lease contract to a no charge bidder meeting all specifications and requirements as attached hereto for: “Lease Office Space in the City of Mission”. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the bid award and lease contract to Hidalgo County Title and Abstract.

G. HIDALGO COUNTY BUDGET OFFICE-

1. **SBC ACCOUNT # 956-318-2000 SBC Local Service - Calls related to correct SBC rate due to SBC Network MCI Adjustment for calls that should have been billed thru SBC but not due to SBC Network error.**

NO ACTION taken on this item.

H. HIDALGO COUNTY COLONIA ACCESS PROGRAM-

1. **Requesting approval of Change Order No. 1 – (Net Decrease) in connection with “Road Construction of Lopezville Subdivision” (Colonia Access Project) in the amount of \$<49,641.80> awarded to Jimmy Closner & Sons Construction Co., Inc.**

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

I. HIDALGO COUNTY RISK MANAGEMENT LOSS CONTROL SERVICES-

1. **Pursuant to action taken by Commissioners Court on 3-23-04 in connection with Loss Control Services-Above and Below-Ground Fuel Tanks Spill Prevention Containment Project- with J.C. Villafranca Consulting Claims, a recommendation by Purchasing (after**

review by and consultation with Legal Counsel as directed by the Court) to rescind both a) exemption from competitive bidding requirements (under section 262.024 (a) (4) for professional services) and b) authority to negotiate loss control services contract inasmuch as services may require engineering services;

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

J. HIDALGO COUNTY SHERIFF'S DEPT.-

1. **Requesting authority to excessive the additional one year extension as provided in current contract for "Uniforms- Section 1 under the same rates, terms and conditions with Trooper Supply Inc. Effective 04/16/04 thru 04/16/05**

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

K. HIDALGO COUNTY WIC PROGRAM –

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

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

25. Risk Management – Adan Perez: (See Exhibit AA)

- A. **Notice of demonstration and presentation by COMTEX Communications, Inc., for communications interoperability. The Command Trailer is parked adjacent to the Administration Building until 3:00 this afternoon. On Wednesday, March 31, 9:00 a.m. - 12:00 noon, the trailer will be at the offices of the Lower Rio Grande Valley Development Council (COG) at: 311 North 15th Street, McAllen. On Wednesday afternoon, 1:30 - 4:30 p.m. the trailer will be at the Harlingen Fire Department near the airport at 3510 East Grimes, Harlingen. Emergency Management encourages any and all emergency responder agencies to view the trailer at these times**

Presentation made by Charlie Montgomery.

- B. **Notice of Weapons of Mass Destruction: Public Works course, beginning today. Trainers are from the State of Texas, and there are approximately 40 participants, including Hidalgo County public works personnel, at no cost to the County. Precinct 2 was kind enough to let us use their training room in Pharr**

Presentation made by Charlie Montgomery.

- C. **Notice of the 2nd Annual State Hurricane Conference, held at South Padre Island Convention Center April 26-28, 2004. This is the beginning of the planning phase for the 2004 Hurricane Season. This is open to any emergency responders for three days of training in hurricane and flood response.**

Presentation made by Charlie Montgomery.

At this time Judge Garcia came back into the courtroom.

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

26. Closed Session: (See Exhibit BB)

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. Pending and/or potential litigation Armando Gonzalez Guerra, et.al vs. Hidalgo County Sheriff's Department**
- D. 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.**

At this time the Court came back into the courtroom.

NO ACTION was taken on items A, B, C, & D.

At this time Commissioner Flores left the courtroom and did not return.

27. Open Session: (See Exhibit BB)

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation Armando Gonzalez Guerra, et.al vs. Hidalgo County Sheriff's Department**
- D. 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.**

NO ACTION was taken on items A, B, C, & D

28. Closed Session:

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

29. 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 30, 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 Garza, the Court made a UNANIMOUS vote of approval with the clarification of item 7.D-1.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Line item transfers: (See Exhibit B)**
 - A. Risk Management**
 - B. Tax Office**
 - C. Pct. #1 – Sanitation**
 - D. Pct. #1 – R & B**
 - E. Pct. #1 – Parks**
 - F. Pct. #4 – Parks**
 - G. Pct. #4 – Paved/unpaved**
 - H. Civil Service**
 - I. Health – Bioterrorism Grant**
 - J. District Clerk**
 - K. Tax Office**
 - L. J.P. Pct. #4, Pl. 2 (2)**
- 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. Urban County: (See Exhibit D)**
 - A. Request for approval to enter into a “Homebuyer Assistance Program” contract under the HOME Program (4 families)**
- 5. Right of Way – Permits: (See Exhibit E)**
 - A. North Alamo Water Supply:**
 - **FM 1423 on Alberta Rd.**
 - **1 Mile west on Mile 11 North**

