

SPECIAL MEETING – JULY 20, 2004

BE IT REMEMBERED, that on this 20th day of July, 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, JULY 20, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

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

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Godfrey Garza – Department of Army Corps of Engineers notice of intent on the Raymondville Drain.

Virgina Townsend – On moving monies between departments and the reasons.

Nancy Sherry – Juvenile Court.

Fern McClaugherty – Cell Phones Contracts.

5. Approval of Consent Agenda

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

At this time Judge Garcia requested to move to item #12.

6. Hidalgo County – Godfrey Garza: (SEE EXHIBIT K)**A. Concurrence of approval of the Texas Department of Transportation Proposed Improvement on SH 495 between FM 907 and FM 1423**

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

At this time Judge Garcia request to move to item #20 C-1.

7. Planning Department – Raul Sesin: (SEE EXHIBIT L)**A. Partial Release of Letter of Credit:****1. Rancho Blanco Subdivision – Pct. 3 (Jose Venecia, Developer)**

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

B. Discussion and possible action on subdivision located within La Joya Water Supply Corporation CNN Area**1. Pueblo De Palmas Phase 6 Subdivision – Pct. 3 (J. Gary Frisby, Developer)**

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

8. County Judge – Lorie Ochoa: (SEE EXHIBIT M)**A. Discussion, consideration and possible action regarding the temporary relocation of Commissioners' Court meetings to the UTPA ITT Building**

NO ACTION taken on this item.

B. Approval of Proclamation proclaiming the fourth Monday in September as “Family Day – A Day to Eat Dinner with Your Children”

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

C. Requesting extension for professional legal services with the law firm of Cynthia Contreras Gutierrez for the Hidalgo County Sheriff's Office

NO ACTION taken on this item.

At this time Commissioner Flores stepped out of Court.

9. Sheriff Department – Capt. Jackson/Chief Castellanos: (SEE EXHIBIT N)**A. Approval to delete vacant position #141 (detention specialist) in Jail Acct.****B. Authority to create position # 382 (maintenance technician) & set salary at \$ 23,376.37**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items A & B.

C. Acceptance of the South Texas Auto Theft Enforcement Task Force Grant with the City of Brownsville (grant period – Sept. 01, 2004 to Aug. 31, 2005)

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

D. Approval of local cash match (budget amendment – gen. fund) for \$ 94,704.00 and appropriation of same

E. Approval of the appropriation of \$ 87,281.00 representing the ATPA funding portion of the grant

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items D & E.

F. Set salaries for one lieutenant and 2 investigator positions

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval with the corrected salaries for one lieutenant in the amount of \$40,317.00 and the investigators of \$35,898.00

G. Approval of Interlocal Agreement

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

At this time Judge Garcia requested to move to item #15.

At this time Commissioner Flores returns to Court.

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

A. Requesting approval of a program amendment for the City of Progreso to include the reconstruction of Watts Street to the existing UC Year 16 Street Improvements Project – the original project budget will not be affected

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

B. The Urban County Program requests the approval to correct company name of a contract awarded on June 29, 2004 from Peacock Construction Company to Peacock General Contractors, Inc. – The City inadvertently submitted wrong name

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

C. Urban County Program on behalf of the City of Edcouch requests approval to terminate the Subrecipient Agreement with the Bee Healthy Clinic (Health Services) in the amount of \$ 5,000.00 for program Year 15 (2002)

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

D. Requesting approval to reject all bids received for the ORCA 2003 Colonia Construction Grant #723065 Sanitary Sewer Improvements project for the 5 Colonias in Pct. #4 and authorize re-advertising of same

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

E. 2001/2002/2003 – Hidalgo County Pct. #3 – Street Improvements – Requesting authorization for County Judge to sign Request for Release of Funds (RROF) and Finding of No Significant Impact (FONSI) for 2001/2002/2003 – Street Improvements

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

11. Criminal Auxiliary Court – Dairen Cedillo: (SEE EXHIBIT P)

A. Approval to apply for the 2004 – 2005 Local Law Enforcement Block Grant \$ 91,274.00 (Required cash match 10% already appropriated)

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

12. Law Library – Angie Z. Chapa: (SEE EXHIBIT Q)

A. Approval to authorize County Auditor to prepay order for the purchase of air purifiers from Sharper Image Co.

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, purchase order #535594.

