

SPECIAL MEETING – May 11th, 2004

BE IT REMEMBERED, that on this 11th day of May, 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, MAY 11, 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 with the exception of Commissioner Garza.

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.

At this time Commissioner Garza joined the meeting.

4. Open Forum

- Rosavelt Anzaldua – Riojas Subdivision

At this time the Court moved to item 15.

5. Approval of Consent Agenda

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

6. J.P. Pct. #4, Pl. 2 – J.P. Palacios (See Exhibit H)

A. Discussion on the new OMNI Systems that Texas Department of Public Safety is requesting to implement in all Justice of the Peace Courts

A discussion was held by J.P. Palacios and the Commissioners, and the Court will schedule a meeting with DPS, J.P. offices, and the Budget office to further discuss this item.

At this time the Court moved to the Addendum.

7. County Judge: (See Exhibit I)

- A. Discussion, consideration and possible action/approval of a letter of support to the Texas Department of Housing and Community Affairs (TDHCA) for several developers who are asking TDHCA's assistance in building affordable housing using federal tax credits to fund new construction and rehabilitation of multifamily residential developments in Hidalgo County. The developers are: Chicory Court, App. # 04193; South 27th, L.P., App. # 04012; Las Canteras Housing Partners, Ltd., App. # 04037; SJ Affordable Housing, L.P., App. # 04124; Arbor Cove, Ltd., App. # 04226; Rufino Contreras Affordable Housing Corporation, App. # 04146; Paloma Blanca Apartments, L.P., App. # 04034; Tres Cruces Apartments, L.P. App. # 04035; Los Milagros Apartments, L.P., App. # 04032; HVM Donna III, Ltd., App. # 04110.**

Commissioner Garza abstained from voting on this item.

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

- B. Discussion, consideration and possible action regarding approval of the following TxDOT Advance Funding Agreements:**
a.) FM 1924, County of Hidalgo, CSJ# 1802-01-029
b.) FM 1924, County of Hidalgo, CSJ# 1802-01-031

NO ACTION taken on this item.

8. County Auditor: (See Exhibit J)

- A. Discussion, consideration and approval of the Machinery & Equipment threshold from \$250 to \$1,000 and to increase the threshold for Machinery & Equipment from \$1,000 to \$5,000 for depreciation and reporting purposes as per GASB Statement #34 to be effective January 1, 2005.**

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

9. Headstart: (See Exhibit K)

- A. Requesting approval of professional services contract with Rike Ogden, Figueroa, Dickinsen Architects in connection with the relocation of McAllen III Head Start Center from San Diego Cuauhteatozion Parish to the McAllen Independent School District Sam Houston Elementary site.**

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

- B. Requesting exemption from competitive bidding under Texas Local Government Code 262.024 (a)(4) for professional architectural services with Rike Ogden, Figueroa, Dickinsen Architects in connection with the relocation of McAllen III Head Start Center from San Diego Cuauhteatozion Parish to the McAllen Independent School District Sam Houston Elementary site.**

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

The Court moved to item 7.A.

10. Urban County: (See Exhibit L)

- A. Approval to award a Construction Contract to P&A III Construction for Watts Street in the City of Progreso using Urban County Program Street Improvements funding from Year 14 (2001) and Year 15 (2002) in the amount of \$98,444.50.**

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

- B. Approval to Terminate a Sub-recipient Agreement with the Boys & Girls Club of Edcouch-Elsa and the Urban County Program on behalf of Hidalgo County Precinct No. 1. The Boys & Girls of Edcouch-Elsa has merged with the Boys & Girls Club of Edinburg Rio Grande Valley and is no longer in existence. Unspent funds from PY 16 (2003) in the amount of \$6,643.87 will be reprogrammed to the Boys & Girls Club of Edinburg Rio Grande Valley – Edcouch/Elsa Units.**

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

- C. Approval to Award a Sub-recipient Agreement with the Boys & Girls Club of Edinburg Rio Grande Valley – Edcouch/Elsa Units and the Urban County Program in behalf of Hidalgo County Precinct No. 1 using Urban County Program Year 16 (2003) funds in the amount of \$6,643.87.**

