

SPECIAL MEETING – April 20, 2004

BE IT REMEMBERED, that on this 20th day of April, 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, APRIL 20, 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

Every member of the Court was counted present.

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 the Audience in Prayer.

4. Open Forum

- Judge Garcia – Sgt. Ramirez
- Virginia Townsend – Juvenile Detention Center, concerns about borrowing money
- Dolores Warrner – Juvenile Detention Center
- Carlos Garza – The gate that was placed at the King Ranch prohibiting him access to his property
- Oscar Garza, Jr. – Will look into the gate, and cattle thieves

At this time the Court moved to item 15b.

5. Approval of Consent Agenda

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

6. Clearing of County Road – Baker's Subdivision Lot 15 & 16 – Fermin Olivarez (See Exhibit H)

A discussion was held by the Court and Fermin Olivarez, and Commissioner Garza will meet with them to clear the road.

7. Juvenile Probation – Buddy Silva: (See Exhibit I)

A. Follow-up Report on the proposed Juvenile Facility Project as requested by Commissioners' Court at the March 30, 2004 Meeting:

- **Dr. Philip A. Ethridge, Ph.D. (Consultant) – five (5) year plan – bed space analysis for the Juvenile Facility**
- **Thomas Canul, V.A. Architecture – current estimated cost of Juvenile Facility**
- **Noe Hinojosa, Financial Advisor – Juvenile Facility Funding Alternatives**

Presentations made by Dr. Philip Ethridge, Thomas Canul, and Noe Hinojosa. Mr. Hinojosa will report back to the Court at a later date.

NO ACTION taken on this item.

At this time Commissioner Palacios stepped out of the meeting.

8. Planning Department – Raul Sesin: (See Exhibit J)

A. Release of Letter of Credit:

1. Victoria Gardens Subdivision No. 2 – Pct. #1 (Tim Gearhart, Resaca Investments)

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

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

A. Approval to award of a “Testing Services Contract to Raba-Kistner Consultants, Inc. for the City of Progreso Watts Street Improvements Project under UCP Year 2002 (Year 15) funding

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

10. Elections Department – Teresa Navarro: (See Exhibit L)

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

1. Election Services Agreement between the County of Hidalgo and City of Mercedes for their May 15, 2004 Municipal Election

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

11. IT Department – Renan Ramirez: (See Exhibit M)

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

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

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

A. Discussion and approval of annual renewal for Crime Policy (theft, employee dishonesty)

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

B. Discussion and approval for funding from the Workers' Compensation Fund to Tristar Risk Management for payment of claim number 04109712, in the amount of \$ 213,009.02, for services rendered by McAllen Medical Center

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

13. Budget Office – Valde Guerra: (See Exhibit O)

A. Budget amendments – Interest Earnings:

- Capital Projects Fund 1332 - \$ 109,000.00**
- Capital Projects Fund 1331 - \$ 32,800.00**
- Capital Projects Fund 1328 - \$ 22,700.00**

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

B. County Clerk:

- 1. Approval to create obj. #441 – Acct. #4-1100-415-40-180-001-0 for lease of office space in the City of Mission**

C. County Auditor:

- 1. Approval to create obj. #534 & line item transfer - \$ 1,600.00**

D. J.P. Pct. #4, Pl. 2:

- 1. Approval to create obj. #432 & line item transfer - \$ 950.00**

E. Fire Marshal:

- 1. Approval to create obj. #679 & line item transfer - \$ 100.00**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items B.1, C.1, D.1, & E.1.

F. Human Resources:

- 1. Requesting authorization to acquire 3 single door badge reader system and microprox tags utilizing CIP funds (if approved, procurement through purchasing dept. will follow)**
- 2. Approval to create obj. #748 (other equip.) & line item transfer - \$ 2,181.03**

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

G. Sheriff Department:

- 1. Approval to appropriate monies received on two seizure awards in the Sheriff's Inv. Fund 104 - \$ 8,095.85**

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

H. Intradepartmental transfers:

- 1. Approval to unappropriate \$ 14,204.83 from Mission TIF (aid to other govt.) and appropriate \$ 14,204.83 into Budget Office Contingency Acct.**

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

I. Constable Pct. #2 – Chato Alaniz:

- 1. Approval to delete slot #7 and approval to upgrade/increase slot #8 to full-time – Acct. #4-1100-421-00-292-001-0-113**
- 2. Approval to set salary at \$ 31,486.24**

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

J. Health Department – Eddie Olivarez:

- 1. Requesting authorization and approval of budget amendment in the amount of \$ 32,400.00 for smallpox readiness program and redistribution of Bioterrorism Grant #74600071762004 Change No. 07 funds – total grant amount \$ 993,862.00**

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

- 2. Discussion, consideration and possible action/approval to create the following position and set salary – Chief Financial Officer - \$ 48,000.00**

NO ACTION taken on this item.