13. Pct. #1 – Comm. Handy: (SEE EXHIBIT R)

A. Request approval of Amended and Restated Interlocal Cooperation Agreement between County of Hidalgo and the City of Alamo for road improvements to Duranta Avenue

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

B. Request approval for Auditor to issue payment after review, audit & processing procedures completed for Inv. #11 to Alcoser Garcia Associates Design Consultants for renovations to existing facilities Pct. #1 Multipurpose Center Buildings 1, 2 & 3 Construction Phase, Draw No. 5

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

C. Request approval for auditor to issue payment after review, audit and processing procedures completed for application #5 to Spacemaker Construction for Pct. #1 Multi-purpose Center

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

14. Pct. #2 – Comm. Palacios: (SEE EXHIBIT S)

A. Discussion and possible action to approve Interlocal Agreement between the Hidalgo County Housing Authority and Hidalgo County Pct. #2 for Palmer Pavilion

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

B. Acceptance of resignation letter from Risk & Safety Component Director

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval, effected July 28, 2004.

C. Approval to designate an Authorized Representative for Hidalgo County to execute documents with reference to 2005 Certificates of Obligation and any other related documents requiring signature

NO ACTION taken on this item.

15. Pct. #4 – Comm. Garza: (SEE EXHIBIT T)

A. Discussion and possible action for dedication of “Mike Cruz Drive” (located east of Hoehn Rd., south of F.M. 1925)

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to receive the dedication with the existing identify right of ways and proceed with condemnation on the Israel Ramos property, and waive the fees on building of the road and any other cost.

16. County Auditor – Tony Sandoval: (SEE EXHIBIT U)

A. Approval of budget amendment to increase general fund estimated revenues for 2004 - \$ 1,751,228.54

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

At this time Commissioner Handy steps out of Court.

17. Budget Office – Valde Guerra: (SEE EXHIBIT V)

At this time Valde Guerra request to move to item M.

A. Probate Court:

1. **Approval to create obj. 607 & line item transfer - \$ 300.00**

B. County Court #1:

1. **Approval of line item transfer from obj. 113 to obj. 121 - \$ 8,330.00**

C. 206th District Court:

1. **Approval to create obj. 661 & line item transfer - \$ 425.00**

D. Purchasing Department:

1. **Approval to create obj. #336 & line item transfer - \$ 1,500.00**

E. Constable Pct. #1:

1. **Approval to create obj. #540 & line item transfer - \$ 36.24**

F. Criminal Auxiliary Court:

1. **Approval to create obj. # 350,442,531,535,583,584,601, 602,630 & 631 & line item transfer - \$ 20,000.00**

G. Pct. #2 – Parks:

1. **Approval to create obj. 674 & line item transfer - \$ 55,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS of approval on items A thru G.

At this time Commissioner Garza steps out of Court.

H. Pct. #3 – R & B:

1. **Approval to accept \$38,000.00 for road improvements of county dedicated roads from Dream Valley Ranch**

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

2. **Approval to create obj. 673 & appropriate \$ 38,000.00 into R & B Pct. #3 Acct. for road improvements**

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

I. Approval to appropriate \$ 876,331.67 into the Contingency Acct.

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

J. Approval to transfer funds from the contingency acct. into various depts. to cover unexpected expenditures - \$ 427,957.00

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

K. Approval to de-obligate the excess in Local Cash Match appropriated for FY 5 South Texas Auto Theft Grant and appropriate same into contingency acct. - \$ 18,296.00

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

L. Health Department – Eddie Olivarez:

- 1. Requesting authorization and approval of budget amendment in the amount of \$ 1,500.00 for smallpox readiness program and prepare and coordinate a Bi-National Forensic and Public Health Preparedness Conference in the amount of \$ 10,000.00 and redistribute current budget – Contract #7460007176-2004 Change Order No. 07 (Acct. #4-1293-441-00-340-013-4) – total grant funds \$1,005,362.00**

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

- 2. Approval of line item transfer (salary/fringes) - \$ 8,650.00**

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

- 3. Approval to appropriate funds into various Health Dept. Program Accts. From Contingency Acct.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, mobile clinic \$2,500.00, health clinic \$110,005.00, environmental sanitation \$23,521.00, health administration \$53,612.91

M. Line item transfers:

- 1. Pct. #1 – Colonia Access Program**
- 2. Criminal Auxiliary Court**
- 3. Sheriff – Victim Assistance**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items M-1, 2 & 3.

