

REGULAR MEETING – June 8th, 2004

BE IT REMEMBERED, that on this 8th day of June, A.D., 2004, there was begun and held a REGULAR MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOSE FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

and **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

Oscar L. Garza, Jr.
Commissioner, Pct. #4

COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 08, 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

All members of the Court were counted present.

2. Pledge of Allegiance

Judge Garcia led the Court and the Audience in the Pledge of Allegiance.

3. Prayer

Judge Garcia called on Commissioner Handy to lead the Court and Audience in Prayer.

4. Open Forum

Armando Solis – Gave thanks for financial support given after automobile accident

Nancy Sherry – Time and money wasted

Virginia Townsend – Mission Service Project

5. Approval of Consent Agenda

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

At this time Commissioner Handy requested the Court to move to Item #18-A

6. Approval of Proclamation honoring the "Better Homes Extension Club" celebrating 50 years (SEE EXHIBIT H)

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

7. Juvenile Probation – Buddy Silva: (SEE EXHIBIT I)**A. Approval to extend JB-02-J20-13378-05 C.J.D. Juvenile Justice Block Grant Early Intervention Program through July 31, 2004**

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

B. Discussion regarding the follow-up report by Mr. Noe Hinojosa, Financial Advisor at the May 25, 2004 Commissioners' Court meeting related to the estimated construction cost, operational cost, Tax Rate Impact and Funding Alternatives for the proposed 135 Bed Juvenile Justice Facility

Discussion made by Buddy Silva.

C. Action regarding agenda item B, related to the May 25, 2004 report by Mr. Noe Hinojosa, Financial Advisor, 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.

8. Presentation of Delinquent Tax Attorney Report – Cynthia Garza-Schammel (SEE EXHIBIT J)

At this time Judge Garcia and Commissioner Garza stepped out of Court.

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

9. Appointment and/or Re-appointment of members to the Civil Service Commission (SEE EXHIBIT K)

At this time Judge Garcia and Commissioner Garza returned to Court.

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a Vote to appoint David Garcia and Becky Villarreal to serve on the County Civil Service Commission. Commissioner Handy voted against.

10. Risk Management – Adan Perez: (SEE EXHIBIT L)**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 \$47,006.47 for the period ending 05-31-04**

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

At this time the Court moved to Item # 13

11. Planning Department – Raul Sesin: (SEE EXHIBIT M)**A. Preliminary Approval:**

- 1. Kenwood Estates Phase V Subdivision – Pct. 3 (Ken Jones, Developer)**
- 2. Tower Trails No. 2 Subdivision – Pct. 4 (Jack McClelland)**

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

B. Final Approval:

1. Un Nuevo Amanecer Subdivision – Pct. 1 (Jose C. Capetillo)

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

C. Information on hearing held in Austin, Texas regarding Colonia Laws

Raul Sesin made the presentation.

D. Discussion and possible action on hours of operation for the Planning Department

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to operate between the hours of 8AM to 5PM effective June 14, 2004.

E. Approval of U.S. 83 Construction Plans from ½ mile east of FM 1425 to Hidalgo/Cameron County line (TxDOT)

NO ACTION taken on this item.

At this time the Court moved to item #14

12. Risk Management – Adan Perez: (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 \$47,006.47 for the period ending 05-31-04

NO ACTION taken on this item.

13. Urban County – Diana Serna: (SEE EXHIBIT O)

A. Request approval to dispose of Surplus Property.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to declare and authorized to dispose of Surplus Property.

B. Approval of 2002 Colonia Construction Grant #722065 Contract with ASAGO L.L.C. in the amount of \$333,850.00 for first time sewer services to Aloha Village.

