

REGULAR MEETING – April 13, 2004

BE IT REMEMBERED, that on this 13th day of April, 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-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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, APRIL 13, 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

Everyone was present except for Commissioner Garza.

2. Pledge of Allegiance

Judge Garcia led 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

- Commissioner Handy – the explosion in Progreso
- George Garrett – the explosion in Progreso
- Raul Lozano – Report on the explosion in Progreso
- Roy Unitero – Report on the explosion in Progreso
- Charlie Montgomery – Recovery efforts in Progreso
- Iris Salinas –
- Fern McClaugherty – Pct. 1 mobile phones and answering questions during open forum

5. Approval of Consent Agenda

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

At this time Commissioner Garza came into the meeting.

At this time the Court moved to item #7.

- 6. Juvenile Justice Court – Judge Longoria: (See Exhibit I)**
- A. Review Juvenile Justice Accountability Project Grant Application for Sixth Year Funding of the Hidalgo County Juvenile Justice Court – Grant #JB-02-J20-14800-05**
 - B. Approve Resolution for submission of Grant Application to the Office of the Governor for Sixth Year Funding**

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

At this time the Court moved to item # 9.

- 7. County Judge – Lorie Ochoa: (See Exhibit J)**
- A. Discussion on public meetings held by TXDOT as part of the environmental process for two elements of the Trans-Texas Corridor: the Oklahoma to Mexico/Gulf Coast element and the I-69/Trans-Texas Corridor element**

Presentation made by Lorie Ochoa.

- 8. Budget Office – Valde Guerra: (See Exhibit K)**
- A. DPS – Highway Patrol:**
 - 1. Approval to create obj. #672, 583 & 584 & line item transfer - \$ 1,320.00**
 - B. Tax Office:**
 - 1. Approval to create obj. #534 & line item transfer - \$ 240.00**

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

- C. Constable Pct. #1:**
 - 1. Approval to appropriate L.E.O.S.E. funds - \$ 1,209.30**
- D. Constable Pct. #5:**
 - 1. Approval to appropriate L.E.O.S.E. funds - \$ 1,053.11**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item C in the corrected amount of \$1,207.19 and item D.

- E. Sheriff Department:**
 - 1. Approval to appropriate L.E.O.S.E. allocation from State Comptroller - \$ 42,652.59**

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

At this time the Court moved to item G.

- F. Discussion, consideration and action on processing procedures as it relates to charges for service - Hidalgo County local and/or long distance phone service charges/bills with authority for County Auditor to process payments for February and March invoices**

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

At this time Commissioner Flores came back into the meeting.

At this time the Court moved to the Addendum #2.

G. Approval of travel request from Historical Commission & authorize Auditor to issue payment - \$ 1,500.00

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

H. Indigent Defense Program:

1. Approval to create obj. 452 & line item transfer - \$ 15,000.00

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

I. Health Department:

- 1. Approval of line item transfer from fringes – TB Elimination**
- 2. Approval of line item transfer from fringes – TB Control**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 1 in the amount of \$6,663.00 and item 2 in the amount of \$2,278.00.

J. Authorization and approval to unappropriate unused salary & fringe benefits – General Fund

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

K. Approval to appropriate funds into the following departments:

- 1. Buildings & Grounds – Bldg. Renovations**
- 2. Purchasing Department**
- 3. Budget Office**
- 4. Sheriff Department**
- 5. County Commissioners – Membership Dues**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item K 1,2,3,4, & 5.

At this time Commissioner Flores stepped out of the meeting.

At this time the Court moved back to item F.

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

A. Approval to pay penalty & interest payment of \$ 23.88 to the Internal Revenue Service for Federal Employment Tax

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

10. Urban County – Diana Serna: (See Exhibit M)**A. Approval of a Proclamation declaring April 2004, “Fair Housing Month”**

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

B. Approval of a Proclamation declaring April 12th through April 18th “CDBG Week”

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

C. Approval of a Subrecipient Agreement between Open Hands Food Pantry and the City of Donna through the UCP Year 15 (2002)

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

At this time Commissioner Palacios stepped out of the meeting.