N. Authority for County Judge to sign Hidalgo County Community Supervision & Corrections Department Affidavit on behalf of Hidalgo County for Court Ordered restitution – Cause #CR146204D

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

At this time Commissioner Handy returns to Court.

At this time Commissioner Palacios steps out of Court.

18. Human Services – Rudy De La Viña: (SEE EXHIBIT W)

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

- 1. Authorization to pay claims: 2004_____
- 2. Indigent Health Care expenditures

NO ACTION taken on this item.

19. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT X)

A. Status of old jail building

Presentation made by Marty Salazar.

B. Maintenance of county grounds

Presentation made by Daniel Flores.

C. Status of renovation of administration building

Presentation made by Marty Salazar.

20. Purchasing Department – Marty Salazar: (SEE EXHIBIT Y)

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:	<u>1107</u>	Other Information:	<u>10</u>	Paper Ready for TDC	<u>110</u>
Physical Count:	<u>1057</u>	Males (in house)	<u>979</u>	Sentence	<u>135</u>
Out of County: La Villa	<u>37</u>	Females (in house)	<u>78</u>		
Brook’s		Federal Prisoners	<u>7</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 Certificate & Application for Payment, punch list and retainage;**
- C. County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

Nothing to report on items 2 & 3 A,B,C.

4. **Presentation for discussion, consideration, acceptance and approval of claims/invoices with authority for Auditor to issue payment for the items detailed in: “Exhibit A” attached hereto.**

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

5. **Requesting acceptance and approval of qualifications, requirements and scope of services (as attached hereto) as developed through the Hidalgo County Auditor’s Office for the Request for Qualifications/Proposal for: “Arbitrage Compliance Services Project”, and as previously approved to advertise only on February 4, 2003 for Arbitrage Compliance Service Project.**
6. **Presentation for discussion, consideration and approval of term of engagement:**
- a) **Initial term : 1, year(s);**
- b) **Renewal options: 3 (1) year option(s) to extend by Hidalgo County**

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

7. **Presentation for consideration, discussion and approval of Fleet Fueling System Applications (Originals) to be forwarded to Arguindegui Oil Co. II, Ltd. as submitted by Elected Officials, Department Heads, and/or Supervisors and detailing the “holders and users” of fleet fuel cards under awarded contract for “Gasoline, On & Off Highway Diesel Fuel”.**

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

8. **Requesting authority to advertise and approval of specifications for Hidalgo County “Storm Sewer (Inlets, Manholes) and Additional Miscellaneous Items”(with an option to include labor/installation) commencing with, but not limited to, the following projects;**
- a) **North San Juan Park**
- b) **South I Road Improvements**

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

9. **Presentation for discussion, and consideration of the scoring/evaluation grid (for the purposes of ranking by Commissioner’s Court) “Best Value Proposal” submitted in response to the RFP project advertised for: “Cellular Phones/Services for Hidalgo County”;**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to rank Sprint as No. 1, Verizon as No. 2, Cingular as No. 3, and Cellular One as No. 4.

10. **Requesting authorization for Purchasing Department to negotiate a contract with the number one (1) ranked participant for Hidalgo County project RFP- "Cellular Phones/Services";**

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

11. **Presentation for discussion, consideration and approval of a request approved by vendor, Absolute Industries LLC, through Paul M. Floyd, Vice President, to issue any further payments related to the contract with Hidalgo County-Precinct No. 4's Landfill Cap & Closure Project to Evergreen/UNI.**

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

B. HIDALGO COUNTY ADULT DETENTION FACILITY-

1. **Presentation for discussion, consideration, acceptance and approval for the purposes of ranking by Hidalgo County Commissioner's Court as "Qualified", the sole response received to the RFQ&P in connection with "Registered Pharmacist Services for Hidalgo County Adult Detention Center", project from David Max Castro.**
2. **Requesting authority for Purchasing Department to negotiate a contract with "David Max Castro," as "Qualified" for Registered Pharmacist Services for Hidalgo County Adult Detention Center.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 1 & 2.

