

SPECIAL MEETING – August 3rd, 2004

BE IT REMEMBERED, that on this 3rd day of August, 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

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, AUGUST 03, 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 Court were counted present with the exception of Commissioner Garza, and Commissioner Flores.

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

Virginia Townsend – Use the Old Jail for Adult Probation.

Nancy Sherry – Voting machines.

Santos Flores – Villa de las Flores Subdivision.

Fern McClaugherty – On monies exchanged between the Precincts.

5. Approval of Consent Agenda

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

At this time the Court moved to item #21-B and then to #21-A.

6. Discussion regarding Villa de las Flores Subdivision as it pertains to street repair due to flooding and drainage issues – located in Pct. #3 – Santos Flores (SEE EXHIBIT G)

Discussion made by Santos Flores.

7. Presentation and acceptance of revenue sharing check from the U.S. Fish & Wildlife Service in the amount of \$ 64,610.00 (SEE EXHIBIT H)

NO ACTION taken on this item.

8. Presentation by Mr. Charles Kimbrough, Attorney with Bickerstaff, Heath & Smiley regarding Environmental Affairs – Substandard Rural Development (SEE EXHIBIT I)

Presentation made by Mr. Charles Kimbrough.

9. Presentation by Mr. Terry Crocker, CEO of Tropical Texas Center– MH/MR regarding Resiliency & Disease Management Impact in the Rio Grande Valley – service changes effective 09/01/04 (SEE EXHIBIT J)

Presentation made by Mr. Terry Crocker.

10. County Clerk – J.D. Salinas, III: (SEE EXHIBIT K)

A. Discussion, consideration and action authorizing the Hidalgo County Clerk’s Office to apply with the Texas Parks and Wildlife Department for the purpose of becoming a License Deputy

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

B. Approval of the application fee in the amount of \$ 150.00

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

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

11. County Judge – Lorie Ochoa: (SEE EXHIBIT L)

A. Discussion, consideration and action to implement the VINE System

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

12. Juvenile Justice Court – Judge Longoria: (SEE EXHIBIT M)

A. Requesting approval to continue program & funding pending grant award; notification has been received that grant will be approved

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

At this time Judge Garcia requested to take a 10 minute break.

13. Health Department – Eddie Olivarez: (SEE EXHIBIT N)

A. Requesting authorization and possible action on Interlocal Agreement between Hidalgo County Health Department & Sullivan City

NO ACTION taken on this item.

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

A. The City of Weslaco request approval of Amendment No. 2 of the Professional Services Contract with MGM Engineering Group for the Waterline Improvement Project for First Street, Garza Street, the alley between Texas Street & Kansas Street for addition engineering fees in the amount of \$3,399.00

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

B. Precinct #4 is requesting approval of a Contract with Mission Paving Company in the amount of \$72,746.20 for a Street Improvement Project utilizing UCP Year 16 (2003) funds

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

C. Approval to award a Testing Services Contract to Raba-Kistner Consultants, Inc. for the Progreso Community Park project in the City of Progreso under the UCP Year 16 (2003) funding

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

D. Resolution – Office of Rural Community Affairs (ORCA) 2004 Colonia Construction Fund Application

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

E. Approval of an Interlocal Agreement between the City of Elsa and Hidalgo County Pct. #1 – Street Improvements – UCP Year 16 (2003)

NO ACTION taken on this item.

15. Head Start – Teresa Flores: (SEE EXHIBIT P)

A. Discussion and approval to advertise for sealed bids for: Food Products, Bread Products and Dairy Products

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

B. Discussion and approval to advertise for sealed bids on rental of classroom space for the following areas: McAllen & Weslaco

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

16. WIC – Norma Longoria: (SEE EXHIBIT Q)

A. Proclaim August 2004 as World Breastfeeding Awareness Month in the County of Hidalgo

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

B. Approval of liability waiver between La Plaza Mall/Simon Properties and Hidalgo County (for a display of breastfeeding information on August 7th (10-3pm) as an activity for World Breastfeeding Month)

NO ACTION taken on this item.