D. Approval of a Subrecipient Agreement with Mujeres Unidas/Women Together (Battered & Abused Spouses) and the UCP on behalf of Pct. #4 – UCP Year 16 (2003)

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

E. 2001/2002/2003 City of La Joya – Water Sewer Improvements – Requesting authorization for County Judge to sign Request for Release of Funds (RROF) and Finding of No Significant Impact (FONSI) for 2001/2002/2003 City of La Joya – Water & Sewer Improvements

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

F. Request for approval of EMERGENCY ASSISTANCE CLASSIFICATION of one (1) application and the reconstruction of the housing unit under the present HOME Homeowner Occupied Housing Rehabilitation Program under the Countywide area program

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

G. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional architectural services with IDE*A Group in connection with the City of Progreso for the preparation of plans and specifications for the Year 15 (2002) and Year 16 (2003) Parks. Recreational Facilities Project

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

H. Approval of professional architectural services agreement with IDE*A Group with the City of Progreso for the preparation of plans and specifications for the Year 15 (2002) and Year 16 (2003) Parks. Recreational Facilities Project

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

I. Request for approval of Emergency Assistance Classification of three (3) applications and the reconstruction of the housing units under the present HOME Homeowner Occupied Housing Rehabilitation Program under the Countywide area program

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

11. Sheriff Department – Chief Castellanos: (See Exhibit N)

A. Approval to apply for the South Texas Auto Theft Enforcement Task Force Grant with the City of Brownsville

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

12. Planning Department – Raul Sesin: (See Exhibit O)

A. Preliminary Approval:

At this time the Court will continued with items 2 & 3.

1. Bally’s Estates Subdivision – Pct. #4

At this time Commissioner Garza abstained from voting and entered an affidavit into the record.

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

For the record the developer for Bally’s Estates Subdivision is Oscar Garza.

At this time the court will continued with item B.

2. Las Delicias Subdivision – Pct. #1

3. Eduardo’s Subdivision – Pct. #3

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 2&3.

For the record developer for Delicias Subdivision are Julian & Adriana Lopez and developer for Eduardo’s subdivision is Aniceto Izaguirre.

At this time the Court moved back to item 1.

B. Preliminary Approval with a Variance Request:

1. El Valle De Las Palmas Retirement Community P.U.D. Subdivision – Pct. #1

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

For the record the developer for El Valle De Las Palmas Retirement Community PUD Subdivision is William Boyd.

C. Final Approval:

- 1. Taurus Estates No. 11 Subdivision – Pct. #3**
- 2. South Tower Heights Subdivision – Pct. #2**
- 3. Taurus Estates No. 14 Subdivision – Pct. #3**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve items 1,2 &3.

For the record the developer for Taurus Estates No. 11 is Mr. Bazan, the developer for South Tower Heights Subdivision is Rene Echavarria and the developer for Taurus Estates No. 14 Subdivision is Mr. Bazan.

D. Final Approval with a Letter of Credit:

- 1. Texan Village Subdivision – Pct. #3**
- 2. Campana Subdivision Phase 2 – Pct. #1**

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

For the record the developer for Texan Village Subdivision is Robert Goodwin and the developer for Campana Subdivision is Glenn Bell.

E. Final Approval with a Cash Deposit:

- 1. Danny's Subdivision – Pct. #2**
- 2. Allen Estates Subdivision – Pct. #4**
- 3. Llamas Subdivision – Pct. #3**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 1,2 & 3.

For the record the developer for Danny's Subdivision is Rick Martin, the developer for Allen Estates Subdivision is Cindy Chapa, and the developer for Llamas Subdivision is Refugio and Angeles Llamas.

F. Release of Letter of Credit:

- 1. Frontera Heights East Phase 2 Subdivision – Pct. #1**

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

For the record the developer for Frontera Heights East Phase 2 Subdivision is Anthony Gray.