- 3. Discussion, consideration and possible approval to adjust slot #340-006-002 from \$ 25,492.08 to \$ 28,492.08 annually as a result of an increase of duties**

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

- 4. Discussion, consideration and possible action/approval of Health Dept. 2004 budget revision**

The court directed the budget office to bring this item back next week.

14. County Auditor – Tony Sandoval: (See Exhibit P)

- A. Approval of Mission Tax Increment Payment (Agreement with Reinvestment Zone Number One, City of Mission) - \$ 144,169.17**

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

15. County Judge – Lorie Ochoa: (See Exhibit Q)

- A. Discussion, consideration and approval of sale of Lot 1, Ebony Street, City of McAllen, Volume 2295, Page 66**

NO ACTION taken on this item.

- B. Discussion, consideration and approval of Proclamation congratulating Nelda Z. Cantu, Regional Director and the South Border Bridge Destination Imagination Region for progressing to the Global Finals to be held in Knoxville, Tennessee on May 25-30, 2004**

Mercedes High School will compete in UpBeat Improv & PSJA High School will compete in Destinations in Time

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

Commissioner Palacios said, "For the record, PSJA High is in San Juan."

Commissioner Handy read the proclamation into the record.

At this time the Court moved to item #20.

16. 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 claims:**

2003 - <u>\$15,171.17</u>
2004 - <u>\$104,758.08</u>
2. **Indigent Health Care expenditures**

Presentation made by Rudy De La Vina.

At this time Commissioner Palacios came back to the meeting.

At this time Commissioner Flores stepped out of the meeting.

17. Buildings & Grounds – Daniel Flores: (See Exhibit S)

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

Presentation made by Marty Salazar.

NO ACTION taken on this item.

18. Pct. #1 – Comm. Handy: (See Exhibit T)

A. Approval to create obj. #441 & line item transfer - \$ 840.00

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

B. Request approval to unappropriate \$ 5,770.37 from unused salaries for the first quarter of 2004 of the remaining year (see backup)

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

19. Pct. #2 – Comm. Palacios: (See Exhibit U)

- A. **Authorization to create 6 months full-time temporary basis Office Clerk for R & B**
- B. **Set salary at \$ 8.00/hr.**
- C. **Approval to create obj. #121 full-time employee**

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

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 Berm & Parking, Road Access Drives, Sitework and Flatwork in the amount of \$ _____ (use of soil on site) thus bringing the new contract total to \$ _____,**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the contract \$147,000 reduction with an additional 30 days for the contractor.

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 _____;**

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

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);**

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

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

5. **Requesting authority to issue "Notice of Non-renewal and/or Cancellation" with Texas Association of Counties (TAC) as the Property and Casualty Insurances provider.**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval subject to awarding it to a different carrier.

6. **Presentation for discussion, consideration and action on County's option to renew for an additional year for "Workers' Compensation Quality Claims Administration" as provided in the current contract with Tri-Star Risk Management, OR, in the alternative;**

NO ACTION taken on this item.

7. **Requesting authority to advertise for “Workers’ Compensation Quality Claims Administration Services” to run concurrently with the advertising for “Professional Consulting Services including, but not limited to, Property and Casualty, Public Officials, Law Enforcement, Automobile Liability and Physical Damage, and/or General Liability- Hidalgo County” RFQ&P approved on cc 4-13-04.**

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

8. **Presentation for discussion, consideration and action on County’s option to renew for an additional year for “Excess Workers’ Compensation Insurance” as provided in the current contract with Safety National Casualty Corporation, (represented by agent Alamo Insurance Group, Inc.); OR, in the alternative;**

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

9. **Requesting authority to advertise for “Excess Workers’ Compensation Insurance” to run concurrently with the advertising for “Professional Consulting Services including, but not limited to, Property and Casualty, Public Officials, Law Enforcement, Automobile Liability and Physical Damage, and/or General Liability- Hidalgo County” RFQ&P approved on cc 4-13-04.**

NO ACTION taken on this item.