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

C. Approval to terminate a contract with Alcocer, Garcia & Associates on behalf of the City of Palmview. The City of Palmview is increasing the scope of services from a 7000 square foot addition to a standalone 23,262 square foot public facility using funding from Year 13, 14 & 15. Payment for services thus far rendered by Alcocer, Garcia & Associates in the amount of \$7,200.00 has been remitted leaving a contract balance of \$40,800.00

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

- D. The City of Palmview requests approval for a professional services agreement with Alcocer Garcia and Associates for architectural services and design of a 23,262 sq. ft public facility building using funding from YR 13, 14 & 15 (2000, 2001 & 2002). Total contract for professional services is in the amount of \$162,789.00.**

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

- E. Request for approval of a budget and program amendment for the City of Alton utilizing Urban County Program funds from Years 15 & 16 (2002 & 2003) to create a water/sewer line item (Colonia Match) for Water/Sewer Improvements to Friendly Acres and Aloha Village subdivisions. (\$15,838.86 from Year 15 & \$4,999.05 from Year 16)]**

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

- F. Approval to award a Construction Contract to Saenz Utility Contractors for the City of Edcouch using Urban County Program Street Improvements funding from Year 15 (2002) and Year 16 (2003) in the amount of \$181,537.50.**

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

- G. Request approval of a budget and program amendment for the City of Sullivan City utilizing Urban County Program funding from Year 16 (2003) in the amount of \$7,200.00. The proposed amendment will create a Health Services line item for the purchase of a mosquito sprayer.**

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

- H. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with J.E. Saenz & Associates in connection with the City of Elsa for the design of Year 16 streets in the amount of \$3,950.83.**

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

- I. Approval of professional services engineering with J.E. Saenz & Associates with the City of Elsa for the design of Year 16 streets in the amount of \$3,950.83.**

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

- J. Request Approval of the HOME Investment Partnership Program Policy as approved by the**

Hidalgo County Urban County Advisory Council during their regular meeting on May 28, 2004.

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

- K. Request Approval of the HOME Investment Partnership Program First-Time Homebuyer Guidelines as approved by the Hidalgo County Urban County Advisory Council during their regular meeting on May 28, 2004.**

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

- L. Request for Approval of the HOME Investment Partnership Program Owner-Occupied Rehabilitation Guidelines as approved by the Hidalgo County Urban County Advisory Council during their regular meeting on May 28, 2004**

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

- M. Approval to decrease the Hidalgo County Precinct #2 participation share in the Construction Contract with D.M. Roth, Inc. and approval to include the improvement of 39th Street located in the City of San Juan. The original contract amount of \$806,126.60 will be decreased by \$109,047.40 (Precinct #2 share). The City of San Juan participating share will increase by \$17,682.60 using Urban County Program funding from Year 16 (2003) for the inclusion of improvements to 39th Street. The Colonia Access Program share is \$502,789.80 for this project. The proposed street improvements will benefit the residents of the Arco Iris and Las Palmas Subdivisions.**

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

- N. Approval of a Construction Contract with JM Construction on behalf of Precinct #2 and the City of San Juan for a Street Improvement Project using Urban County Program Year 16 (2003) funding in the amount of \$322,556.21**

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

At this time the Court moved to go to item #11

At this time Commissioner Flores and Commissioner Handy stepped out.

14. Elections Department – Teresa Navarro: (SEE EXHIBIT P)

- A. Approval to create (5) temporary data processors**
B. Approval to set salary - \$ 8.00

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

C. Approval of budget appropriation – 10% Adm. Fee acct.

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

15. Budget Officer – Valde Guerra: (SEE EXHIBIT Q)**A. Approval of payment of membership dues for the following:**

1. South Texas Judges & Commissioners Assoc. - \$ 150.00/year for 2003 & 2004
2. Texas Conference of Urban Counties - \$ 12,820.00/year for 2003 & 2004
3. County Judges & Commissioners' Assoc. - \$ 1,000.00/2003 \$ 1,100.00/2004
4. TEX-21 - \$ 25,000.00/2004
5. LRGVDC - \$ 31,879.00

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items A2, A4 and A5.

NO ACTION take on items A1 and A3

B. County Treasurer:

1. Approval of payment to Texas Association of Counties in the amount of \$123,612.60 for Unemployment Compensation Fund

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

D. Human Resources:

1. Approval to create obj. 625 (pest control) & line item transfer - \$ 100.00

NO ACTION taken on this item.

E. Pct. #1 – Colonia Access Program:

1. Line item transfer - \$ 2,000.00

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

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 2004 claims: _____
2. Indigent Health Care expenditures

NO ACTION taken on this item.

17. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT S)

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

Nothing to report.