G. Release and Renew of Remainder Letter of Credit:

1. Sol Encantado Subdivision – Pct. #1

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

For the record the developer for Sol Encantado Subdivision is Mr. Bennett.

At this time Commissioner Palacios came back into the meeting.

13. Pct. #3 – Comm. Flores: (See Exhibit P)

A. Discussion and approval of Interlocal Cooperation Agreement between the City of Granjeno & County of Hidalgo

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

14. Pct. #4 – Comm. Garza: (See Exhibit Q)

A. Acceptance & approval of Invoice #2 in the amount of \$ 27,807.14 from STFC dba Fresno Construction with authority for County Auditor to issue payment (after review and processing procedures completed) in connection with CIP Paving Improvement Project J.R. Milo Ponce Park Contract #03-074-04-15

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to auditor's approval.

15. Human Services – Rudy De La Viña: (See Exhibit R)

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

- 1. Authorization to pay 2004 claims: \$42,995.23**
- 2. Indigent Health Care expenditures**

Presentation made by Rudy De La Vina.

NO ACTION needed at this time.

At this time Commissioner Flores stepped out of the meeting.

16. Buildings & Grounds: (See Exhibit S)

A. Status of old jail building

Presentation made by Marty Salazar.

B. Maintenance of county grounds

Presentation done by Daniel Flores and the Court suggested for him to put an agenda item for next week in the amount of \$75,000 for the courthouse parking lot .

Commissioner Handy stepped out of the meeting.

C. Status of renovation of administration building

Presentation made by Daniel Flores.

Commissioner Garza stepped out of the meeting.

At this time Commissioner Flores joined the meeting.

17. Risk Management – Adan Perez: (See Exhibit T)**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 \$13,435.69 for the period ending 3/31/04 (3/16/04 – 3/31/04)**

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

18. Purchasing Department – Marty Salazar: (See Exhibit U)**A. HIDALGO COUNTY –**

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

- | | | | |
|---|-------------|--------------------|------------|
| 1. New Hidalgo County Jail: Total inmate population: | <u>1020</u> | Other Information: | 11 |
| Physical Count: | <u>1007</u> | Males | <u>995</u> |
| Out of County: La Villa | <u>0</u> | Females | <u>52</u> |
| Brooks's | <u>0</u> | Federal | <u>8</u> |

Commissioner Garza came back to the meeting.

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) **Presentation for consideration, discussion and approval of the following projects:**

Marty Salazar stated there was nothing to report on items 2 & 3.a-d.

1. **Requesting approval of Change Order No. 1 (deduct) submitted by project engineer, Quintanilla, Headley and Associates, to the contract awarded on 3-2-04 (& subject to legal review) to Asago Construction, LLC for the Hidalgo County Law Enforcement Shooting Range Bern & Parking, Road Access Drives, Sitework and Flatwork in the amount of \$ _____ (soil from on site and not provided by contractor) thus bringing the new contract total to \$ _____,**

Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.

2. **Presentation of bids received (and subject to funding) for Hidalgo County Law Enforcement Shooting Range Building & Canopy with recommendation by project architect, V-A Architecture to award to the lowest bidder meeting all**

specifications and requirements for Bid Item A, A.1 and/or Alternate # 1 for a total award of \$ _____, including the approval of the contract subject to legal review to _____;

Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.

- 3. Presentation for discussion, consideration, acceptance and approval of Request for Payment #s 2,3,& 4 totaling \$ 27,501.50, submitted by V-A Architecture, project architect, in connection with architectural services for the Shooting Range Facility to be constructed on-site of the New Adult Detention Facility and Law Enforcement Center, Motor Pool & Maintenance Bldg., and Law Enforcement Training Facility located on El Cibolo Road, Edinburg, Texas with authority for Auditor to issue payment (after review, audit & processing procedures completed);**

NO ACTION needed on item 1, 2, & 3.