17. Sheriff Department – Roy Quintanilha: (SEE EXHIBIT R)

A. Approval to authorize the County Treasurer to process payment of clothing allowance to a non-uniform officer in the Sheriff's Office and make payment of same in conjunction with the regular payroll of August 13, 2004

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

18. Planning Department – Raul Sesin: (SEE EXHIBIT S)

A. Preliminary Approval:

- 1. Mi Sueno Subdivision – Pct. 3 (Pablo Munoz, Developer)**
- 2. Buena Vida Phase 3 Subdivision – Pct. 3 (Pablo Munoz & Adam Daniec, Developers)**
- 3. Cardinal Meadows Subdivision – Pct. 3 (Laura Coffman, Developer)**

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

B. Final Approval:

- 1. Los Nogales Subdivision Phase 2 – Pct. 4 (Hector Guerra, Developer)**

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

C. Final Approval with a Cash Deposit:

- 1. La Familia Estates Subdivision – Pct. 2 (Eloisa C. Fernandez, Developer)**

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

2. CSM No. 1 Subdivision – Pct. 4 (Luis Flores III, Developer)

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

D. Final Approval with a Letter of Credit:

1. Falcon’s Crest Gardens Subdivision – Pct. 4 (Cris Cantu, Developer)

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

E. Release of Letter of Credit:

1. Cielo Azul No. 5 Subdivision – Pct. 1 (Harold Munal, Developer)

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

F. Reimbursement of a Cash Deposit:

1. Allen Estates Subdivision – Pct. 4 (Sindy Chapa, Developer)

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

G. Approval of the Hidalgo County Community Resource Center subdivision plat located within Pct. 2 for the Judge’s execution

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

19. Risk/Emergency Management – Charlie Montgomery: (SEE EXHIBIT T)

A. Discussion, consideration and action regarding the position of Health & Safety Director for Risk Management

NO ACTION taken on this item.

B. Approval of reimbursement to the Hidalgo County Workers’ Compensation claims paying account for: Workers’ Compensation claims paid by Tristar Risk Management in the amount of \$64,645.57 for the period ending July 15, 2004 (07-01-04 through 07-15-04)

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

C. Approval to prefund Tristar Risk Management in the amount of \$ 31,078.94 to pay on claim #04109712 for McAllen Medical Center services (surgery)

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

20. Hidalgo County – Godfrey Garza: (SEE EXHIBIT U)

A. Authorization to amend the State Infrastructure Bank (SIB) application for Pct. #1 as required for the proposed irrigation alignment project for Mile 2 West

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

21. Pct. #1 – Comm. Handy: (SEE EXHIBIT V)

A. Approval of Intergovernmental Agreements between Hidalgo County Pct. #1 and Edcouch-Elsa, La Villa and Donna Independent School Districts for the GED Connection and Job Readiness Program

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

B. Approval of a Resolution honoring Army Sergeant Jason Christian Villarreal, who served in “Operation Iraqi Freedom” from April 2003 – July 2004

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

22. Pct. #3 – Comm. Flores: (SEE EXHIBIT W)

A. Accepting the resignation of Mr. Marin Espinosa as a member of the Board of the Mission Redevelopment Authority and Tax Increment Board and appointing Mr. Geoff Hall as his replacement

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

B. Discussion and approval of Interlocal Cooperation Agreement between the County of Hidalgo and the City of Penitas

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

23. Pct. #4 – Comm. Garza: (SEE EXHIBIT X)

A. Request authorization and approval to delete the following vacant positions:

- R & B #007-050 Truck Driver III - \$ 22,095.92**
- R & B #007-008 Truck Driver III - \$ 21,919.92**

B. Request authorization and approval to create the following two (2) positions and set salary:

- R & B #007-052 Truck Driver III - \$ 23,000.00**
- R & B #007-053 Heavy Equip. Oper.II - \$ 20,000.00**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 23-A & B.

- 24. Fire Marshal – Art Gaytan: (SEE EXHIBIT Y)**
A. Approval to create one Fire Inspector position
B. Approval to set salary
C. Approval to purchase one (1) vehicle

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 24-A, B & C.