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 Garza, the Court made a UNANIMOUS vote of approval.

5. **Recommending award of bid and approval of contract to the lowest bidder meeting all requirements and/or specifications for "Hidalgo County MS-1 Emulsified Asphalt".**

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

6. **Recommending award of bid and approval of Contract for: "18" Precast Safety End Treatments" to low bidder meeting all requirements and/or specifications.**

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

7. **Consideration, discussion and action (if necessary), including, but not limited to the following items: Pursuant to the Texas Natural Resources Code, Chapter 71, Lease for Mineral Development, Sub-chapter A:**

- a) **Article 71.0004-Public Notice and Hearing to consider "Lease of Land for Mineral Development" the described parcel of land; the applicable property owned by Hidalgo County as listed in attachment hereto;**

At this time Judge Garcia opened the Public Hearing, no one responded.

At this time Judge Garcia proceeded to close the Public Hearing.

- b) **Under Article 71.0005 – Requesting authority to Publish "Notice of Intention to Lease Land for Mineral Development".**

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

8. **Presentations for consideration, discussion and approval of a request by vendor, Arguindegui Oil Co. II, Ltd., to correct the erroneous placement of decimal points(s) on the bid page submitted on June 02, 2004 and as substantiated by accompanying documentation also submitted with bid.**

NO ACTION taken on this item.

9. **Presentation for consideration, discussion and approval of bid award and approval of contracts to primary and secondary bidders meeting all requirements and specifications for "Gasoline, On & Off Highway Diesel Fuel"**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for discussion, consideration, acceptance, and approval of request for payment of Invoice No. 1553 in the amount of \$60,434.59 and Invoice No. 1554 in the amount of \$28,287.15 from R. Gutierrez Engineering Corporation, project engineer for “South I Road Project” with authority for Auditor to issue manual check**

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

2. **Requesting approval of Change Order no. 1 (increase) in connection with “North San Juan Park Sanitary Sewer Improvements” in the amount of \$800.00 from America Constructors, Inc., with authority for County Judge to execute document;**

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

3. **Presentation for discussion, consideration, acceptance, and approval of Request for Payment No. 1 in the amount of \$26,464.00 from America Constructors, Inc., contracted vendor for “North San Juan Park Sanitary Sewer Improvements” and certified for payment by project engineer, R. Gutierrez Engineering Corporation with authority for Auditor to issue manual check**

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

C. HIDALGO COUNTY PRECINCT NO. 3-

1. **Presentation for discussion, consideration, acceptance and approval of request for payment of invoice #11 totaling \$2,144.00 submitted by George A. Garcia, AGADC, for architectural services rendered for the Multi-Service Center in Precinct No.3**

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

D. HIDALGO COUNTY PRECINCT NO. 4-

1. **Recommending award of bid for: “One (1) New Unused 2004 Tractor with Loader, Mower, & Trailer” to low bidder meeting all requirements and specifications.**

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

2. **Presentation for discussion, consideration and approval of:**

AN ORDER AUTHORIZING THE PURCHASE AND ACQUISITION OF CERTAIN PERSONAL PROPERTY AND THE FINANCING THEREOF; APPROVING CERTAIN INSTALLMENT PURCHASE TERMS UNDER THE AUTHORITY OF SECTION 271.001 ET SEQ., LOCAL GOVERNMENT CODE; AUTHORIZING A MAXIMUM LOAN IN THE PRINCIPAL AMOUNT OF TWO HUNDRED TWENTY THOUSAND DOLLARS (\$220,000) PAYABLE FROM AVAILABLE FUNDS FROM THE COUNTY, SUBJECT TO ANNUAL APPROPRIATION; PRESCRIBING THE TERMS AND FORM

THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AND APPROVING OTHER MATTERS INCIDENT THERETO, for the following listed equipment.

