

SPECIAL MEETING – May 25th, 2004

BE IT REMEMBERED, that on this 25th 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-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, MAY 25, 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 Judge Garcia and Commissioner Garza.

2. Pledge of Allegiance

Commissioner Handy led the Court and Audience in the Pledge of Allegiance.

3. Prayer

Teresa Navarro led the Court and Audience in Prayer.

4. Open Forum

No presentations made during Open Forum.

5. Approval of Consent Agenda

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

6. County Judge – Lorie Ochoa: (See Exhibit J)

A. Discussion of the role of the Hidalgo County Appraisal District and the rights of taxpayers

NO ACTION taken on this item.

B. Approval of Proclamation to increase awareness of the memorial poppy and in recognition and honor of the dedication of the World War II Memorial in Washington, D.C. to be held on May 29, 2004

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

Commissioner Handy read the proclamation into the record

7. Elections Department – Teresa Navarro: (See Exhibit K)

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 Edcouch for their May 15, 2004 Municipal Election (Recount)**
- 2. Election Services Agreement between the County of Hidalgo and McAllen ISD for their May 15, 2004 Board of Trustees Election (Recount)**
- 3. Canvassing Election Results for South Texas ISD May 15, 2004 Election, Pct. #1**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve 7.A 1, 2, & 3.

8. Juvenile Probation – Buddy Silva: (See Exhibit L)

A. Report on the Juvenile Board of Judges Certification and Texas Juvenile Probation Commission Registration of the Hidalgo County Secure Juvenile Detention and Boot Camp Facilities

Presentation made by Buddy Silva.

The Court moved to item 12.A.

B. Follow-up report by Mr. Noe Hinojosa, Financial Advisor, related to the estimated construction cost, operational cost, Tax Rate Impact and Funding Alternatives for the proposed 135 Bed Juvenile Justice Facility

Presentation made by Noe Hinojosa.

C. Action related to agenda #2, Follow-up report by Mr. Noe Hinojosa, Financial Advisor, related to the estimated construction cost, operational cost, Tax Rate Impact and Funding Alternatives for the proposed 135 Bed Juvenile Justice Facility

NO ACTION taken on this item.

The Court took a 5-minute break to have Risk Management set up their presentation.

After the five-minute break the Court continued with Executive Session.

9. Health Department – Eddie Olivarez: (See Exhibit M)

A. Requesting authorization and approval to amend the Service Delivery Integration Contract (#7460007176A2004 Change No. 02) in the amount of \$ 2,900.00

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

B. Authorization and approval to accept \$ 2,900.00 of pharmaceutical supplies

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

10. Urban County – Diana Serna: (See Exhibit N)**A. Requesting approval to create part-time Custodian position for Urban County Program and set salary**

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

B. The City of Alamo is requesting approval of a budget & program amendment for Urban County Program Years 15 & 16 (2002 & 2003) – the year 15 (2002) will allow for the creation of a Parks, Recreational Facility line item amount in the amount of \$ 144,053.00 – the year 16 (2003) amendment will allow for an increase of \$ 28,497.50 in the Neighborhood Facility line item and \$ 37,591.50 in the Parks, Recreational Facilities line item – the requested amendments will allow for additional funding for construction of a new library and a sports complex/community park

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

C. 2002 City of Alamo – Parks, Recreational Facility Requesting authorization for County Judge to sign Notice Intent to Request for Release of Funds (NOI/RROF) and Request for Release of Funds (RROF) for 2002 City of Alamo Parks, Recreational Facility

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

D. Approval of Amendment of Professional Services Agreement with Javier Hinojosa Engineering funded by Pct. #3 – UCP 2003 – Colonia Matching Activity for Sanitary Sewer Improvements for Friendly Acres & Aloha Village

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

E. Approval to award a Construction Contract to DCR Demolition & Utility for the purchase and installation of a 3 x 3 grate inlet, bar ditch of 1.5 to 3 ft. and a RCP 15” in diameter for Mile 4 West using UCP Year 16 (2003) Pct. #1 Street Improvements funding in the amount of \$6,250.00