- 25. Texas Cooperative Extension – Brad Cowen: (SEE EXHIBIT Z)**
A. Requesting approval to increase the number of part-time hours for slot #11 from 20 hours per week to 30 hour per week effective 8/9/04
B. Requesting approval of line item transfer from obj. 113 to 114 - \$ 1,850.00

NO ACTION taken on items 25-A & B.

- 26. Criminal Auxiliary Court – Dairen Cedillo: (SEE EXHIBIT AA)**
A. Approval to inappropriate local match \$ 236,397.00 to reduce estimated revenues in fund (1282) by same amount

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

- B. Approval to transfer slots 041-001; 041-002; 041-007; 041-009 to department 045-001 Criminal Auxiliary Court & budget amendment**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$56,059.02.

- C. Approval to transfer slot #041-005 to department 080-002 District Attorney & budget amendment**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$14,705.51.

- D. Approval to transfer slot #041-010 to department 009-003 Indigent Defense & budget amendment**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$10,269.91.

- 27. Constable Pct. #3 – Larry Gallardo: (SEE EXHIBIT BB)**
A. Requesting approval to submit extension for Project SWEEP grant salaries until March 13, 2005

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

B. Requesting approval to submit application for fiscal year 2005 for Project SWEEP (Solid Waste Enforcement) from Lower Rio Grande Valley Development Council

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

C. Requesting approval of Resolution

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

28. Budget Office – Valde Guerra: (SEE EXHIBIT CC)

A. Requesting approval to accept a check in the amount of \$ 13,377.64 from Matias Pena, Jr., for the “Sale of Real Property” project, more particularly described as (a 100-foot of abandoned Railroad Right of Way land at Encinitos Rd.), approved on June 22, 2004

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

B. Line item transfers:

- 1. Risk Management – C/O 2002 Pct. #4 Landfill**
- 2. Pct. #4 – Colonia Access Program**
- 3. Pct. #1 – Colonia Access Program**

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

C. Interdepartmental transfers:

- 1. Court Reporters Fund**
- 2. District Clerk**
- 3. General Litigation**

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

D. District Attorney:

- 1. Approval to create obj. #603 & 663 & line item transfer - \$ 2,181.00 – D.A. Inv. Fund**

E. County Court #1:

- 1. Approval to create obj. #607 & line item transfer - \$ 150.00**

F. Constable Pct. #3:

- 1. Approval to create obj. #601 & line item transfer - \$ 250.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items D-1, E-1 & F-1.

G. Intra Fund transfer - Jail Project - \$ 20,000.00

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

H. Discussion, consideration and action on proposed agreement between M.A.D.D. & Hidalgo County with authority to amend term of contract and issue manual check

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, effective Aug. 03, 2004.

I. County Clerk – Rec. Mgmt.:

1. Approval to appropriate funds in the amount of \$ 66,093.00

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

J. Designation of Hidalgo County Pool Coordinator

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to keep Valde Guerra as Hidalgo County Pool Coordinator.

29. Human Services – Rudy De La Viña: (SEE EXHIBIT DD)

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

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

Presentation made by Rudy De La Vina.

At this time the Court moved to items #31-J 1&2 and #31-A-9

30. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT EE)

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.

31. Purchasing Department – Marty Salazar: (SEE EXHIBIT FF)

NOTES: 1. 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.

2. 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:	1116	Other Information:	10
Physical Count:	1084	Males (in house)	1009
Out of County: La Villa	20	Females (in house)	75
Brook’s		Federal Prisoners	8
Adj. /Sentenced to TDC	118	Total Paper Ready TDC	83

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;

Nothing to report on items A-2 & A-3a&b.

C. Presentation for discussion, consideration, acceptance and approval of Request for Payment No Five (5) submitted by V-A Architecture in the amount of \$315.90 in connection with architectural services rendered for the design and construction of the Shooting Range Facility & Canopy with authority for the Auditor’s Office to issue payment;

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

D. 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 for the items detailed in: “Exhibit A” attached hereto.

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

5. **Presentation for discussion, consideration, acceptance and approval for the purpose of ranking by Hidalgo County Commissioner's Court as "Qualified", the number (1) one ranked participant received to the RFQ&P in connection with "Grant Writing and Other Related Services for Park Projects for Hidalgo County", project from Border Visions Consulting Group L.L. C.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on ranking Border Visions as No. 1.