C. HIDALGO COUNTY BUILDINGS AND GROUNDS-

1. **Presentation of discussion, consideration, and authority for project architect, Luis Figueroa, AIA, Principal, ROFDW to proceed with a comprehensive feasibility and/or assessment of portions of the former Hidalgo County Sheriff's Dept. and Jail located at 3100 S. Hwy. 281, Edinburg, Texas for the purpose of determining the projected costs of renovations and/or additions (including parking) to accommodate the re-location of the Hidalgo County Adult Probation Dept.; or in the alternative,**

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

2. **Authority for project architect to proceed with any other related issues in connection with the former Hidalgo County Sheriff's Department and Adult Detention Center located at 3100 South Highway 281, Edinburg, Texas**

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

D. HIDALGO COUNTY SHERIFF'S DEPARTMENT-

1. **Requesting approval of draft specifications as attached hereto for the "Repairs, Installation and Removal of Emergency Equipment, Radios, Computer & Miscellaneous Equipment" project.**

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

2. **Requesting award of sole sealed quote and approval of "Lease of Tower Space" in the amount of \$1,075.00 per month, but in no event to exceed the statutory bid limit of \$25,000.00 per year to O.E. Investments Inc., the sole bidder meeting all specifications.**

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

E. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for consideration, discussion and award of solicited quote(s) with approval of a short term contract for "Installation of Portable Water Lines at the North San Juan Park (Labor Only)" in the amount of \$15,500.00, but in no event exceed the statutory bid limit of \$25,00.00.**

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

2. **Requesting clarification for Bid No 03-230 "Three New 2003 Ford F750 Cab/Chassis Truck" awarded by CC 01-01-04 to confirm the acceptance of two 2004 models delivered (no change in awarded amount of \$45,134.25 each) with authority for County Judge to execute title documents.**

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

F. HIDALGO COUNTY PRECINCT NO.3-

1. **Presentation for discussion, consideration, acceptance and approval of Certificate for Payment No. 6 from Rio Valley Construction for the Multi-Purpose Center in the amount of \$218,722.01 and as certified for payment by project architect, George A. Garcia, AGADC.**

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

2. **Presentation for discussion, consideration, acceptance and approval of request for payment of invoice #12 totaling \$3,400.00 submitted by George A. Garcia, AGADC, for architectural services rendered for the Multi-Service Center in Precinct No. 3.**

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

3. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Chapter 262, Section 024 (a)...’if commissioners court by order grants the exemption;’ (2) ... “ at an item necessary to preserve and protect the public health or safety of the residents of the county’ for the provision of ambulance services (emergency medical services) in the Precinct No.3 area;**

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

4. **Requesting approval of contract for the provision of emergency medical services (ambulances services) with MED-CARE, EMS, Inc. in the Precinct 3 area**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval subject to letter of credit being submitted and legal review.

At this time Commissioner Palacios returns to Court.

G. HIDALGO COUNTY PRECINCT NO. 4-

1. **Requesting authority to re-advertise for: “Hidalgo County Precinct No. 4 Sofia Drive Cul-De Sac Road Reconstruction Improvements” due to no bids received.**

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

2. **Recommending award of bid and approval of contract to the lowest bidder meeting all requirements and specifications for “Paving of Terry Road (South of Mile 17.5)”**

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

3. **Requesting authority to advertise for the following: “Paving of Anderson Road (Val Verde to Dillion) with Noe Garza Engineers, Inc. serving as project engineer.**

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

H. HIDALGO COUNTY WIC PROGRAM-

1. **Requesting acceptance and approval of a Modification to Las Milpas Investment Group Contract to reflect the decrease amount of \$108.00 in connection with the rental space in Las Milpas by the WIC Program.**

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

I. HIDALGO COUNTY DISTRICT ATTORNEY-

- 1. Requesting approval of a "Sole Source Declaration" as per Texas Local Government Code Section 262.024 (a) (7) (A) for Vetronix Corporation for Hidalgo County District Attorney for the "Vetronix Crash Data Retrieval (CDR) tool."**

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

- 2. Requesting authority to purchase a Vetronix Crash Data Retrieval Tool/ Software from Vertonix for Req # 53905 in the total amount of \$ 2,495.00.**