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

- D. Approval to terminate a Sub-recipient Agreement with the Boys & Girls Club of Edcouch/Elsa and the Urban County Program on behalf of the City of Edcouch. The Boys & Girls Club of Edcouch-Elsa has merged with the Boys & Girls Club of Edinburg and is no longer in existence. Unspent funds from FY 16 (2003) in the amount of \$4,741.62 will be reprogrammed to the Boys & Girls Club of Edinburg RGV Edcouch/Elsa Units.**

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

- E. Approval of a Sub-recipient Agreement with the Edinburg Boys & Girls Club Rio Grande Valley Edcouch/Elsa Units (Youth Services) and the Urban County Program on behalf of the City of Edcouch using Urban County Year 16 (2003) funds in the amount of \$4,741.62.**

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

- F. Approval to terminate a Sub-recipient Agreement with the Boys & Girls Club of Edcouch-Elsa and the Urban County Program on behalf of the City of Elsa. The Boys & Girls Club of Edcouch-Elsa has merged with the Boys & Girls Club of Edinburg and is no longer in existence. Unspent funds from FY 16 (2003) in the amount of \$27,014.00 will be reprogrammed to the Boys & Girls Club of Edinburg RGV Edcouch/Elsa Units.**

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

G. Approval of a Sub-recipient Agreement with the Edinburg Boys & Girls Club Rio Grande Valley Edcouch/Elsa Units (Youth Services) and the Urban County Program on behalf of the City of Elsa in the amount of \$27,014.00.

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

H. Request for approval of a budget and program amendment for the city of Penitas utilizing Urban County Program funding from Year 15 (2002). These funds will appropriate a line item for Health Services for the purchase of a mosquito sprayer (\$7,300.00) and a line item for Sidewalk Improvements (\$7,200.00) to Nuevo Penitas Subdivision.

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

11. Planning Department: (See Exhibit M)

A. Preliminary Approval

- 1. Tesoro Estates Phase 3 Subdivision – Pct. 1 (Mark Dizdar, Developer)**
- 2. Eagle's Nest Unit No. 3 Subdivision – Pct. 1 (Tony Barbosa, Developer)**
- 3. Jardin Del Valle Apartments Phase 2 Subdivision – Pct. 4 (Antonio Villarreal, Developer)**

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

B. Final Approval:

- 1. LO/MA Subdivision – Pct. 1 (Sonia Mata –Lozano, Developer)**

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

C. Final Approval with a cash Deposit:

- 1. Tres Vecinos Subdivision – Pct. 4 (Betty Gaston, Developer)**

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

D. Reimbursement of a cash deposit:

- 1. Gonzalez Apartments Subdivision – Pct. 1 (Santiago Gonzalez, Developer)**

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

E. Discussion and/or possible action on Order relating to subdivisions utilizing La Joya Water Supply as its water supply utility.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval of the Order and excluding the seven subdivisions pending.

The Court took a fifteen-minute break to discuss the Order.

After careful review of the Order and upon the advice of council, Commissioner Garza withdrew his motion and Commissioner Flores withdrew his second and will motion as follows:

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the Order from last week and to delete and postpone till next week any decision on any pending subdivisions, however this Order would approve requiring the letter and permission from TCQ in any new subdivision with La Joya Water Supply CCN.

At this time the Court moved to item # 9.

At this time Commissioner Handy left the meeting.

12. Risk Management: (See Exhibit N)

- A. Approval of reimbursement to the Hidalgo County's Workers' Compensation Claims paying account for: Workers' Compensation claims paid by TriStar Risk Management in the amount of \$42,112.37 for the period ending April 15, 2004 (4/1/04 through 4/15/04)**

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

- B. 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 \$91,335.91 for the period ending April 30, 2004 (4/16/04 through 4/30/04)**

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

13. Right of Way: (See Exhibit O)

- A. Approval for County Auditor to process a manual check to Pricilla Mora for payment of right of way acquisition for parcels #128 & #129 (North "I" Project)**

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

14. Budget Office: (See Exhibit P)

A. Pct. #1

1. Approval to create object .890 (other) and line item transfer in the amount of \$100.00 (Adm.)
2. Approval to create object .433 (R & M Services) and line item transfer in the amount of \$3,325.00 (Lateral Roads)

B. Sheriff's Department: (U.S. Dept. of Justice – COPS MORE 2002 Grant)

1. Approval to create object .601 (office supplies), .661 (minor office equipment & furniture) and line item transfer in the amount of \$3,300.10

C. County Court at Law #5:

1. Approval to create object .604 (drugs & medicines), .611 (police & camera supplies), .746 (office furniture) and line item transfer in the amount of \$1,100.00

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve 14.A, B, and C.