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

F. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Noe Garza Engineers, Inc. on behalf of the City of San Juan for the design of streets within Sioux Terrace Subdivision, Sioux Terrace South Subdivisions and Sioux Rd. located North of San Juan

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

G. Approval of professional services engineering contract with Noe Garza Engineers, Inc. on behalf of the City of San Juan for the design of streets within Sioux Terrace Subdivision, Sioux Terrace

South Subdivision and Sioux Rd. located North of San Juan using Urban County Year 16 (2003) funding in the amount of \$ 24,517.50

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

11. Human Resources – Esther Cortez: (See Exhibit O)

- A. Approval to delete slot #002-007 HR Specialist**
- B. Approval to create slot #002-011 Administrative Aide I**
- C. Approval to set salary**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve A, B, & C with a salary amount of \$19,260.00.

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

- A. Consider and approve the 2004 Business Agreements as prescribed by HIPPA Regulations**

After a brief discussion the Court asked Paul Vazaldua to re-word the agreement and present it to the Court next week.

NO ACTION taken on this item.

At this time the Court moved to item 18.B & C.

- B. Approval of Interlocal Agreement between Hidalgo County and Kerr County for mental health services**

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

- C. Approval of line item transfers:**

- 1. Pct. #1 – Colonia Access Program**
- 2. Pct. #4 – C.O. 2002 Parks**
- 3. COPS in School Grant**

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

- 4. Pct. #2 – R & B**

NO ACTION taken on this item.

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

- 1. Approval to create obj. 608 & line item transfer**

- E. J.P. Pct. #5, Pl. 1:**

- 1. Approval to create obj. 661 & line item transfer**

- F. Pct. #2:**

- 1. Approval to create obj. 640 & line item transfer – R & B**
- 2. Approval to create obj. 674 & line item transfer – Parks**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve D.1 ,E.1, & F.2.

NO ACTION taken on F.1.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to rescind the action taken for item F.1 and F.2.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on F.2 and NO ACTION taken on F.1.

G. Approval of budget appropriations:

1. **Pct. #2 – R & B Acct.**
2. **Capital Projects Fund – Law Enforcement Facility**
3. **Elections Department**

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

H. Budget Interdepartmental Transfer Requests:

1. **Adult Probation <\$ 75,000.00>**
2. **Tax Office - \$ 3,000.00**
3. **Budget Office Contingency - \$ 9,887.30**
4. **Pct. #1 - \$ 17,351.70**
5. **Health Department - \$ 15,844.00**
6. **5th Adm. Judicial Region - \$ 10,917.00**
7. **IT Department - \$ 18,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve H.1 thru 7.

13. Planning Department – Raul Sesin: (See Exhibit Q)

A. Renewal of Letter of Credit:

1. **Iowa Gardens Subdivision Phase I Amended – Pct. 4 (Jack Burkholder)**
2. **Iowa Gardens Subdivision Phase II & III – Pct. 4 (Jack Burkholder)**
3. **Los Cerritos Subdivision Unit I, II, III & IV – Pct. 4 (Jack Burkholder)**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve 13.A.1, 2, & 3.

B. Release and Renewal of Remainder Letter of Credit:

1. **Venetian Ranches – Pct. 4 (Richard Garza)**

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

C. Preliminary Approval:

1. **Promesa Estates Subdivision – Pct. 2 (Jose Villarreal, Developer)**
2. **North Park Place Subdivision Phase I – Pct. 1 (Dale Davis, Developer)**

- 3. Los Mirasoles No. 2 Subdivision – Pct. 4 (Jose Maria Gomez, Developer)**
- 4. Los Amigos Subdivision – Pct. 1 (Richard Ruppert, Developer)**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve 1 thru 4.

