

SPECIAL MEETING – April 27th, 2004

BE IT REMEMBERED, that on this 27th 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-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, APRIL 27, 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 and accounted for except for Commissioner Flores.

2. Pledge of Allegiance

Judge Garcia led the Court and 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

- Virginia Townsend – Juvenile Detention Center
- Omero Vazaldua – Head Start Resolution
- Fern McClaugherty – Tax Rate

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 8.

6. Urban County – Diana Serna: (See Exhibit H)

A. Approval of a Budget and Program Amendment – City of Donna – UCP Year 15 (2002)

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

B. 2002 City of Donna – Parks, Recreational Facilities – Requesting authorization for County Judge to sign Notice of Intent to Request for Release of Funds (RROF) and Request for Release of Funds (RROF) for 2002 – City of Donna – Parks, Recreational Facility

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

At this time Commissioner Garza stepped out of the meeting.

C. 2003 City of San Juan – Street Improvements – Requesting authorization for County Judge to sign the Notice to Public on Finding of No Significant Impact (FONSI) on the Environment and Request for Release of Funds (RROF) for the 2003 (Year 16) City of San Juan Street Improvements Project

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

At this time Commissioner Garza returned to the meeting.

D. Approval of a Budget and Program Amendment – City of Edcouch – UCP Years 15 & 16 (2002 & 2003)

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

E. Discussion and action on 2005 Texas Community Development Program Action Plan

On motion of Commissioner Palacios, seconded by Commissioner Handy the Court made a UNANIMOUS vote to object this action plan.

7. Planning Department – Raul Sesin: (See Exhibit I)

A. Preliminary Plat Approval:

- 1. Stone Manor Subdivision – Pct. 4 (Juan Leal, Developer)**
- 2. Barbara Village Subdivision – Pct. 4 (Richard Ruppert, Developer)**

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

B. Final Plat Approval:

- 1. La Quietud Subdivision – Pct. 4 (Carlos Mason, Developer)**

NO ACTION taken on this item. It will be brought back at next week's meeting.

C. Release and Renew of Remainder Letter of Credit:

- 1. Evergreen Valley Estates Phase I – Pct. 4 (Herb Scurlock, Developer)**
- 2. La Gloria Phase 2 Subdivision – Pct. 1 (Atanacio Hinojosa, Developer)**

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

8. Child Protection Court – Judge Flores: (See Exhibit J)**A. Approval of extension of contract #9901-0424 and Amendment #3 and appropriate \$ 7,500.00**

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

At this time the Court moved back to item 6.

9. J.P. Pct. #4, Pl. 2 – J.P. Palacios: (See Exhibit K)**A. Discussion on the new OMNI System that Texas Department of Public Safety is requesting to implement in all Justice of the Peace Courts**

NO ACTION taken on this item.

10. Budget Office – Valde Guerra: (See Exhibit L)**A. Juvenile Justice Accountability Project – Grant #JB-02-J20-14800-05:****1. Request approval of budget adjustment**

On motion of Commissioner Palacios, seconded by Commissioner Handy the Court made a UNANIMOUS vote to approve 10.A & D in the amount of \$12,194.06.

B. Discussion, consideration and action on proposed Agreement between M.A.D.D. & Hidalgo County

On motion of Commissioner Garza, seconded by Commissioner Palacios the Court made a UNANIMOUS vote to approve the agreement in the amount of \$5,429.17.

C. WIC – Increase budget due to increase in program revenues - \$ 160,000.00

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

D. Interdepartmental transfers:**1. Budget Office - \$ 12,194.06**

This item approved with item A.

E. Line item transfers (Intradepartmental transfers):

- 1. Auxiliary Court - \$ 1,500.00**
- 2. Pct. #3 – Colonia Access Program - \$ 3,454.88**
- 3. Pct. #2 – Adm. - \$ 11,493.52**
- 4. Narcotics Trafficking Task Force Grant - \$ 5,500.00**
- 5. Grand Jury Acct. - \$ 1,400.00 & create obj. #748**
- 6. Health – Bioterrorism Grant - \$ 14,288.00 & create obj. 334 & 661**

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

11. Right of Way – Godfrey Garza: (See Exhibit M)

A. Authority to enter into an Agreement with TXDOT for Right of Way Acquisition for FM 1015 from Mile 9N to 12W

On motion of Commissioner Garza, seconded by Commissioner Handy the Court made a UNANIMOUS vote to approve the ROW Acquisition for FM 1015 from Mile 9N to 12N not 12W.