D. Constable Pct. #2: (L.E.O.S.E.)

1. **Approval of budget appropriation in the amount of \$1,208.69 into Fund Acct. # 4-1220-421-00-292-002-0-583 (Travel Expense)**

E. Constable Pct. #4: (L.E.O.S.E.)

1. **Approval of budget appropriation in the amount of \$1,053.92 into Fund Acct. # 4-1220-421-00-294-002-0-583 (Travel Expense)**

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

F. Interdepartmental Transfers:

1. Pct. #2:

- **Approval to create object .413 (surveillance & security) and interdepartmental transfer from Parking Lot Security to Pct. #2 R/B Administration - \$6,000.00**

2. Pct. #4:

- **Approval of interdepartmental transfer from Budget Office Contingency Account to Pct. #4 R/B Paved/Unpaved - \$25,000.00**

3. Health Department:

- **Approval of interdepartmental transfer from Budget Office Contingency Account to Health Administration (\$34,100.00), Environmental/Sanitation (\$9,700.00), Health Clinics (\$13,750.00), Mobile Clinics (\$2,000.00) and TB Elimination (\$15,844.00)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve F.1, 2, &3 except for TB Elimination on #3.

15. Commissioner Pct. #4: (See Exhibit Q)

A. Discussion and action on a proposed road known as Rojas

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the maintenance of this road, and expend monies for the title search of the vacant properties. This road was declared an emergency and Pct.4 crew was sent out to throw caliche to alleviate some of the problem.

At this time the Court moved back to item # 5.

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>294,753.84</u>
2004	_____
2. **Indigent Health Care expenditures**

Presentation made by Rudy De La Vina.

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

A. Discussion Consideration and action allowing the Information Technology Department use of space for the purposes of storage at the Old Juvenile Detention Facility.

Presentation made by Daniel Flores.

B. Status of old jail building

Presentation made by Daniel Flores.

C. Maintenance of county grounds

Presentation made by Daniel Flores.

D. Status of renovation of administration building

Presentation made by Daniel Flores.

At this time Commissioner Palacios stepped out of the meeting.

18. Purchasing Department: (See Exhibit T)

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

B. ANY/ALL REQUESTS FOR ACCEPTANCE AND APPROVAL OF CLAIMS/INVOICES UNDER THIS AGENDA WILL INCLUDE AUTHORITY FOR AUDITOR TO ISSUE PAYMENT AFTER REVIEW, AUDIT AND PROCESSING PROCEDURES COMPLETED

A. HIDALGO COUNTY –

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

1. **New Hidalgo County Jail:** Total inmate population: 984 Other Information: 13
 Physical Count: 967 Males 906
 Out of County: La Villa 0 Females 61
 Brooks's 0 Federal 7
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;**

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

- c) **Presentation for discussion, consideration, acceptance and approval of Request for Payment(s) Nos. 4&5 (Reimbursable Expenses) in the amounts of \$1,757.50 and \$1,702.17 respectively submitted by V-A Architecture, project architect for the construction of the Shooting Range Building & Canopy, Berm, Shooting Range Parking, Road Access Drive, Site-work and Flatwork**

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

d) County Auditor's Report on Detent in Facility Law Enforcement Center Project paid and pending payment request approval;

NO ACTION taken on this item.

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

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

- 6. Requesting authority to rescind the Loss Control Services Pool approved on March 09, 2004. AND**
7. Requesting authority to advertise an RFP for "Loss Control Services – Hidalgo County."

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve items 6 & 7.

- 8. Requesting authority to advertise and approval of draft specifications as attached hereto for:**
a) "Tire Disposal Services".
b) "MS-1 Emulsified Asphalt".
c) "18" Pre-cast Safety end Treatments".