D. Final Approval:

- 1. Lot “A” Hutton Subdivision – Pct. 1 (Leopoldo Garcia, Developer)**

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

E. Final Approval with a Cash Deposit:

- 1. Santa Cruz Ranches No. 1 – Pct. 4 (Richard Ruppert, Developer)**

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

F. Partial Release of Letter of Credit:

- 1. Cielo Azul Unit No. 5 Subdivision – Pct. 1 (Harold Munal)**

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

G. Status Report on Pending Subdivisions within La Joya Water Supply Corporation CCN Area

Status Report made by Raul Sesin.

At this time the Court moved back to item 8.B & C.

At this time the Court also moved back to item 12.F.

14. Risk/Emergency Management – Adan Perez: (See Exhibit R)

- 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 \$ 53,183.60 for the period ending May 15, 2004 (05/01/04 through 05/15/04)**

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

- B. Presentation by Charlie Montgomery, Emergency Management Coordinator and Eddie Olivarez, Director/Health Department, regarding Metropolitan Medical Response Plan (MMRS); participation with City of McAllen and Lower Rio Grande Valley Development Council for quick response with medications during times of disaster**

Presentation made by Charlie Montgomery.

NO ACTION taken on this item.

Commissioner Palacios stated for the record: “There’s a lot of money floating around, there’s some

grants and what I would like to see, any time we apply for moneys that it be brought to commissioners court ahead of time and any time we get notification of a grant, whatever, that we bring it to court and make sure that the auditor or Valde is included in the loop so that we can account for those monies.”

- C. Discussion and approval to participate in next round of grants based on vulnerability studies done in 2001 & 2002: Law Enforcement – Base Grant amount \$ 44,322.11 with possibility of more; no cash match for this grant – Emergency Management has coordinated with Sheriff’s Office and IT Department for possible qualified projects**

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

- D. Status Report on Department of Justice Grants: Years 1999-2001; Year 2002; Year 2004**
E. Discussion and approval for Interlocal with certain emergency response entities of grant equipment for the function of establishing the Rio Grande Regional Response Association (Hazmat Life/Safety Team)
F. Request for Commissioners’ Court for approval for Charlie Montgomery, Emergency Management Coordinator and Art Gaytan, Fire Marshal, to represent Hidalgo County Emergency Management issues with the Rio Grande Regional Response Association

NO ACTION taken items D, E, & F.

- G. Notification to Commissioners’ Court that Charlie Montgomery has been elected as a Board Member of the Texas Gulf Coast Emergency Management Association to represent the Lower Rio Grande Valley interests for emergency management issues**

NO ACTION taken on this item.

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

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

1. Authorization to pay 2003 claims: \$266,634.31
2. Authorization to pay 2004 claims: _____
3. Indigent Health Care expenditures

Rudy de la Vina notified the Court that \$266,634.31 in expenditures were paid.

NO ACTION was needed on any of the items.

16. Buildings & Grounds – Daniel Flores: (See Exhibit T)

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

NO ACTION taken on these items.

17. Pct. #1 – Comm. Handy: (See Exhibit U)

- A. Request approval of Interlocal Agreement with the City of Alamo and Hidalgo County Pct. 1 for road improvements to Duranta Avenue**

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

18. Pct. #2 – Comm. Palacios: (See Exhibit V)

A. Authorization for appraisals, title reports and acquisition of additional right of way on Sugar Rd. from Owassa Rd. to Business 83

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

At this time the Court moved back to item #9.

B. Authorization to amend the County of Hidalgo Parks and Recreation Master Plan

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

C. Approval to resubmit Indoor Grant Application to Texas Parks and Wildlife

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

At this time the Court continued with item A.

19. Pct. #4 – Comm. Garza: (See Exhibit W)

A. Request authorization to name an unnamed/unimproved county dedicated road located within Hidalgo County Pct. #4 as follows: Segura Mendoza Drive

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

20. Purchasing Department – Marty Salazar: (See Exhibit X)

NOTES: I. 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.

II. 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: 1015 Other Information: 11

Physical Count:	<u>1005</u>	Males	<u>930</u>
Out of County: La Villa	<u>0</u>	Females	<u>72</u>
Brooks's	0	Federal	<u>9</u>
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;**

NO ACTION taken on items 2 & 3.A-B.