B. 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

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

C. Approval for County Auditor to process a manual check to S & B Infrastructure, Ltd. for invoice U9444.101.17A in the amount of \$ 42,516.00 (upon review and approval)

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

12. Sheriff's Department – Capt. Quintanilha: (See Exhibit N)

A. Discussion and action to reclassify slot #280-002-296 of the Jail Budget from Maintenance to Electrician

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

B. Approval to apply for the Combined Governmental Drug Enforcement and Special Crimes Task Force Grant (Sheriff's Office and District Attorney's Office)

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

C. Approval of Interagency Agreement

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

13. Risk Management – Charlie Montgomery: (See Exhibit O)

A. Discussion regarding letter from Governor Rick Perry regarding the Nuevo Progreso response

Presentation made by Art Gaytan.

NO ACTION taken on this item.

B. Approval of Resolution regarding need to approach the legislative branch of the Federal Government to modify certain laws which may include benefits to emergency response personnel and/or their heirs as a result of performance of duties during international response

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

renovations to existing facilities – Pct. #1, Multipurpose Center Buildings 1, 2 & 3, construction phase draw no. 3

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

Commissioner Palacios stated, “For the record, Mr. Sandoval has no concerns for the rest of the agenda.”

17. Purchasing Department – Marty Salazar: (See Exhibit S)

NOTE: ANY CONTRACT AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY AUDITOR’S OFFICE.

A. HIDALGO COUNTY –

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

1. **New Hidalgo County Jail:** Total inmate population: 1029 Other Information: 11
 Physical Count: 1016 Males 949
 Out of County: La Villa 0 Females 67
 Brooks’s 0 Federal 13
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;**

There is nothing to report on items 2 & 3.a-c.

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. **Recommending award of bid and approval of contract for “Gasoline, On & Off Highway Diesel Fuel” to low bidder meeting al requirements and specifications.**

Commissioner Garza stated, “For the record, I don’t even know who, who Gold Star is or who the other guy.... Yea Agindegi.”

NO ACTION taken on this item. The item will be brought back next week.

6. **Requesting authority to exercise the additional one year extension as provided in current contract for “Janitorial Supplies and Industrial Chemical” under the same rates, terms and conditions with Gulf Coast Paper Co., Villaco Janitorial & Supply, and Made Rite Janitor Supply. Effective 04/28/04 thru 04/28/05.**

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

- 7. Requesting authority to issue the “Notice to Proceed” for the awarded RFB Project (previously approved by Commissioner’s Court on 03/02/04) “Atrium Roof Renovation” to Mar-Vel Construction Co. LLC;**

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

- 8. Presentation for consideration, discussion and action on proposed modifications to the RFP requirements, qualifications, scope of services and/or specifications from concerns raised by Commissioners’ Court, on April 20, 2004, in connection with present Claims Administration Services Agreement;**

NO ACTION taken on this item.

- 9. Requesting authority to advertise for a “pool” and approval of requirements as attached hereto for “Construction Materials Testing - Road & Bridge - Hidalgo County.”**

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

- 10. Requesting authority to advertise for a “pool” and approval of requirements as attached hereto for “Construction Materials Testing-Colonia Access Program – Hidalgo County.”**

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

B. HIDALGO COUNTY PRECINCT NO. 3 –

- 1. Presentation for discussion, consideration, acceptance and approval of Certificate for Payment No. 3 from Rio Valley Construction for the Multi Purpose Center in the amount of \$ 126,661.53 and as certified for payment by project architect, George A. Garcia, AGADC. With authority for auditor to pay after review, audit and processing procedures are complete.**

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

At this time Judge Garcia stepped out of the meeting.

- 2. Presentation for discussion, consideration, acceptance and approval of request for payment of invoice # 9 totaling \$2,144.00 submitted by George A. Garcia, AGADC, for architectural services rendered for the Multi-Service Center in Precinct No. 3 with authority for Auditor to process payment after review, audit and processing are complete**

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

3. **Recommending the rescission of authority to purchase (approved by Commissioners Court on 4-13-2004) One (1) New Model Tractor 2 Wheel Drive 80 HP Terex 760 Backhoe-Loader, with a total purchase price of \$ 42,324.52 including cancellation of purchase order No. 532893 through the inter local agreement with the Houston- Galveston Area Council (H-GAC) –with R.B. Everett & Co. Pasadena, Texas.**

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

4. **Request authority to purchase through the interlocal agreement with the Houston-Galveston Area Council (H-GAC) with R.B. Everett & Co., Pasadena, Texas with modifications to the specifications which includes the additional equipment required by Precinct # 3 for One (1) New Tractor 80 HP 4 Wheel Drive Terex Model 760 Backhoe-Loader...**

Price	\$ 47,693.00
H-GAC Adm. Fee	\$ 715.40
Total cost for a Complete Unit, FOB Pct # 3 Costs	\$ 48,408.40

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

C. HIDALGO COUNTY PRECINCT NO. 4 –

1. **Requesting authority to advertise and approval of specifications for: “One (1) new unused 2004 Tractor Loader, Mower, & Trailer”.**

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

2. **Recommending of bid award to low bidder meeting all specifications for “One (1) New (unused) 2004 Tractor.**

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

Commissioner Garza stated, “For the record, the amount of the bid is \$29,995, from Amigo Power Implement.”