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

J. HIDALGO COUNTY HEALTH DEPARTMENT-

- 1. Requesting exemption from competitive bidding requirement, under Texas Local Government Code 262.0235(a) (7) (C), "a state agency of this state", to purchase modular furniture not to exceed \$37,000.00 through Texas Correctional Industry or Texas Building and Procurements TXMAS Program GS-711.**

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

K. HIDALGO COUNTY LIBRARY SYSTEM-

- 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Chapter 262, Section.024 (a) ... "if commissioners court by order grants the exemption:" (7) 'an item that can only be obtained from only one source': (A) for the use of the SIRSI's Unicorn Collection Management System Software by the Hidalgo County Library System;**

NO ACTION taken on this item.

- 2. Requesting approval of a Renewal of the annual Software Maintenance Agreement with SIRSI in amount of \$30,248.00 for the Hidalgo County Library System.**

NO ACTION taken on this item.

L. HIDALGO COUNTY RISK MANAGEMENT-

- 1. Presentation for discussion, consideration and approval of invoice dated 7-09-04 received from Montalvo Insurance in the amount of \$252,945.00 in connection with Commercial Property Coverage and Mexico Insurance as awarded by Hidalgo County on July 9,2004 subject to review and verification of said coverage and deductibles by Risk Management Dept. with authority to pay invoice by manual check by Hidalgo County Auditor**

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

M. 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 Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to go into Executive Session.

21. Closed Session: (SEE EXHIBIT Z)

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. C-975-04-C; Miguel V. Montreal, et.al vs. Abundant Grace Community Church of God Apostle Faith, Inc. and Head Start Program and Hidalgo County**

22. Open Session:

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. C-975-04-C; Miguel V. Montreal, et.al vs. Abundant Grace Community Church of God Apostle Faith, Inc. and Head Start Program and Hidalgo County**

NO ACTION taken on items 22 A,B, or C.

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 Palacios, 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, JULY 20, 2004, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve 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. County Court #5**
 - B. Planning Department**
 - C. District Clerk**
 - D. Budget Office**
 - E. 93rd District Court**
 - F. 332nd District Court**
 - G. Human Resources**
 - H. Pct. #1 – Sanitation**
 - I. Pct. #1 – R & B**
 - J. Pct. #2 – Adm.**
 - K. Pct. #2 – Parks**
 - L. Pct. #2 – R & B**
 - M. Pct. #4 – R & B**
 - N. Pct. #4 – Adm.**
 - O. Pct. #4 – Parks**
 - P. Tax Office**
 - Q. HIDTA – Task Force**
 - R. WIC**
 - S. WIC OA**
- 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. Processing Fee Report – April: (SEE EXHIBIT D)

A. District Attorney \$160,590.37

5. Monthly Fee Reports – May: (SEE EXHIBIT E)

A. J.P. Palacios \$40,672.95
B. J.P. Ochoa 34,622.87
C. J.P. Saenz 33,890.14
D. J.P. Trevino 35,975.51
E. J.P. Garza 43,478.07
F. J.P. Contreras 40,034.36
G. J.P. Jackson 26,275.70
H. J.P. Morales 20,656.01
I. J.P. Espinosa 41,658.58
J. J.P. Espinosa (April) 49,330.37
K. Law Library 2,313.75
L. Sheriff Escalon 31,895.62
M. Anzalduas Park 2,796.07
N. Delta Lake 2,228.04
O. Constable Aguirre 490.00
P. Constable Alaniz 622.00
Q. Constable Gallardo 840.00
R. Constable Rios 1,740.00
S. Constable Bazan 120.00

6. Monthly Fee Reports – June: (SEE EXHIBIT F)

A. County Clerk \$ 292,368.71

7. Urban County: (SEE EXHIBIT G)

A. Requesting cancellation of one (1) Housing Rehabilitation Grant Program Application in the Countywide Area

8. Right of Way – Permits (\$3.75 paid on each permit): (SEE EXHIBIT H)

A. North Alamo Water Supply – west of FM 1015 on Mile 11 North

B. Sharyland Water Supply:

- **Taylor Rd. & 8 Mile Line**
- **Bentsen Rd. & 6 Mile Line**
- **9 ½ Mile Line & Inspiration Rd.**
- **9 ½ Mile Line Rd. & Inspiration Rd.**