6. **Requesting authority for Purchasing Department to negotiate a contract with number one ranked firm for Grant Writing and Other Related Services for Park Projects for Hidalgo County.**

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

7. **Recommending award of bid and approval of contract for "Auctioneer Services", to bidder meeting all specifications and requirements.**

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

8. **Presentation for discussion, consideration and approval of draft qualifications, requirements and scope of services (as provided by Judge Garcia) including scoring criteria with approval to advertise a Request for Qualifications/Proposal for "Texas Trial Lawyers" in connection with possible litigation related to denied claims by Texas Association of Counties.**

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

9. **Recommending extension of Bid Opening Date from (August 4, 2004 to September 8, 2004) for "Funeral & Burial Services For Paupers" to permit the clarification through an "Addendum" for the following items;**

a) Burial Services

1. **Current specification require a plot including the opening & closing cost(s); or in the alternative**

Note: Vendors are requiring clarification from Hidalgo County of the following:

2. **Would County request a bid that would include cost of plot and additional charge for opening/closing costs separate?**
3. **Would County accept additional cost for concrete liners (if required by a cemetery)?**

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

- 10. Presentation for discussion, consideration, and approval to reject all bids received for: “Indoor Air Quality Testing Services”, in order to modify specifications.**

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

- 11. Requesting authority to re-advertise for: “Indoor Air Quality Testing Services”, with modified specifications; or in the alternative,**

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

- 12. Request authority to solicit a proposal from Assured Indoor Air Quality, LP an awarded vendor of The Cooperative Purchasing Network (TCPN) for Indoor Air Quality Testing Services.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO 2

- 1. Requesting authority to advertise and approval of draft specifications for: “Lease of Office Space to a Non Profit Organization”.**

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

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

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

C. HIDALGO COUNTY PRECINCT NO 3 –

- 1. Recommending award of Bid and approval of Contract for “CRS-2 (Cationic Rapid Setting) Emulsified Asphalt” to sole bidder meeting all requirements and specifications.**

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

D. HIDALGO COUNTY PRECINCT NO 4 –

- 1. Presentation for discussion, consideration, acceptance and approval of request for payment of invoice #13 totaling \$31,760.00 submitted by J.E. Saenz & Associates for Engineering Services rendered for the Precinct No 4 Landfill Cap and Closure, Phase II B.**

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

E. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO 2 –

1. **Requesting approval of Change Order No 1 – (Net Increase) in connection with “Road Construction of Las Palmas Estates” (Colonia Access Project) in the amount of \$1,196.00 awarded to D.M. Roth Construction.**
2. **Requesting approval of change Order No 1 – (Net Increase) in connection with “Road Construction of Primavera II” (Colonia Access Project) in the amount of \$14,650.07 awarded to J.M. Construction.**

NO ACTION taken on items E-1&2.

F. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO 3 –

1. **Requesting authority to advertise the Construction of Roads for the following:**

Basham #12	Goodwin Heights	Los Trevinos #4
Basham #13	Havana	North Country Estates
Basham #16	Hilda	Perlas De Naranja
Carlos Acres	La Palma	Carlos Leal #2
Country Corner Estates	Los Ebanos	Vales

*** A Colonia Access Program Project (Carried by J. Hinojosa Engineers)**

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

G. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO 4 -

1. **Requesting approval of change Order no 1 – (Net Increase0 in connection with “Road Construction of R.C. W., Adam Lee & Cottonwood” (Colonia Access Project) in the amount of \$4,046.00 awarded to Mission Paving Company, Inc.**

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

H. HIDALGO COUNTY ADULT DETENTION –

1. **Requesting authority to reject bid received and re-advertise due to modifications of specifications for “Legend and Non-Legend Pharmaceuticals and Infirmary Medical Supplies” project.**

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

I. HIDALGO COUNTY BUILDINGS & GROUNDS –

1. **Presentation for discussion, consideration, authority and approval for the Hidalgo County (Purchasing Dept) to negotiate proposal (s) with Centennial Contractor Enterprises, Inc., an awarded vendor through The Cooperative Purchasing Network’s Job Order Contractor Program for necessary renovations and/or repairs for County Depts. requiring such services as a supplemental option when the occasion/need arises and Buildings & Grounds is unable to comply due to back-log or work orders/requests or personnel for required work not staffed by Buildings & Grounds.**