- C. Requesting approval of AIA Document # A-101-1997, Standard Form of Agreement between Owner and Contractor (contract- subject to legal review) as awarded on April 20, 2004 to CRC Consultants for the construction of the Shooting Range Building & Canopy with authority for project architect to issue the Notice to Proceed to reflect a commencement date of May 24, 2004.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval with a commencement date of Jun 7, 2004.

- D. Requesting approval & authority for project engineer to issue the Notice to Proceed as awarded on, March 02, 2004 to Asago, LLC for Shooting Range Berm, Parking, Road, Access Drives, Sitework & Flatwork to reflect a commencement date of May 26, 2004.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval project engineer being Quintanilla, Healy and Assoc.

- E. County Auditor's Report on Detention 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 Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

- 5. Requesting authority to advertise and approval of draft specifications for "Repairs on Emergency Equipment, Radios & Miscellaneous Equipments and Installation and or Removal of Radios".**

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

- 6. Recommending award of bid and approval of contract for "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-freeze Products" to the lowest multiple bidders meeting all requirements and specifications.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval –bid awarded to Arguindegi Oil Company Limited.

- 7. Recommending award of bid and approval of contract for Pipes- "Polyethylene Pipe (20 FT Joints), Polyvinyl Chloride (PVC) Irrigation Pipe 80 PSI & Additional Miscellaneous Items" to sole bidder meeting all requirements and specifications.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval bid awarded to National Water Works.

8. **Requesting authority to extend the RFP Acceptance Deadline for “Property and Casualty Insurance Policies-Hidalgo County” from May 26, 2004 to June 09, 2004 to provide respondents sufficient time to submit a response.**

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

9. **Discussion, consideration and action on “Professional Consulting Services including, but not limited to, Worker’s Compensation, Property and Casualty, Public Officials, Law Enforcement, Automobile Physical Damage, and/or General Liability-Hidalgo County” RFQ&P for the following items, including, but not limited to:**
- a) **Requesting approval to accept sole proposal received and assignment, or designation, of Evaluation Committee to score, grade and evaluate same;**
 - b) **Requesting authority to reject sole proposal received and cancel project altogether; and/or proceed to appoint or designate a committee to render the consulting services required , or**
 - c) **Requesting authority to re-advertise project in order to solicit more participation.**
10. **Presentation of a report vacating confiscated surplus vehicles and heavy equipment and miscellaneous items from Abrego’s Trucking with recognition of all staff and Precincts, Departments and Programs that worked as a team to complete the relocation project.**

NO ACTION on items 9.a, b, & c and item 10.

11. **Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.024 (a) (8) & (d), for food purchases for any and all County Departments and programs requiring such items with Commissioner’s Court setting and specifying the interval(s) _____ for the solicitation of quotations.**

Note: Historically Hidalgo County has required a 30-day quote be held by Hidalgo County Sheriff’s Department for purposes of audit.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve 30-day intervals for the solicitation of quotations.

12. **Requesting authority to purchase auto parts from an awarded vendor, O’Reilly Auto Parts, through the Interlocal Agreement with TASB BuyBoard for the Sheriff’s Department and/or all other applicable departments.**

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

13. **Requesting authority to purchase “Janitorial Supplies/Industrial Chemicals”, from multiple awarded vendors (Gulf Coast Paper and CC Distributors) through the Interlocal Agreement with TASB Buyboard for Hidalgo County**

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

B. HIDALGO COUNTY PRECINCT NO. 1-

1. **Recommending award and approval to a contract of the sole bidder for: “Hauling Services of Road Materials”, meeting all specifications.**

NO ACTION taken on this item.