10. **Requesting authority to exercise the sixty(60) day grace period extension as provided under the current contract for “Industrial Welding Services,”(Precincts 3 & 4 only) so as to have no lapse in service while bid process in completed.**

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

11. **Recommending award of bid for “PIPES- (Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Storm Sewer Pipes, Rubber Gasket Joint Concrete Pipes) & Additional Miscellaneous Items” to low bidders’ meeting all requirements and specifications.**

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

12. **Requesting approval of Contract for: “PIPES- (Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Storm Sewer Pipes, Rubber Gasket Joint Concrete Pipes) & Additional Miscellaneous Items” to low bidders’ meeting all requirements and specifications.**

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

13. **Requesting authority to advertise for” “PIPES – (Polythylene Pipe 20 FT. Joints & Polyvinyl Chloride (PVC) Irrigation Pipe-80 PSI) & Additional Miscellaneous Items” due to no bids received form the above referenced bid project (items 1 & 2).**

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

14. **Presentation or a request through the Hidalgo County Auditor for consideration, discussion, and action of options for a road and bridge study to serve various County needs, one of those being compliance with GASB-34, including but not limited, to the following:**

- a) **Update of the original Hidalgo County Comprehensive Roadway Assessment Study through a negotiated fee with TEDSI through the current “Professional Engineering Services Agreement” with the possibility of enlisting the assistants of university students and thus reduce the costs as previously suggested and recommended;**
- b) **Publish a project specific RFQ/P for a new Comprehensive County Roadway Study; or**
- c) **Score, Evaluate, Rank, Negotiate, Select and engage a firm from the County’s “pool” of engineers;**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve 14a.

15. **Presentation for consideration, discussion, acceptance and approval of claims/invoices from O.E. Investments totaling \$4,634.00 with authority for Auditor to issue payment today (through a manual check), if possible after review, audit and processing procedures completed;**

NO ACTION taken on this item.

16. **Presentation of a notice received through the Hidalgo County Sheriff’s Department for Othal E. Brand, Jr., President of O.E. Investment, Inc., advising of a thirty (30) day notice of cancellation of services with date of notice April 12, 2004.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 1-

1. **Requesting approval of Change Order No. 1 (decrease) in connection with “Mold Remediation-Multi Purpose Building-Hidalgo County Precinct No. 1-1902 Joe Stephens Dr. Weslaco, Texas” in the amount of \$8,000.00 with ARC Abatement.**

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

C. HIDALGO COUNTY PRECINCT NO. 2- COLONIA ACCESS PROGRAM-

1. **Presentation for discussion, consideration and action (approval) of two (2) contracts with S&G Paving, Inc. in connection with Unique Staff Leasing I, Ltd. and S&G Paving, Inc., for the following project under the Colonia Access Program for Precinct No. 2 more specifically; a) contract with reference street of Villa Verde and others and, b) contract with reference name of Agua Dulce and others.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for the Colonia Access Program for Pct. No. 1 not No. 2.

D. HIDALGO COUNTY PRECINCT NO. 3 –

- 1. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024 (a)(4) for professional engineering services with L&G Engineering in connection with the “R&B Geotechnical Reports and Construction Materials Testing” RFQ&P for Hidalgo County Precinct No. 3.**

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

- 2. Requesting authority for Purchasing Department to negotiate a professional engineering services contract with L&G Engineering for the “R&B Geotechnical Reports and Construction Materials Testing” RFQ&P for Hidalgo County Precinct No. 3.**

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

E. HIDALGO COUNTY PRECINCT NO. 4 –

- 1. Presentation for consideration, discussion, acceptance and approval of a claim/contract #4-034636-02 in the amount of \$90.87 (Tejas Equipment Rental) with authority for Auditor to issue payment (after review, audit and processing procedures completed) by Maria Garcia resident of Morningside Estates, Sunnyside street for the rental of a water pump inasmuch a continued flooding required precinct assistance (which had been rendered on Thursday, April 8, 2004) and due to Friday, April 9th., holiday closure was not available and thus necessitated resident to rent the pump to alleviate rising water and other related problems.**

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

After considering the concerns of the auditor and legal council, Commissioner Handy rescinded the previous motion, seconded by Commissioner Garza.

At this time Commissioner Garza paid Ms. Maria Garcia the amount of the invoice, in cash, out of his own pocket.

At this time the Court moved to item #5.