C. RRP Consulting – Sioux Rd. along Tower Rd.

D. Shell Western – FM 490 & FM 681 & FM 2058

9. Tax Refunds: (SEE EXHIBIT I)

Taxpayer	Payer	Amount
A. ABN-AMRO Mortgage	ABN-AMRO Mortgage	\$ 8,136.69
B. William F. Wilson	William F. Wilson	4,044.03
C. David & Lydia M. Luevano	Chase Manhattan	3,157.22
D. Guillermo F. Rojano Sr.	Law Office of M.J. Daley	9,983.67
E. Maritza Guerra	Principal Mortgage	6,408.56

10. Purchasing Department: (SEE EXHIBIT J)**A. HIDALGO COUNTY –**

1. Requesting authority to purchase computer equipment, supplies, and peripherals from CISV vendors through TBPC Catalogue Purchasing Program for the following;

<u>Req # Dept</u>	<u>Vendor</u>	<u>Amount</u>	<u>Account #</u>
54075 93 rd District Court	Dell Marketing	\$1,959.56	4-1100-412-00-002-001-0-743
53958 332 nd District Court	Dell Marketing	\$ 647.10	4-1100-412-00-006-001-0-745
53730 Constable Pct # 3	Dell Marketing	\$ 148.46	4-1100-421-00-293-001-0-743
54083 93 rd District Court	Dell Marketing	\$2,309.50	4-1100-412-00-002-001-0-745
54275 Information Technology	Dell Marketing	\$4,858.00	4-1100-415-00-200-001-0-745
54281 Budget Office	MPC-G, LLC	\$1,120.00	4-1100-415-14-115-001-0-745

B. HIDALGO COUNTY INGIGENT DEFENSE-

1. Requesting authority to enter into a service agreement with Sprint PCS, A CISV vendor through TBPC Catalogue Purchasing Program, for two (2) wireless internet cards for Req # 54061 in the total amount of \$1,600.00 for 10 months. Effective upon approval.
2. Requesting authority to purchase a T1 service with SBC Datacomm a CISV vendor through TBPC Catalogue Purchasing Program for Req # 54062 in the total amount of \$2,200.00.

C. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPT.-

1. Requesting authority to purchase a tape drive yearly support from a CISV vendor, IBM Corporation, through TBPC Catalogue Purchasing Program for Req # 53691 in the amount of \$1,313.18.

D. HIDALGO COUNY HEALTH DEPARTMENT-

1. Requesting authority to enter into a lease agreement for a digital CC65 Copier with Xerox Corporation a vendor on TBPC State Contract 985-A3 for Req # 53935 in the total amount of \$548.52 a month. Effective upon approval.

E. HIDALGO COUNTY CONSTABLE PCT # 3-

1. Requesting authority to purchase eight (8) shotguns with C&G Wholesale a vendor on TBPC State Contract 680-A1 for Req # 53111 in the amount of \$301.63 each.

**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, JULY 20, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**DRAINAGE DISTRICT
(SEE EXHIBIT AA)**

1. Roll Call

All Members of the Board were counted present with the exception of Commissioner Garza.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

4. Approval of Subsidiary Agreement cost share for the amount of \$ 302,081.34

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

5. Approval to accept and deposit seismic permit check from Diversified Land Mgmt. for the amount of \$ 179.25 and Capital Star Oil & Gas for the amount of \$7,658.07 (permits approved under ROW on 06-22-04)

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

6. Concurrence of approval on TXDOT proposed improvement for SH 495 (from FM 907 to FM 1423)

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

7. Approval to accept check for the amount of \$ 43,767.80 for “Sale of Recorded Easement” Cardona at Bensten Lake, Phase I approved June 22, 2004

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

At this time Godfrey Garza indicated that no Executive Session was needed.

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 Handy, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to adjourn today’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, JULY 20, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

DRAINAGE DISTRICT

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Line item transfer - \$ 3,000.00**
- 3. Permits:**
 - A. City of Alamo – east of Tower Rd., south side of Crockett Rd.**

*There being no further business to come before said
Court, the meetings of the Commissioners' Court and the
Drainage District #1 Board are now hereby adjourned.*

Dated this the 20th day of July, 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 July 20th, 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

(Seal)