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve 8.a, b, & c.

- 9. Requesting and recommending to reject bids received for "Gasoline, On & Off Highway Diesel Fuel".**

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

- 10. Requesting authority to re-advertise and approval of draft specifications for "Gasoline, On & Off Highway Diesel Fuel" with clarification of, but not limited to, the following:**
a) Award the bid to one or multiple bidders if the County determines it is in its best interest to do so.
b) Deletion of Off-Highway Diesel at fueling stations;
c) Others, as maybe requested by Court;

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

UNANIMOUS vote to approve 10. a, b, & c.

- 11. Presentation for discussion, consideration and action of clarification and confirmation of use of sites “A” and “B” for relocation of all surplus/confiscated property from Abrego Trucking Service premises as approved by Commissioners Court on April 27, 2004.**

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

B. HIDALGO COUNTY PRECINCT NO. 1-

- 1. Requesting approval of Change Order No. 1(increase) in connection with “Additional Mold Remediation-Multi-Purpose Building-Hidalgo County Precinct No. 1-1902 Joe Stephens Dr. Weslaco, Texas” in the amount of \$2,384.92 with ARC Abatement.**

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

- 2. Presentation for discussion, acceptance and approval of project as complete on a clearance notice received from Raba-Kistner, Consulting Engineers, based on their final inspection and as presented by Project Architect’s (AGADG) Certificate of Completion.**

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

At this time Commissioner Palacios came back to the meeting.

- 3. Presentation for consideration, discussion, acceptance and approval of Application and Certificate of Payment No.1 (final),dated, February 29,2004, from ARC Abatement for “Additional Mold Remediation-Multi-Purpose Building-Hidalgo County Precinct No.1-1902 Joe Stephens Dr., Weslaco, Texas” in the amount of \$44,624.92 and as certified by project architect, George A. Garcia, AGADC.**

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

At this time Judge Garcia stepped out of the meeting.

C. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Requesting acceptance and approval of Change Order No. 1 (increase) with Rio Valley Construction, Inc. in the amount of \$13,775.00 in connection with Multi - Service Center project as presented by Alcocer Garcia Associates Design Consulting, project Architect.**

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

D. HIDALGO COUNTY BUILDINGS & GROUNDS-

- 1. Presentations for consideration, discussion, acceptance and approval of Certificate for Payment No. 1, dated April 30,2004 from Mar-Vel Construction Company for “Atrium Roof Renovations-Hidalgo County Administration Building” in the amount of \$ 31,050.00 and certified by project architect, George A. Garcia, AGADC.**

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

E. HIDALGO COUNTY RIGHT OF WAY DEPARTMENT-

1. **Presentation for discussion, consideration and acceptance, of the sole bid received from Matias Pena, Jr., in the amount of \$ 12,101.00 in response to the RFB “Sale of Real Property” project, in connection with (a 100 of abandoned Railroad Right of Way land at Encinitos Road).**

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

2. **Requesting approval of an “Order Confirming Sale” of the sole bid received from Matias Pena, Jr. in response to the RFB “Sale of Real Property” project in connect on with (a 100 of abandoned Railroad Right of Way land at Encinitos Road).**

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

F. HIDALGO COUNTY SHERIFF’S DEPARTMENT-

1. **Requesting authority to advertise and approval of draft specifications as attached hereto for:**
 - a) **“Tires” project.**
 - b) **“Repairs & installation on radios, emergency equipment & other miscellaneous equipment” project.**

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

2. **Recommending award of bid and approval of contract for “Section II BDU’s Battle Dress Uniforms”, to sole bidder meeting all requirements and/or specifications.**

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

G. HIDALGO COUNTY WIC PROGRAM-

1. **Recommending of bid award and approval of the lease contract to a sole bidder received meeting all specifications as attached hereto for: “Lease of Office Space WIC Clinic in the Vicinity City of Alton”**

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

H. HIDALGO COUNTY HEALTH DEPARTMENT-

1. **Requesting exemption from competitive bidding requirements for a short term (90 day) contract for a Licensed Nurse Practitioner with Patricia de Blicck, R.N., MSN, and CNM.**

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

2. Requesting approval for a short term (90 day) professional service contract with sister Patricia de Blicck, a Licensed Nurse Practitioner

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

3. Requesting authority to advertise and approval of qualifications and scope of services as attached hereto for the RFQ for a Licensed Nurse Practitioner.