Item	Description:	Qty	Unit Price	Total Price
A.	Bid No. 2004-053-02-24-“Two (2) New (unused) 2004 Mack CV713 Granite Cab & Chassis Roll-Off Truck” FOB Precinct No.4. (Purchase approved from Dallas Mack through H-GAC on February 24, 2004).	2	\$70,722.00	\$141,444.00
	H-GAC FEES			\$600.00
	SUB-TOTAL ITEM A			\$142,044.00
B.	Bid No. 2004-053-02-24-“Two (2) New (unused) 2004 G & H Roll Off Hoist and Tarper” (Purchase approved from Dickson Equip through H-GAC on February 24, 2004)	2	\$22,786.00	\$45,572.00
	H-GAC FEES			\$400.00
	SUB-TOTAL ITEM B			\$45,972.00
C.	Bid No. 2004-052-03-10 One (1) New Unused 2004 Tractor (Bid Awarded to AmigoPower Equipment on April 27, 2004)	1	\$29,995.00	\$29,995.00
TOTAL AMOUNT:				\$218,011.00

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

E. HIDALGO COUNTY CONSTABLE PRECINCT NO. 4-

- 1. Presentation for discussion, consideration, for authority to allow Hon. Andres Rios Constable Precinct No. 4 Staff to submit an “Application for TLETS Interface Connection Project” to include hardware, monthly fee and services at no cost to Hidalgo County in connection with implementation of laptop computers in units with wireless internet services**

NO ACTION taken on this item.

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

- 1. Requesting approval of Change Order No. 2 (Net Increase) in connection with “Road Construction of Loma Alta, La Palma, Angela, Chapa #3 and Del Miro Jackson Subdivision” (Colonia Access Project) in the amount of \$2,045.82 awarded to Sascon, Inc.**

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

G. HIDALGO COUNTY SHERIFF DEPARTMENT-

- 1. Requesting exemption from competitive bidding requirements under section 262.024 (a)(4) for professional/legal services with law firm of Cynthia Contreras Gutierrez;**

NO ACTION taken on this item.

- 2. Requesting authority to negotiate a “short term” letter of engagement (effective date of 7-10-04) with Cynthia Contreras Gutierrez for legal services in connection with employment law and other related services for the Hidalgo County Sheriff’s Department with an expiration date of 12-31-04;**

NO ACTION taken on this item.

H. HIDALGO COUNTY WORKERS COMPENSATION PROGRAM-

1. **Discussion, consideration and action on a requests by Risk Management to be designated as a “consultant” to the committee assigned by Commissioner’s Court (on CC of 6-01-04; Auditor, Budget, Purchasing) to score and evaluate the three (3) Statements of Qualifications received in response to Hidalgo County’s RFQ/P for Quality Claims Administration Services for Hidalgo County’s Workers Compensation Program.**

NO ACTION taken on this item.

I. 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.

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

21. Closed Session: (SEE EXHIBIT W)

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**

At this time Commissioner Handy and Commissioner Flores returned to the Court.

22. Open Session:

- A. Real Estate Acquisition**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval for the amount of \$8,500.00.

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

NO ACTION taken on this item.

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 Handy, 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 08, 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 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. Constable Pct. #5**
 - B. Law Library**
 - C. Purchasing Department**
 - D. Elections Department**
 - E. Sheriff Department**
 - F. Jail**
 - G. Pct. #1 – R & B**
 - H. Pct. #1 – Parks**
 - I. Risk Management**
- 3. Right of Way – Permits: (SEE EXHIBIT C)**
 - A. South Western Bell: Bore and bury a cable along North San Carlos Estates I located on Mile 17 ½ east of North 83 Street in San Carlos.**
 - B. West Port Oil and Gas: Install a 3" gas line beginning on Texan Road 1900' south of 5 Mile line bore under Texan Road then go 1580' south then turn east off of Road ROW.**
 - C. North Alamo Water Supply: Install a 2" waterline at Bar # 3 Subdivision lot 13 B1 located of Mile 4 West and N. FM 1925- Monte Cristo Road – Cynthia Gonzalez**
 - D. Valley Telephone Coop- Bore and bury a cable along:**
 - the north side of GI Road commencing at Brushline Road and extending east approximately 3.2 Miles to the entrance of Ropatami Ranch.**
 - the north side of Chapa Co. Road starting at Brushline Road and extending west approximately 5 Miles.**
 - E. Hidalgo County Irrigation District # 2: Install a 48" irrigation line traverse perpendicular and under Tower Road at approximately 65 LF north of the centerline of Wisconsin Road – BORE**
 - F. Sharyland Water Supply: Install a 1" waterline to be encased within a 2" PVC casing.**
 - Crossing to be located approximately 1056' north of the intersection of Los Ebanos Road and 7 Mile line.**

- Crossing to be located approximately 1754' north of the intersection of Big 5 Road and FM 1925 (Monte Cristo Road).
- Crossing to be located approximately 660' north of the intersection of Mile 17 ½ Road and Depot Road.