F. HIDALGO COUNTY BUILDINGS AND GROUNDS –

- 1. Requesting approval to exercise the sixty (60) day grace period extension as provided in the current contract for “Elevator Maintenance & Repairs” under the same terms and conditions with Kone, Inc.**

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

- 2. Requesting authority to advertise for “Elevator Maintenance & Repairs”**

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

G. HIDALGO COUNTY COURTHOUSE SECURITY-

1. **Requesting approval of Change Order No. 1 (increase) in connection with "CCTV System: in the amount of \$1,942.00 with Superior Alarms as recommended by project consultant VSL.**

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

H. HIDALGO COUNTY SHERIFF'S DEPT. –

1. **Presentation for discussion, consideration and approval of a recommendation to extend bid opening date with re-advertising of said extension for: "Estray Services" project, due to modification of specifications to include:**
 - a) **a minimum service charge;**
 - b) **discuss insurances and indemnification clause for independent contractors.**

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

2. **Requesting approval to exercise the additional (60) day grace period extension as provided under the current contract for "Pharmaceuticals" under the same terms and conditions with The Medicine Shoppe while Sheriff's Dept. considers options to advertise annual term contract or other.**

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

I. HIDALGO COUNTY WIC PROGRAM-

1. **Recommending of bid award and approval of contract to sole bidder meeting all specifications attached hereto for: "Microcuvettes- Hidalgo County WIC Program" RFB.**

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

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

22. Closed Session: (See Exhibit X)

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; Louis Rodriguez vs. Hidalgo County Restitution Center**
- D. **Pending and/or potential litigation**

23. Open Session: (See Exhibit X)**A. Real Estate Acquisition**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the following settlement amounts for the North I Road Project – Phase II: Parcel #131, owned by Francisco Flores III, appraised at \$2,881 and settled at \$3,110, Parcel #132, same owner – appraised at \$9,535 settled at \$9,938, Parcel # 133, same owner, appraised at \$1,761 and settled at \$1,870, Parcel #135, owned by Venadro Galvan Jr, and Nora Alicia Galvan, appraised at \$5,611 settled at \$6,611.

On motion of Commissioner Palacios and seconded by Commissioner Handy the Court made a UNANIMOUS vote to approve 20 parcels for proposed acquisition thru TxDOT agreement for FM 2128 ROW in the amount of \$122,017 subject to clarification from bond council on utilizing the monies.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve contracts to Cap Realty 01 Edinburg LLC and the other to Pink Lady Corporation and have the purchasing agent deliver them to the seller.

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

NO ACTION taken on this item.

C. Pending and/or potential claim; Louis Rodriguez vs. Hidalgo County Restitution Center

NO ACTION taken on this item.

D. Pending and/or potential litigation

NO ACTION taken on this item.

24. Closed Session:

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

25. 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 Handy, the Court made a UNANIMOUS vote 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, APRIL 20, 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 exception of 5b.

Commissioner Handy rescinded her motion and amended it to read:

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote approval with the exception of 5c.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Line item transfers: (See Exhibit B)**
 - A. D.A. – Bad Checks**
 - B. Pct. #3 – Sanitation**
 - C. Buildings & Grounds**
 - D. Fire Marshal**
 - E. Human Resources**
 - F. Pct. #1 – Parks**
 - G. Courthouse Security**
 - H. Law Library**
 - I. WIC**
 - J. Pct. #4 – Paved/unpaved**
 - K. 332nd District Court**
 - L. Sheriff's Department**
 - M. Planning Department**
- 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 – March: (See Exhibit D)**
 - A. County Clerk \$331,036.52**
 - B. District Clerk \$341,991.27**
- 5. Right of Way - Permits: (See Exhibit E)**

A. RRP Consulting Engineers:

- Sioux Rd. from Huisache Acres #3
- Tower Rd. & Sioux Rd.
- Tower Rd. from Huisache Acres #4
- Hutto Rd. & Sioux Rd.

B. McLedd USA – McColl Rd. & Hiline Rd.

C. Authorization for approval of additional Right of Way on Big Five Rd. point of beginning being approximately 2.5 miles north of FM 1925 (Monte Cristo Rd.) to run 1.75 mile north of said point of beginning

6. Tax Refunds: (See Exhibit F)

A. Rio Grande Plastics Div	Rio Grande Plastics Div	\$15,838.63
B. Coates Energy Trust	Coates Energy	\$ 4,275.14
C. Bexco Operating Inc.	Bexco Operating	\$19,797.36
D. W D Moschel Trt	Texas State Bank	\$ 3,394.66
E. Raymond J. Fanning	Chase Manhattan Mo	\$ 4,974.23
F. Rolando Robles Jr.	Rolando Robles Jr.	\$ 2,564.04
G. Miguel A & Blanca Nevarez	International Bank	\$ 6,044.89
H. La Abuela Mexican Foods Inc.	La Abuela Mexican	\$ 5,205.05
I. Economic Dev. Corp. of Weslaco	Economic Dev.	\$ 3,252.65