- **FM 1423 on Earling Rd.**
- **FM 1423 on Earling Rd.**
- **Busy Rd. & FM 490**

6. Monthly Fee Reports - January: (See Exhibit F)

A. J.P. Palacios	\$72,841.06
B. J.P. Espinoza	\$69,062.07
C. J.P. Morales	\$43,468.38
D. J.P. Ochoa	\$60,920.30
E. J.P. Saenz	\$29,555.94
F. J.P. Trevino	\$93,944.87
G. J.P. Garza	\$63,134.67
H. J.P. Contreras	\$50,849.83
I. J.P. Jackson	\$19,160.90
J. Law Library	\$ 2,538.50
K. Sheriff Escalon	\$78,944.15
L. Anzalduas Park	\$ 1,936.03
M. Delta Lake	\$ 892.01
N. Constable Aguirre	\$ 750.00
O. Constable Alaniz	\$ 960.00
P. Constable Gallardo	\$ 820.00
Q. Constable Rios	\$ 1,910.00
R. Constable Bazan	\$ 550.00

7. Purchasing Department: (See Exhibit G)

A. HIDALGO COUNTY PRECINCT NO. 3-

1. Requesting approval to enter into service agreement with Flores Investments Inc. DBA American Investigations & Security International for: "Security Services on Easter Sunday at Anzalduas Park" a total amount of \$4680.00 agreement will be for a one day only, Sunday April 11, 2004. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.

B. HIDALGO COUNTY COMPUTER DEPARTMENT-

1. Requesting authority to purchase computer equipment from CISV vendors, through the State of Texas Building and Procurement Catalogue Purchasing Program for a) Req # 47740 CDW-Government in the amount of \$ 6,222.00 and b) Req # 47684 for Dell Marketing in the amount of \$1,721.67.

C. HIDALGO COUNTY RISK /LOSS MANAGEMENT-

1. Requesting authority to purchase computer equipment from a CISV vendor, S.J.S. Computers, through the State of Texas Building and Procurement Catalogue Purchasing Program for Req #47403 in the amount of \$ 903.00.

D. HIDALGO COUNTY TAX OFFICE-

1. Requesting authority to enter into a 36 month lease for the five (5) 420C copiers with Xerox at \$139.25 a month for each. Effective upon approval.

This is an operating lease.

2. Requesting authority to purchase a color printer 6250 DP Series from a CISV vendor, Xerox, through the State of Texas Building and Procurement Catalogue Purchasing Program for Req # 47762 in the amount of \$2,149.00.

**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 30, 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 DD)**

1. Roll Call

Everyone was present and accounted for with the exception of 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 Drainage District Consent Agenda.

4. Purchasing Department – Marty Salazar:

A. Recommending bid award and approval of contract under: "Pipes"-Sizes "30to 72") to vendor meeting all requirements (Rio Valley Pipes), not included on previous agenda of March 2, 2004. Note: A fully executed copy of the contract will be forwarded to Hidalgo County Treasurer's Office.

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

B. Presentation for discussion, consideration, acceptance and approval of claim/invoice with authority for treasurer to issue payment, after review for invoice #47152 – Pinky's Upholstery for the amount of \$ 65.00

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

UNANIMOUS vote of approval.

The Court did not go into Executive Session due to the fact that there were no items listed under real Estate Acquisition.

5. 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.

6. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

7. Closed Session:

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

8. Open Session:

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, 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 30, 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 EE)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge Permit:**
 - A. City of McAllen – Trenton paving**
 - B. Herberto Jose Garza – JR Subdivision**
 - C. City of Mission – Rio De Vida Subdivision**
 - D. Javier Pena – Celeste Michell Subdivision**
 - E. Domingo Flores – Falcon’s Crest Subdivision**
- 3. Utility Permit:**
 - A. City of McAllen – west Rooth Rd.**

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 30, 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

At this time Commissioner Garza came back into the courtroom.

1. County Treasurer: (See Exhibit CC)

A. Update Hidalgo County Investment Policy

Presentation made by Norma Garcia, Hidalgo County Treasurer.

On motion of Commissioner Palacios, seconded by Commissioner Flores the Court made a UNANIMOUS vote to approve the policy as revised by legal counsel.

At this time the Court moved back to item 22.

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 30th 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 30th, 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)