C. HIDALGO COUNTY PRECINCT NO. 2-

1. **Requesting approval of modification to existing contract with Alan Yoder Enterprises, Inc. d/b/a Superior Alarms for a “Security Alarm System Including Monitoring Services” to install an extra key pad for an amount of \$ 245.00.**

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

2. **Presentation for discussion, and action on additional documents forwarded by awarded contract vendor, Alan Yoder Enterprises, Inc., d/b/a/ Superior Alarms, (in addition to the executed contract document of file), with authority for Co. Judge to execute the following: 1) work order to proceed with activation of alarm system; 2) declining of additional protection plans; and 3) alarm monitoring agreement.**

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

3. **Presentation for discussion, consideration, and action with authority for Co. judge to execute “Alarm Permit” to comply with City of Pharr Ordinance (#0-83-28) with authority for Auditor to issue a check in the amount of \$30.00 (fee) to the City of Pharr.**

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

D. HIDALGO COUNTY HEALTH DEPARTMENT-

1. **Recommending multiple bid awards and approval of contract of bidders meeting all specifications attached hereto for: “Testing System and Related Supplies” RFB**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval – multiple bids awarded to Hemoque and McKeesen.

2. **Requesting authority to purchase computer software and equipment from a CISV vendor, GHA Technologies Inc., through TBPC Catalogue Purchasing Program for (Req # 49936) in the total amount of \$13,315.95.**

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

3. **Presentation for discussion, consideration and approval of an Interlocal Agreement between Texas Department of Health and Hidalgo County (for Health Department) in connection with the Memorandum of Understanding between the Health Department and the TDH for the Tuberculosis Division Physician.**

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

E. HIDALGO COUNTY HIDTA TASK FORCE-

1. **Requesting authority to exercise the sixty (60) day grace period under the current contract for “HIDTA Task Force – Janitorial Services”, so as to have no lapse in service while sealed quote process is completed.**

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

F. HIDALGO COUNTY BUILDINGS & GROUND-

1. **Requesting authority to advertise and approval of recommended modifications to specifications, “for Service and Repairs of all HVAC Equipment ” project:**

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

G. HIDALGO COUNTY – RAYMONDVILLE DRAIN PROJECT-

1. **Presentation for discussion, consideration, acceptance and approval of the following Invoices: 1) U9443601-06 \$202,319.23; 2) U9443601-07 \$119,569.28; 3) U9443604-08 \$38,057.71; totaling \$359,946.22 submitted by S&B Infrastructure and authorized through P.O. # 504373 and as reflected in Work Authorization #1;**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval and issue a manual check to S&B Infrastructure.

2. **Presentation for discussion, consideration, acceptance and approval to release retainage with authority for Auditor to issue payment (after review, audit and processing procedures completed) for the following work authorizations with Purchase Order No.s ; 313753, 504376, 504375, 504373: # 1) U9444.101-1-16 \$ 46,058.04; # 2) U9444.201- 1-4 \$ 9,941.74; #4) U9444.401-1-3 \$19,427.72; and #6) U9444.601-1-7 \$ 89,092.18 Totaling \$ 164,519.68.**

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

H. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 4-

1. **Recommending to reject all bids received for: “Road Construct in of Simpatico Acres, Sandy Ridge & Meadowlands Subdivision” due to bids submitted being higher than budget amount and engineer’s cost estimate. (Colonia Access Program Project)**

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

2. **Recommending to reject all bids received for: “Road Construction of Austin Gardens, Summerwood and Plantation Oaks Subdivision” due to bids submitted are higher than the budget amount and engineer’s cost estimate. (Colonia Access Program Project)**

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

3. **Requesting authority to re-advertise for “Road Construct in of Simpatico Acres, Sandy Ridge & Meadowlands Subdivision”**
4. **Requesting authority to re-advertise for “Road Construction of Austin Gardens, Summerwood and Plantation Oaks Subdivision”**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 3 & 4.

I. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 1-

1. **Requesting authority to advertise for: “Road Construction of Harmel (Force Account) & R.C. BABB Subdivision’ (Project Carried By: (T.E.D.S.I. Infrastructure Group) (Colonia Access Program)**

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

J. HIDALGO COUNTY –

1. **Requesting authority to obtain, including, but not limited to, the following applicable items necessary in anticipation of real property/estate acquisition(s), fair market value appraisals, inspections, surveys, all phases-environmental assessments, title reports or title policies.**

NO ACTION taken on this item.

Commissioner Handy announced to the Court that NO ACTION would be taken for the ADDENDUM.