7. Purchasing Department: (See Exhibit G)**A. 92ND DISTRICT COURT –**

1. Requesting authority to purchase computer equipment from a CISV vendor, CDW-Government, through TBPC Purchasing Program for Req. #48713 in the amount of \$1,915.00

B. DISTRICT CLERK –

1. Requesting authority to purchase computer equipment from a CISV vendor, The Software Group, through TBPC Purchasing Program for Req. #48204 in the amount of \$638.00.

C. ELECTIONS DEPARTMENT –

1. Requesting authority to purchase computer equipment from a CISV vendor, CDW-government, through TBPC Purchasing Program for Req. #48711 in the amount of \$601.42.
2. Requesting authority to purchase computer equipment from a CISV vendor, CDW-Government, through TBPC Purchasing Program for Req. #48808 in the amount of \$158.99.

D. HEALTH DEPARTMENT –

1. Requesting authority to purchase computer equipment computer equipment from a CISV vendor, Laserlux, through TBPC Purchasing Program for Req. #48858 in the amount of \$1,371.00.

E. INDIGENT DEFENSE PROGRAM –

1. Requesting authority to purchase computer equipment from a CISV vendor, CDW-Government, through TBPC Purchasing Program for Req. #48969 in the amount of \$323.19.

F. INFORMATION TECHNOLOGY –

1. Requesting authority to purchase computer equipment from a CISV vendor, S.J.S. Computer, through TBPC Purchasing Program for Req. #49010 in the amount of \$4,584.00.

**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, APRIL 20, 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 Judge Garcia.

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:

A. Presentation for discussion, consideration, acceptance and action to the sole bid received to the "Sale of Real Property", (25' strip of land) described as:

- 1. Tract I – "a 0.208 acre tract out of Hidalgo County Drainage District No. 1, levee right of way across Lot 3, Block 9; A. J. McColl Subdivision of Porcion 68, Hidalgo County, Texas;**
- 2. Tract II – "a 1.32 acre tract of land out of Hidalgo County Drainage District No. 1, levee right of way across Lot 1, Block 18; Steele & Pershing Subdivision and Lot 3, Block 9; A. J. McColl Subdivision of Porciones 66, 67 & 68; Hidalgo County, Texas;**

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

B. Requesting authority to issue "Notice of Non-renewal and/or Cancellation" with Texas Association of Counties (TAC) as the Property and Casualty Insurance provider.

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

- C. Presentation for discussion, consideration and action on County's option to renew for an additional year for Workers' Compensation Quality Claims Administration Services as provided in the current contract with Tri-Star Risk Management; OR, in the alternative;**

NO ACTION taken on this item.

- D. Requesting authority to advertise for "Workers' Compensation Quality Claims Administration Services" to run concurrently with the advertising for "Professional Consulting Services" including, but not limited to, "Property and Casualty, Public Officials, Law Enforcement, Automobile Liability and Physical Damage, and/or General Liability- Hidalgo County" RFQ&P approved on cc 4-13-04.**

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

- E. Presentation for discussion, consideration and action on County's option to renew for an additional year for "Excess Workers' Compensation Insurance" as provided in the current contract with Safety National Casualty Corporation, (represented by agent Alamo Insurance Group, Inc.); OR, in the alternative;**

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

- F. Requesting authority to advertise for "Excess Workers' Compensation Insurance" to run concurrently with the advertising for "Professional Consulting Services" including, but not limited to, Property and Casualty, Public Officials, Law Enforcement, Automobile Liability and Physical Damage, and/or General Liability- Hidalgo County" RFQ&P approved on cc 4-13-04.**

NO ACTION taken on this item.

The Court did not have a need to go into Executive Session so a motion was not presented.

5. Closed Session:

Board of Directors 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. Potential Litigation – RADO Drain**

NO ACTION taken on these items.

6. Open Session:

- A. Real Estate Acquisition**
- B. Potential Litigation – RADO Drain**

NO ACTION taken on these items.

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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to adjourn this day's meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 20, 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 Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve all items of the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Utility Permit:**
 - A. City of Alamo – east of Tower on Crockett Rd.**
- 3. Discharge Permit:**
 - A. City of Elsa – Elsa Industrial Park Subdivision**

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 20th 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 20, 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