G. Sharyland Water Supply: Install a 6" waterline to begin 40' south of the centerline of the intersection of Wallace Road and Monte Cristo Road then to go north for a distance of approximately 1900'. Waterline to be located 5' east of west ROW line of Wallace Road.

4. Urban County: (SEE EXHIBIT D)

A. Request for approval to enter into a "Homebuyer Assistance Program" contract under the HOME Program (2 families)

5. Planning Department: (SEE EXHIBIT E)

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)

6. Tax Refunds:(SEE EXHIBIT F)

A. ABN-AMRO Mortgage	ABN-AMRO Mortgage	\$8,678.33
B. TITUS LTD.	TITUS LTD.	\$4,479.53

7. Purchasing Department: (SEE EXHIBIT G)

A. HIDALGO COUNTY –

1. Requesting authority to purchase computer equipment from CISV vendor through TBPC Catalogue Purchasing Program for the following:

Req #	Dept	Vendor	Amount
a) 51559	139 th District Court	Dell Marketing	\$1,321.77
b) 51850	206 th Districts Court	CDW Government	\$1,988.70
c) 51667	Information Technology	Dell Marketing	\$2,685.96
d) 51651	Risk/Loss Management	CDW Government	\$1,699.99

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

**Oscar L. Garza, Jr.
Board Member**

NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 08, 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 X)**

1. Roll Call

Everyone was present with the exception of Commissioner Palacios.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

At time Commissioner Palacios returned to the Court.

4. Presentation and approval of Hidalgo County Drainage District's Independent Audit Report for 2003

Presentation made by Godfrey Garza.

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

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on the Annual Filing Affidavit signature.

5. Risk Management – Adan Perez:

- A. Update on Workers' Compensation claims paid by Tristar Risk Management in the amount of \$4,616.73 for the period ending May 31, 2004 (5/16/04 through 5/31/04)**

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

6. Purchasing Department:

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

- A. Discussion, consideration and action on a request by Mr. Godfrey Garza, Drainage District Manager, to include a member from the District (his recommendation being: Mr. Lora Briones) to the scoring and grading committee for: 1) RFPs responses to be received for Property & Casualty, Public Officials, Law Enforcement, Automobile Physical Damage and/or General Liability on 6-9-04; and 2) to the committee assigned by Hidalgo County Commissioner's Court (on CC of 6-01-04; Auditor, Budget, Purchasing) to score and evaluate the three (3) Statements of Qualifications received in response to Hidalgo County's RFQ/P for Quality Claims Administration Services for Hidalgo County's Workers Compensation Program.**

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

- B. Consideration, discussion and action (if necessary), including, but not limited to the following items: Pursuant to the Texas Natural Resources Code, Chapter 71, Lease for Mineral Development, Sub-chapter A:**
- 1. Article 71.0004-Public Notice and Hearing to consider "Lease of Land for Mineral Development" the described parcel of land; the applicable property owned by Hidalgo County Drainage District No. 1 as listed in attachment hereto;**
 - 2. Under Article 71.0005 – Requesting authority to Publish "Notice of Intention to Lease Land for Mineral Development".**

At this time Judge Garcia opened the Public Hearing, no one responded.

At this time Judge Garcia proceeded to close the Public Hearing.

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

The Court moved not to go into Executive Session.

7. 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**

8. Open Session:

- A. Real Estate Acquisition**

9. Closed Session:

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

items listed

10. Open Session:

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

On motion of Commissioner Handy, 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 08, 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 Y)**

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

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

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 8th day of June, 2004

JUAN D. SALINAS, III, County Clerk
Hidalgo County, Texas

By: _____
Norma Garza, Deputy

I, JUAN D. SALINAS, III, County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on June 8th 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: _____
Norma Garza, Deputy

(Seal)