At this time the Court moved to adjourn the meeting.

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

21. Closed Session: (See Exhibit Y)

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 claim; Charles Palacios vs. Hidalgo County Sheriff’s Department**
- D. Pending claim; Josefa Cuellar vs. Hidalgo County**
- E. Pending claim; Ernestina Trevino vs. Hidalgo County**
- F. Pending claim; Ricardo Yracheta vs. Pedro Cano Jr. vs. Hidalgo County**
- G. Cause No. M-04-145; David Harvey Bauman vs. Texas Health and Human Services Commission, et.al**
- H. Cause No. M-02-345 and M-02-543; Mark Steven Kelley vs. Hidalgo County**

22. Open Session: (See Exhibit Y)

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending claim; Charles Palacios vs. Hidalgo County Sheriff's Department**
- D. Pending claim; Josefa Cuellar vs. Hidalgo County**
- E. Pending claim; Ernestina Trevino vs. Hidalgo County**
- F. Pending claim; Ricardo Yracheta vs. Pedro Cano Jr. vs. Hidalgo County**
- G. Cause No. M-04-145; David Harvey Bauman vs. Texas Health and Human Services Commission, et.al**
- H. Cause No. M-02-345 and M-02-543; Mark Steven Kelley vs. Hidalgo County**

NO ACTION was taken on any of the items.

The Court will continued with item # 14.

23. Closed Session:

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

24. Open Session:

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

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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, MAY 25, 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 Palacios, seconded by Commissioner Flores, 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. Purchasing Department**
 - B. Tax Office**
 - C. 332nd District Court**
 - D. Health – Bioterrorism Grant**
 - E. Health – Adm.**
 - F. Human Services**
 - G. Constable Pct. #4**
 - H. Pct. #1 – Lateral Rds.**
 - I. Pct. #1 – Paved/Unpaved Roads**
 - J. Pct. #1 – Parks**
 - K. Pct. #2 – Landfill**
 - L. Pct. #3 – Landfill**
 - M. Pct. #4 – Adm.**
 - N. Pct. #4 Paved/Unpaved Roads**
 - O. Budget Office**
 - P. Human Resources**
 - Q. Civil Service**
 - R. County Clerk**
 - S. Library System**
 - T. J.P. Pct. 1, Pl. 1**
 - U. J.P. Pct. 3, Pl. 2**
 - V. Sheriff**
 - W. Jail**
 - X. Criminal Auxiliary Court**
- 3. Planning Department: (See Exhibit C)**
 - A. Approval of the following Certificates:**
 - Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**

- **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
- **Certificates of Water Service Availability under Local Government Code Section (c)(2)**

4. Urban County: (See Exhibit D)

- A. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (3 families)**

5. Right of Way: (See Exhibit E)

- A. North Alamo Water Supply: Install a 2” waterline approximately 200’ east of FM 1015 on Mile 22 North – Bore – Benjamin Perez**
- B. North Alamo Water Supply: Install an 8” waterline approximately 1 Mile east of FM 1423 on Eldora Road – Bore – Eldora Subdivision.**
- C. Shell Western: Install a 3” gas line; all distances taken from the intersection of FM 490 & FM 681 at McCook, Texas. From Boston TX # 42 Well located 1.8 miles south of FM 2058 1.6 Miles west on County Road .4 miles south 800’ north to well site to Boston TX # 33 Manifold located 1.8 miles south of FM 2058 1.6 Miles west on County Road .4 miles.**
- D. Total E & P US: Install a 6” gas line across south “I” Road on the north side of Drain Ditch by Pharr sewer plant.**
- E. Total E & P US: Install a 6” gas line along south “I” Road on the north side of Drain Ditch ROW lay pipeline east of “I” Road 4500’.**
- F. Denali Oil & Gas Install a 6 5/8” gas line approximately 1400’ north of the centerline of Trenton Road with installation of pipe 12’ below mud line of Drainage Ditch – Bore.**
- G. City of Edinburg: Install a 2” waterline approximately 700’ south of Cottonwood Subdivision on Barb Mar Street. The City will extend the 2” PVC waterline approximately 250’ south along the west ROW of Barb Mar Street.**
- H. Sharyland Water Supply: Install a 1” waterline to be encased within a 2” PVC casing. Crossing to be located approximately 1624’ west of the intersection of Mon Mack Road and Chapin Road.**
- I. South Western Bell: Bore and bury a cable along Sioux Road east of Tower Road.**
- J. South Western Bell: Bore and bury a cable along Terry Road and Sun Rise Circle.**