D. HIDALGO COUNTY JUVENILE PROBATION DEPARTMENT-

1. **Presentation for consideration, discussion, acceptance and approval of an invoice received from Philip A. Ethridge, Ph.D for services rendered in connection with the professional services contract (approved by CC on 9-02-03) in the amount of \$ 4,875.00 with authority for Auditor to process payments (after review, audit and processing procedures completed);**

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

E. HIDALGO COUNTY BUDGET OFFICE-

1. **Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) for the amount of \$ 121.23 to CACC-Carolyn Arnold Communications Consultant(see attachment):
SWBT ACCOUNT 956-318-2000
MCI Adjustment for calls that should have been billed thru SBC but did not due to SBC Network error.**

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

F. HIDALGO COUNTY- IT TASK FORCE COMMITTEE-

1. **Presentation for consideration, discussion and action of report from IT Task Force/Committee, including but not limited to the following projects:**
 - a) **Recommendation with supporting rationale to reject all responses received in connection with Hidalgo County's Request for Proposals on: "Cellular Phone Services" with authority to re-advertise the project including modifications to existing requirements, scope of services and specifications;**

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

- b) **Budgetary Impact (Savings on both local and long distance charges) through deployment of IP Telephony technology which was implemented on 4-22-2004 by eliminating approximately 26 phones lines in the Budget Office, IT Dept. and One Justice of the Peace Office with similar deployments to continue.**

NO ACTION taken on this item.

At this time Judge Garcia came back to the meeting.

G. HIDALGO COUNTY DA-HIDTA DEPARTMENTS-

1. **Presentation for consideration, discussion, acceptance and approval of a "notice of termination" (vendor has been awarded bid only, contract document has not been executed)received from Abrego Trucking Service, for Hidalgo County's Auctioneer Services;**

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

2. **Authority to advertise for sealed bids for: Auctioneer Services for Hidalgo County with options which include the storage of confiscated or abandoned/unclaimed property;**

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

3. **Presentation for discussion, consideration and action necessary, including but not limited to, the following:**
 - a) **Requesting authority to relocate all surplus and confiscated inventory currently warehoused and stored at Abrego Trucking service to a county-owned location site identified for purposes of security as A or B (detailed in Exhibit 1);**

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

- b) Requesting and recommending the consideration of security services of the designed storage site through: a) off-duty law enforcement personnel (Hidalgo County Sheriff's Dept.) with the possibility of cost share for the services through County, HIDTA, and DA; or b) procuring security services through third party contractor with cost share.**

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

Commissioner Handy withdrew her motion and Commissioner Palacios withdrew his second and took NO ACTION on this item.

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

18. Closed Session: (See Exhibit T)

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

19. Open Session: (See Exhibit T)

A. Real Estate Acquisition

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

NO ACTION taken on items A & B.

20. Closed Session:

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

21. 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 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, APRIL 27, 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 Garza, seconded by Commissioner Handy the Court made a UNANIMOUS vote to approve all items on the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Line item transfers: (See Exhibit B)**
 - A. Criminal Auxiliary Court**
 - B. County Clerk Rec. Mgmt.**
 - C. County Court #2**
 - D. D.A. – Grand Jury**
 - E. Buildings & Grounds**
 - F. County Commissioners**
 - G. Human Resources**
 - H. Tax Office (2)**
 - I. County Court #1**
 - J. County Judge**
 - K. 93rd District Court**
 - L. Fire Marshal**
 - M. Budget Office**
 - N. Pct. #1 – Sanitation**
 - O. Risk Management**
 - P. Workers' Compensation Fund**
 - Q. Health – Administration**
 - R. Purchasing 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. Urban County: (See Exhibit D)**
 - A. Request for approval to enter into "Homebuyer Assistance Program" Contract under the HOME**

Program (4 families)