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

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

19. Closed Session: (See Exhibit U)

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

A. Real Estate Acquisition

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

C. Pending and/or potential litigation:

1. Juan Antonio Abrego vs. Hidalgo County

20. Open Session: (See Exhibit U)

A. Real Estate Acquisition

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the purchase of a parcel for the North I Road Phase II Parcel #130 belonging to Mr. Gilbert Garza appraised valued at \$1,286.00 with a settlement offer of \$2,000.00.

Commissioner Garza stated for the record: "What is his name? ANSWERED: Gilbert Garza, he is no relation to me at all and neither is Godfrey."

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

C. Pending and/or potential litigation:

1. Juan Antonio Abrego vs. Hidalgo County

NO ACTION taken items B & C.

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 Flores, 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, MAY 11, 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. 92nd District Court - \$960.00**
 - B. 398th District Court (Indigent Defense Program) – 35.44**
 - C. Pct. #1 Parks – 950.00**
 - D. Pct. #1 Colonia Access (Oak) – 1,382.88**
 - E. Pct. #1 Colonia Access (Rosalito) – 2,618.77**
 - F. Pct. #2 Sanitation – 1,000.00**
 - G. Pct. #2 R/B Administration – 1,500.00**
 - H. Pct. #3 Sanitation – 4,000.00**
 - I. District Attorney – 1,500.00**
 - J. Elections Department – 10,500.00**
 - K. Information Technology Department – 10,000.00**
 - L. Budget Office – 500.00**
 - M. Human Resources – 50.00**
 - N. General Litigation – 1,296.04**
 - O. Sheriff's Department – 700.00**
 - P. Constable Pct. #1 – 300.00**
 - Q. Constable Pct. #3 (Project STOP) – 264.38**
 - R. Fire Marshall – 4,000.00**
 - S. Adult Probation – 19,800.00**
 - T. Human Services – 20,725.00**
 - U. Veterans Services – 50.00**
 - V. District Attorney (Bad Checks) – 207.00**
 - W. Health Department (Bio-terrorism Grant) – 1,000.00**
- 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. Right of Way: (See Exhibit D)**
- A. North Alamo Water Supply: Install a 2” waterline at Mary Ann Subdivision Lot 25 located on Mile 17 ½ North, on the north side of west Mile 6 West – Thomas Alonzo**
 - B. North Alamo Water Supply: Install a 2” waterline on Mile 9 south side west of Victoria Road – Bore – Hector Bravo**
 - C. Sharyland Water Supply: Install a 1” waterline to be encased within a 2” PVC casing. Crossing to be located approximately 3168’ north of the intersection of 3 Mile line and Schuerbach Road**
 - D. City of Edinburg: Install a 2” waterline approximately 700’ south of Cottonwood on Barb-Mar Street. The city will extend the 2” PVC Pipe approximately 250’ south along the west ROW of Barb-Mar Street.**
- 5. Urban County: (See Exhibit E)**
- A. Request for approval to enter into a “Homebuyer Assistance Program” contract under the HOME Program. (3 families)**
- 6. Purchasing Department: (See Exhibit F)**
- A. HIDALGO COUNTY PRECINCT NO. 3 -**
 - 2. Requesting authority to purchase computer hardware and peripherals from a CISV vendor, Dell marketing, through TBPC Catalogue Purchasing Program for Req # 50267 in the total amount of \$ 1,321.77.**
 - B. HIDALGO COUNTY 206th DISTRICT COURT -**
 - 1. Requesting authority to enter into a maintenance agreement for one year for Copier with Ikon Office Solutions for Req # 50186 in the amount of \$ 653.58. Effective upon approval.**
 - C. HIDALGO COUNTY TAX ASSESSOR/COLLECTOR –**
 - 1. Requesting authority to enter into a maintenance agreement for a fax machine with Copy Graphics, Inc for one year for Req # 50168 in the total amount of \$ 200.00. Effective May 22, 2004 through May 22, 2005.**
 - 2. Requesting authority to purchase computer equipment from a CISV vendor, Multi-wave, through TBPC Catalogue Purchasing Program for Req # 49219 in the amount of \$ 2,618.00**
 - D. HIDALGO COUNTY BUILDINGS & GROUNDS -**
 - 1. Requesting authority to enter into a maintenance agreement with Pitney Bowes for a Paragon System and Power Stacker for one year. Req # 49996 Paragon System in total amount of \$ 2,801.00 and Req # 49994 for Power Stacker in the total amount of \$ 285.00. Effective upon approval.**
 - E. HIDALGO COUNTY ELECTIONS –**
 - 1. Requesting authority to purchase computer supplies from a CISV vendor, CDW-Government, through TBPC Catalogue Purchasing Program for # 49958 in the amount of \$ 983.74.**
 - F. HIDALGO COUNTY INFORMATION TECHNOLOGY –**
 - 1. Requesting authority to purchase computer equipment from CISV vendor through TBPC Catalogue Purchasing Program for the following:**
 - a. Req # 49927 Dell Marketing \$1,625.97**
 - b. Req # 49911CDW-Government \$3,234.64**
 - c. Req # 50343IDocket \$3,524.95**
 - d. Req # 50365S.J.S. Computers \$ 221.00**