6. Approval of County Clerk Monthly Collection Reports: (See Exhibit F)

A. J.P. Mary Alice Palacios	\$64,829.34	March, 2004
B. J.P. Charlie Espinoza	\$71,927.56	March, 2004
C. J.P. Jose Ismael Ochoa	\$ 59,952.75	March, 2004
D. J.P. Gilberto Saenz	\$ 24,934.61	March, 2004
E. J.P. Rosa Trevino	\$ 61,612.10	March, 2004
F. J.P. Luis J. Garza	\$ 66,189.35	March, 2004
G. J.P. Bobby Contreras	\$ 46,603.53	March, 2004
H. J.P. Espiridion Jackson	\$ 25,862.35	March, 2004
I. Law Library	\$ 724.50	March, 2004
J. Sheriff Enrique Escalon	\$ 61,001.98	March, 2004
K. Anzalduas Park	\$ 3,528.07	March, 2004
L. Delta Lake	\$ 2,340.04	March, 2004
M. Constable Horacio Aguirre	\$ 1,380.00	March, 2004
N. Constable Gilberto Alaniz	\$ 880.00	March, 2004
O. Constable Lazaro Gallardo, Jr.	\$ 860.00	March, 2004
P. Constable Andy Rios	\$ 3,820.00	March, 2004
Q. Constable Eduardo Bazan	\$ 530.00	March, 2004

7. Approval of County Clerk Court Cost (280,143.49) and Fee Monthly Report (321,013.97) for April, 2004 in the amount of \$601,157.46. (See Exhibit G)

8. Approval of District Clerk Monthly Fee Report for April, 2004 in the amount of \$332,841.66. (See Exhibit H)

9. Purchasing Department: (See Exhibit I)**A. HIDALGO COUNTY BUILDINGS & GROUNDS-**

1. Requesting authority to purchase computer equipment from a CISV vendor, S.J.S. Computer, through TBPC Catalogue Purchasing Program for req # 50559 in the total amount of \$62.00.

B. HIDALGO COUNTY CLERK'S DEPARTMENT-

1. Requesting authority to purchase computer equipment from a CISV vendor, Dell Marketing, through TBPC Catalogue Purchasing Program for req # 50961 in the amount of \$ 192.63.

C. HIDALGO COUNTY CONSTABLE PCT NO. 3-

1. Requesting authority to purchase computer equipment from a CISV vendor, Dell Marketing, through TBPC Catalogue Purchasing Program for a) req # 50936 in the amount of \$ 1,781.01 and b) req # 50935 in the amount of \$ 298.00.

D. HIDALGO COUNTY HEALTH DEPARTMENT-

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

E. HIDALGO COUNTY HUMAN SERVICES-

1. Requesting authority to purchase from a CISV vendor, CDW-Government, through TBPC Catalogue Purchasing Program for req # 51138 in the total amount of \$1,921.61

F. HIDALGO COUNTY RISK/LOSS MANAGEMENT –

1. Requesting authority to purchase computer equipment from a CISV vendor, CDW Government, through TBPC Catalogue Purchasing Program for req # 50338 in the total amount of \$ 1,559.00.

G. HIDALGO COUNTY TAX ASSESSOR/COLLECTOR-

1. Requesting authority to enter into a maintenance agreement with Jones & Cook Stationers for the maintenance of a register and a printer for one year in the total amount of \$205.00. req # 50422 Effective upon approval.