Commissioner Handy came back into the meeting.

- 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 with the exception of item 16 & 17 on the backup information.

- 5. Requesting authority to advertise for: "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-freeze products".**

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

- 6. Presentation for discussion, consideration, acceptance and approval of the final negotiated contract (subject to funding) with ROFDW Architects in connection with Hidalgo County's RFQ/P for "Architectural Services/Renovating the Former Hidalgo County Sheriff's Department" project. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.**

NO ACTION taken on this item.

- 7. Requesting authority to exercise the sixty (60) day grace period under the current contract for "Flexible Base Material (Crushed Caliche)", so as to have no lapse in service while bid process is completed.**

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

- 8. Requesting appointment and approval of staff or other designated parties to grade, score and evaluate for the purpose of award by Commissioner's Court the responses received under the Request for Proposals for: "Cellular Phones for Hidalgo County", project.**

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

9. Requesting authority to advertise for the following projects:

- a) **Requests for Qualifications with Proposals (RFQP) for engagement of a Consultant for the provision of professional consulting services in connection with the scoring, grading, evaluation, recommendations to Commissioner's Court for ranking and award, implementation and monitoring of all insurance components including, but not limited to, Property and Casualty; Public Officials; Law Enforcement: Automobile Liability; Automobile Physical Damage; General Liability; Crime; and/or Inland Marine.**
- b) **Requesting authority to advertise Requests for Proposals (RFP) and approval of requirements for, but not limited to, Property and Casualty; Public Officials; Law Enforcement; Automobile Physical Damage; General Liability; Crime; and/or Inland Marine.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 9.a & b.

10. Presentation for consideration, discussion and award of bid (solicited through sealed quotes) and approval of contract for, "Mailing Services" to bidder meeting all specifications and requirements.

Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.

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

B. HIDALGO COUNTY PRECINCT NO. 3-

1. **Requesting authority to purchase through the Inter Local Agreement with Houston-Galveston Area Council (H-GAC)- R.B. Everett & Co. Pasadena, Texas with specifications, attached hereto and as requested by Precinct No. 3 including additional (option) equipment for: "One (1) New Model Tractor 2 Wheel Drive**

80Hp Terex 760 Backhoe – Loader	Price at \$ 41,802.00
H-GAC Adm. Fee	Fee \$ 522.52
Total cost for Complete Unit, FOB Precinct No. 3	Price \$ 42,324.52

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

C. HIDALGO COUNTY PRECINCT NO. 4 LANDFILL-

1. **Presentation for consideration, discussion, acceptance and approval of Invoice(s) # 7 (35214) in the amount of \$30,000.00 and Invoice # 8 (35315) in the amount of \$269,249.81 totaling \$ 299,249.81 from Absolute Waste Services, 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;**

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

At this time Judge Garcia stepped out of the meeting.

2. **Presentation for consideration, discussion, acceptance and approval of Invoice No. 11 ENG. 492 from J.E. Saenz & Associates, Inc. in the amount of \$ 74,560.00 with authority for Auditor to issue payment (after review, audit and processing procedures completed) in connection with engineering services rendered to date on the Landfill Cap and Closure, Phase II, Part B;**

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

D. HIDALGO COUNTY BUILDINGS AND GROUNDS –

1. **Recommending of bid award and approval of contract to sole bidder meeting all specifications and requirements: “HVAC Equipment Repair Parts” RFB 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 Palacios, the Court made a UNANIMOUS vote of approval.

E. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPT.-

1. **Requesting authority to purchase computer hardware, equipment, and peripherals from a CISV vendor CDW-Government through TBPC Purchasing Program for a) Req # 48462 in the total amount of \$7,319.00 and b) Req # 48702 for Global Data in the amount of \$ 442.80.**

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

F. HIDALGO COUNTY JUVENILE JUSTICE COURT-

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

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

G. HIDALGO COUNTY FIRE MARSHAL –

1. **Requesting authority for Auditor to issue payment after review, audit and processing procedures completed for the following items approved for purchase by CC on December 23, 2003:**
 - a) **P.O. # 526387 Eliff Trailer Sales invoice # 4108 in the amount of \$3,929.00**
 - b) **P.O. # 526388 McAllen Motor Sports invoice # 12102 in the amount of \$2,252.60; with ratification of payment of P.O. # 526389 to Metro Fire Apparatus Specialist Inc. in the amount of \$ 3,300.00 issued through check # 0400008551 paid on March 9, 2004.**

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

At this time the Court moved to the Addendum #1.

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

19. 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**
- C. Pending and/or potential claim; Robert Garate vs. Hidalgo County Head Start Program**
- D. Claim against Hidalgo County – Pablo Flores**

At this time Commissioner Flores and Commissioner Handy stepped out of the meeting.

20. Open Session: (See Exhibit V)

A. Real Estate Acquisition

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

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

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

C. Pending and/or potential claim; Robert Garate vs. Hidalgo County Head Start Program

NO ACTION taken on this item.

D. Claim against Hidalgo County – Pablo Flores

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

21. Closed Session:

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

22. Open Session:

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

On motion of Commissioner Garza, 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, APRIL 13, 2004, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

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

1. **Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
2. **Line item transfers: (See Exhibit B)**
 - A. **Probate Court**
 - B. **Pct. #1 – Parks**
 - C. **Elections Department**
 - D. **Jail**
 - E. **Sheriff Department**
 - F. **Pct. #4 – Parks**
 - G. **Constable Pct. #5**
 - H. **Pct. #2 – Parks**
 - I. **Budget Office**
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. **Monthly Fee Reports – February: (See Exhibit D)**

A. J.P. Palacios	\$77,074.14
B. J.P. Espinoza	\$81,776.82
C. J.P. Morales	\$41,078.83
D. J.P. Ochoa	\$62,490.39
E. J.P. Saenz	\$30,540.20
F. J.P. Trevino	\$59,896.29
G. J.P. Garza	\$67,935.88
H. J.P. Contreras	\$36,542.58
I. J.P. Jackson	\$25,989.24
J. Law Library	\$ 1,310.25
K. Sheriff Escalon	\$32,891.28
L. Anzalduas Park	\$ 2,256.04
M. Delta Lake	\$ 1,784.02

N. Constable Aguirre	\$ 650.00
O. Constable Alaniz	\$ 720.00
P. Constable Gallardo	\$ 715.00
Q. Constable Rios	\$ 730.00
R. Constable Bazan	\$ 430.00

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

A. District Attorney - \$167,513.17

6. Right of Way – Permits: (See Exhibit F)

A. North Alamo Water Supply:

- **West of Mile 3 ½ on Mile 12 North (1st Street)**
- **West of Mile 3 ½ on Mile 12 North (2nd Street)**
- **Mile 6 West and Mile 14 ½ North**
- **Nittler Rd. & Filegonia Rd.**
- **North of FM 186 & Spence Rd.**
- **US 281 on Minnesota Rd.**

B. Southwestern Bell:

- **Moorefield Rd. south of FM 495**

C. Sharyland Water Supply:

- **FM 2221 & Bensten Palm Drive**
- **Bensten Palm & FM 676**
- **Big 5 Rd. & FM 1925**

7. Tax Refunds: (See Exhibit G)

A. Hewlett-Packard Financial	Hewlett-Packard Fin.	\$10,734.42
B. Juan M. Pena	Juan M. Pena	\$ 3,083.88
C. Gregory & Jean Swartz	Mortgage Service	\$ 2,970.20
D. Arturo R. Cantu Atty. At Law	Arturo R. Cantu Atty. At Law	\$ 3,068.35
E. Martin Farm & Ranch Supply	Martin Farm & Ranch	\$ 3,078.70