G. HIDALGO COUNTY HEALTH DEPARTMENT -

1. Requesting authority to purchase computer equipment from a CISV vendor, Computer Technical Services, through TBPC Catalogue Purchasing Program for Req # 49923 in the total amount of \$352.00.

H. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM -

1. Requesting authority to purchase computer equipment from a CISV vendor, S.J.S Computers, through TBPC Catalogue Purchasing Program for Req # 49729 in the total amount of \$ 1,634.00.

I. HIDALGO COUNTY HUMAN RESOURCES –

1. Requesting authority to purchase and replace one cellular phone with Cingular a vendor through the Department of Information’s “Texas 2000” Contract for Req #50316 in a total amount of \$200.00

7. Tax Assessor/Collector (See Exhibit G)

A. Approval of Tax Refunds:

1. Hidalgo Co. Abstract & Title	Hidalgo Co. Abstract	\$ 3,304.62
2. Francisco & San Juanita Gonzalez	King Guerra Davis	\$ 8,711.87
3. Matias & Maria L. Pena	IBC	\$ 5,718.97
4. Jose Luis Pena	Jose Luis Pena	\$ 2,829.91
5. Keith H. & Leeanna M. Porter	Principle Mortgage	\$ 2,568.65
6. North McColl Bus Park	Tax Disbursement	\$11,625.17
7. International Paper Co.	International Paper	\$ 8,493.33
8. Guillermina S. Gutierrez	Guillermina S. Gutierrez	\$ 8,218.44
9. Roy & Julie Stewart	Countrywide Home L.	\$ 5,995.38

**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, MAY 11, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**DRAINAGE DISTRICT
(See Exhibit W)**

1. Roll Call

Everyone was present and accounted for with the exception of Commissioner Handy 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 Consent Agenda.

4. Risk Management:

- A. Update on Workers Compensation claims paid by TriStar Risk Management in the amount of \$18,059.61 for the period 4/1/2004 through 4/30/2004**

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

At this time Judge Garcia came back into the meeting.

5. Purchasing Department:

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

**B. Requesting authority to rescind the Loss Control Services Pool approved on March 09, 2004. AND
C. Requesting authority to advertise an RFP for “Loss Control Services – Hidalgo County.”**

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

There was no need to go into Executive Session.

6. 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.

7. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

8. Closed Session:

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

9. 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 Flores, 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, MAY 11, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

**DRAINAGE DISTRICT
(See Exhibit X)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**

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, May 11, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

ADDENDUM
(See Exhibit V)

1. Adult Protective Services:

A. Approval of proclamation proclaiming the month of May as Elder Abuse Prevention Month

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

Commissioner Handy read the proclamation into the record.

At this time the Court moved back to item 11E.

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 11th day of May, 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 May 11th 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