5. **Right of Way – Permits:** (See Exhibit E)
 - A. **Shell Western E & P – east McCook Facility**
 - B. **Southwestern Bell – Mile 17 ½ & North 3rd St.**
 - C. **North Alamo Water Supply:**
 - **Mile 17 ½ on Saltillo St.**
 - **FM 493 & Mile 20 North**
 - **Sioux Rd. on Tower Rd.**
 - **FM 88 on Mile 12 ½ North**
 - **FM 88 on Mile 12 ½ North**

6. **Purchasing Department:** (See Exhibit F)
 - A. **HIDALGO COUNTY CLERK DEPARTMENT**
 1. **Requesting authority to enter into a 36 month lease agreement for five (5) COPIERS WITH Xerox through TBPC contract 985-A3. Req # 49434 three (30 copiers for a monthly lease rate of \$ 282.09 a month and two (2) copiers for a monthly lease rate of \$ 139.25 a month. Effective upon approval.**
 2. **Requesting authority to enter into a 36 month lease agreement for one (1) copier with Ikon through the Interlocal agreement with TASB Buy Board for Req #49440 at a monthly rate of \$330.00 Effective upon approval.**
 - B. **HIDALGO COUNTY ELECTIONS DEPARTMENT –**
 1. **Requesting authority to purchase computer hardware and peripherals from a CISV vendor, CDW-Government, through the State of Texas Building and Procurement Catalogue Program for Req # 48712 in total amount of \$ 834.00.**
 - C. **HIDALGO COUNTY CONSTABLE PRECINCT NO. 3-**
 1. **Requesting authority to purchase computer equipment from a CISV vendor Dell Marketing through TBPC Purchasing Program for Req # 49539 in the total amount of \$1,405.81.**
 - D. **HIDALGO COUNTY HUMAN RESOURCES DEPARTMENT –**
 1. **Requesting authority to purchase security equipment from a CISV vendor, Starr Telecommunications through TBPC Purchasing Program for Req # 49438 in the total amount of \$ 3,065.00.**
 - E. **HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT-**
 1. **Requesting authority to purchase computer equipment from CISV vendor through TBPC Purchasing Program for Req #49442 for Starr Telecommunications in total amount of \$1,101.00 and Req # 49289 for Dell marketing in the total amount of \$2,309.50**
 - F. **HIDALGO COUNTY WIC PROGRAM –**
 1. **Requesting authority to enter into a maintenance agreement for a NP6551 Copier with Ikon Office Solutions for Req # 41998 in the amount of \$ 124.00 a month. Effective upon approval.**
 - G. **HIDALGO COUNTY SHERIFF’S DEPARTMENT**
 1. **Requesting authority to purchase computer software from a CISV vendor, SHI Government Solutions, Inc. through TBPC Purchasing Program for Req # 49069 in the amount of \$ 1,633.50.**

**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 27, 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 U)**

1. Roll Call

Everyone was present and accounted for except for Commissioner Flores and Commissioner Palacios.

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.

At this time Commissioner Palacios joined the meeting.

4. Purchasing Department – Marty Salazar:

- A. Requesting rescission and proper award and approval of modifications of contract(s) to include the proper and corrected item for "Pipes- Reinforced Concrete Pipes- Size 15" approved by the Board of Directors' Court meeting of 03-02-04 and award to the corresponding vendor or correct low bidder meeting all specifications.**

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

- B. Presentation for discussion, consideration, acceptance of the sole bid received to the to the RFB-"Sale of Recorded Easements" project;**

Commissioner Palacios stated, "For the record, what are we looking at?"

Commissioner Garza stated, "This is some property that was sold and I'm assuming went thru the public."

Steve Crain stated, "It was declared surplus, there was an easement."

On motion of Commissioner Handy, there was no second made.

Commissioner Palacios stated, "For the record, do we have a second?...Answer: Yes"

NOTE: After listening to the audio tape, the clerk notified the proper departments that a second had not been made for this item, As per Steve Crane's recommendation, this item will be placed back on next week's agenda for proper action.

C. Requesting approval of an "Order Confirming Sale" of "a 1.134 acre tract and a 0.518 acre tract of Land".

NO ACTION taken on this item. This item will be brought back next week.

A motion was not presented to go into Executive Session due to the fact that there was not a need to discuss anything under the 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

6. Open Session:

A. Real Estate Acquisition

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 Handy the Court made a UNANIMOUS vote of approval to adjourn this day's meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 27, 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 V)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge Permits:**
 - A. City of Edinburg – Paloma Del Valle Phase II & III**
 - B. City of Hidalgo – Valle Alto Northeast Phase III**
 - C. City of Mission – Progreso Estates**

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 27th 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 27, 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