8. Purchasing Department: (See Exhibit H)

A. HIDALGO COUNTY ELECTIONS DEPARTMENT-

- 1. Requesting authority to enter into a service agreement with The Software Group a CISV vendor, through TBPC for Standard Technical Assistance in the amount of \$435.00 quarterly. Effective upon approval.**

B. HIDALGO COUNTY HUMAN SERVICES-

- 1. Requesting authority to purchase computer equipment from a CISV vendor CDW-Government through the TBPC Purchasing Program for Req # 48385 in the amount of \$ 1,160.00.**

C. HIDALGO COUNTY PLANNING DEPARTMENT-

- 1. Requesting authority to include a non-appropriation of funds addendum for two (2) Operation Lease Agreements with IKON/IOS.**

**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 TUESDAY, APRIL 13, 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 Y)**

1. Roll Call

Everyone was present with the exception of Commissioner Flores and Commissioner Handy.

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. Approval of payments 1 & 2 for Summit Construction in the amount of \$12,333.60 (north San Juan Channel Crossing Improvements)

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

5. Approval of payments 1 & 2 for Summit Construction in the amount of \$27,220.50 (south "I" Rd. Floodway Pilot Channel Bridge)

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

6. 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 \$549.86 for the period ending 3/31/04 (3/16/04-3/31/04)**

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

- B. Approval of special reimbursement to the Hidalgo County Workers' Compensation claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$213,009.02 due on 4/15/04 (claim #04109712 services provided by McAllen Medical Center)**

NO ACTION needed on this item.

7. Purchasing Department – Marty Salazar:

- A. Recommending award of bid and approval of contract for “Gasoline, On and Off Highway Diesel Fuel- Option I” to lowest bidder meeting all requirements and/or specifications with no award under Option II.**

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

- B. Requesting authority to advertise for the following projects:**

- 1. Requests for Qualifications with Proposals (RFQP) for engagement of a Consultant for the provision of professional consulting services in connection with the scoring, grading, evaluation, recommendations to Commissioner's Court for ranking and award, implementation and monitoring of all insurance components including, but not limited to, Property and Casualty; Public Officials; Law Enforcement: Automobile Liability; Automobile Physical Damage; General Liability; Crime; and/or Inland Marine.**
- 2. Requesting authority to advertise Requests for Proposals (RFP) and approval of requirements for, but not limited to, Property and Casualty; Public Officials; Law Enforcement; Automobile Physical Damage; General Liability; Crime; and/or Inland Marine.**

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

- C. Requesting authority to advertise a project specific Request for Qualifications with Proposal for: Water Resources Engineering Firm for Water Aquifer Study for Hidalgo County Drainage District No. 1.**

Note: Project will not be advertised until qualifications, requirements, scope of services and term of engagement are drafted and presented to Board for approval

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.

8. 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.

9. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

10. Closed Session:

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

11. 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 Garza, the Court made a UNANIMOUS vote of approval to adjourn the 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 TUESDAY, APRIL 13, 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 Z)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Approval of line item transfer - \$ 6,000.00**
- 3. Approval of line item transfer - \$ 3,000.00**
- 4. Discharge Permit:**
 - A. City of Alamo – Crockett Estates**

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 TUESDAY, APRIL 13, 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:

REVISED
ADDENDUM

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

- A. Rescind action taken on 4/6/04 regarding Interlocal Agreement between the City of Pharr & County of Hidalgo for Minnesota Rd.**
- B. Approval of Interlocal Agreement between the City of Pharr & the County of Hidalgo for Minnesota Rd.**

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

At this time the Court moved to Executive Session.

At this time Judge Garcia came back to the meeting.

2. Budget Office – Valde Guerra: (See Exhibit X)

- A. Approval of budget amendment – CIP Jail Project Fund**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval of the amendment in the amount of \$100,000.00.

At this time the Court moved to item #6.

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 13th day of April, 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 April 13, 2004.

Signed this _____ day of _____ 2004.

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

(Seal)

By: _____
Mari Gutierrez, Deputy