H. HIDALGO COUNTY INFORMATION TECHNOLOGY-

1. Requesting authority to purchase computer equipment from CISV vendors through TBPC Catalogue Purchasing Program for the following: a) req # 51040 for CDW-Government in the amount of \$1,919.80 and b) req #50965 for S.J.S. Computers in the amount of \$93.00.

I. HIDALGO COUNTY WIC PROGRAM-

1. Requesting authority to enter into a one year maintenance agreement for a Canon copier with Copy Graphics for \$ 16.67 a month. Effective upon approval.
2. Requesting approval to enter into service agreement with Joe W. Fly Co, Inc., for: "Inspection & Replacement of A/C Filters for WIC Clinics" for a one year term with a total amount of \$ 4,200.00. Agreement effective May 2004 through May 2005.

**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 25, 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 AA)**

1. Roll Call

Everyone was present and accounted for with the exception of Judge Garcia and Commissioner Garza.

2. Open Forum

No presentations were made during Open Forum.

3. Approval of Consent Agenda

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

4. Approval of Change Order #1, increase \$2,400.00 to Summit Contracting, Ltd. (NSJ drainage channel crossing)

5. Presentation of Independent Audit Report for 2003

NO ACTION taken on items 4 & 5.

6. Risk/Emergency Management – Adan Perez:

A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 5,306.59 for the period ending May 15, 2004 (05/01/04 through 05/15/04)

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

7. Purchasing Department – Marty Salazar:

- A. Presentation for discussion, consideration and action for authority to advertise seal bids for the applicable elements to construct an addition for the expansion of Hidalgo County Drainage District's main facility located at 902 North Doolittle Road, Edinburg, Texas under Section 49.273 of the Water Code.**

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

- B. Requesting rescission and proper award and approval of modification of contract(s) to include the proper and corrected item for "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-freeze Products-Section 9F-Oil Absorbent approved by the Board of Director's meeting of 09-23-03 and award to the corresponding vendor or correct low bidder meeting all specifications.**

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

- C. Requesting award of bid to bidder meeting all required specifications for: "Hauling Services for Gravel/Sand and /Or Crushed Caliche".**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to award bid to Roy's Hauling.

- D. Requesting approval to reject bids received and authority to re-advertise for Bid No. 04-014-03-31-"One (1) New 2004 Tractor W/CAB" due to modification of specifications.**

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

- E. Requesting award of bid to bidder meeting all required specifications for: "Two (2) New 2004 Batwing Rotary Cutters".**

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

- F. Requesting assignment or designation of Evaluation Committee to score, grade and evaluate Statements of Qualifications received in response to "Professional Consulting Services including, but not limited to, Worker's Compensation, Property and Casualty, Public Officials, Law Enforcement, Automobile Physical Damage, and/or General Liability-Hidalgo County" RFQ&P.**

NO ACTION taken on this item.

- G. Requesting authority to purchase through the Resolution with the State of Texas Building and Procurement Commission for Roundup Pro (Monsanto) Herbicide and Rodeo (Monsanto) Herbicide with the state awardee(s) for term effective thru August 31, 2004.**

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

There was no need to enter into Executive Session.

8. Closed Session:

Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.072 to discuss the following:

A. Real Estate Acquisition

9. Open Session:

A. Real Estate Acquisition

10. Closed Session:

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

11. Open Session:

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

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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, MAY 25, 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 BB)**

On motion of Commissioner Palacios, 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**
- 2. Approval of Discharge Permits:**
 - A. City of Hidalgo – Valle Alto Northwest**
 - B. Hidalgo County – Los Bosque Cillos Unit I**
 - C. Davis Development – North Park Place Phase I**
- 3. Approval of line item transfer - \$ 37,000.00**

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 25, 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 Z)

1. Precinct One:

A. Discussion and consideration of entering into an inter-local agreement with school districts and/or municipalities to provide GED classes. Funding for GED classes will be considered by the Workforce Solutions Board on May 25, 2004.

NO ACTION taken on this item.

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 25th 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 25th 2004.

Signed this _____ day of _____ 2004.

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

By: _____
Mari Gutierrez, Deputy

(Seal)