Note: Current departments in need to repairs or renovations where Building & Grounds cannot accommodate staff at this time:

- i. **Tile replacement for Human Resources – tile can be purchased by County, however, installation of material is not possible by vendors since all insurance requirements are not being met;**
- ii. **Carpet for County Court at Law No 1 – quotations solicited, however, vendor cannot comply with insurance requirements;**

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

J. HIDALGO COUNTY CLERK’S OFFICE –

1. **Presentation for discussion, consideration, authorization for County Judge to execute documents, acceptance of a negotiated Best and Final Offer (BAFO) and approval of “Purchase Agreements”, subject to legal review, with The Software Group (TSG), a CISV vendor, through the Texas Building and Procurement Commission’s purchasing program for “Document Imaging” including hardware, software, client support and software update services and peripherals in an amount not to exceed \$264,373.00 for the Hidalgo County Clerk’s Office.**

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

2. **Requesting authority to solicit and issue a Request For Offer (RFO) through the Texas Building and Procurement Commission’s from Catalogue Information System Vendor (CISV) for: “Records, Management & Imaging”.**

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

K. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. **Requesting approval of draft for the RFQ/P-Legal and/or Consulting Services in connection with the Texas Election Code project, previously approved to advertise on February 10, 2004.**

NO ACTION taken on this item.

L. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT –

1. **Requesting authority to purchase telecommunication equipment from CISV vendor, Starr Telecommunication, through TBPC Catalogue Purchasing Program for Req #54988 in the total amount of \$5,881.00.**

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

M. HIDALGO COUNTY JUVENILE JUSTICE CENTER –

1. **Presentation for discussion, consideration and acceptance and approval of Request for Payment No. Six (6) submitted by project architect, V-A Architecture in the amount of \$86,820.96 in connection with architectural services rendered for the design and construction of Juvenile Justice Center for Hidalgo County with authority for Auditor Office to issue payment;**

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

N. 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.

At this time the Court moved not to go into Executive Session.

32. Closed Session: (SEE EXHIBIT GG)

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 and/or potential litigation; Laura Nieto vs. Hidalgo County**
- D. Pending and/or potential litigation – County of Hidalgo vs. Texas Association of Counties**

33. Open Session:

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending claim and/or potential litigation; Laura Nieto vs. Hidalgo County**
- D. Pending and/or potential litigation – County of Hidalgo vs. Texas Association of Counties**

34. Closed Session:

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

35. 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, AUGUST 03, 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 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. 370th District Court**
 - B. 389th District Court**
 - C. District Attorney (Gen.Fund)**
 - D. Tax Office**
 - E. County Clerk**
 - F. Civil Service**
 - G. Purchasing Department**
 - H. Computer Department**
 - I. Buildings & Grounds (2)**
 - J. Constable Pct. #1**
 - K. Jail**
 - L. Health – Sanitation**
 - M. Juvenile Justice Court**
 - N. Constable Pct. #3 - Project STOP**
 - O. Pct. #3 – Landfill**
 - P. J.P. Pct. #4, Pl. 1**
 - Q. Pct. #1 – R & B**
- 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. HOME – Housing Rehabilitation Grant Program cancellation of application as per the applicant's request – City of Hidalgo**

5. Tax Refunds: (SEE EXHIBIT E)

Taxpayer	Payer	Amount
A. David & Lydia Luevano	Chase Manhattan	\$ 3,157.22
B. Martiza Guerra	Principal Mortgage	6,408.56

6. Purchasing Department: (SEE EXHIBIT F)**A. HIDALGO COUNTY -**

- 1. Requesting authority to purchase computer equipment from CISV vendors, through TBPC Catalogue Purchasing Program for the following:**

Req	Department	Vendor	Amount	Account #
54487	Human Resource	Dell	\$808.20	4-1100-415-50-190-002-0-745
54691	District Attorney	CDW	\$207.99	4-1223-412-00-080-007-0-745
54501	Health Dept	Milstek	\$299.00	4-1293-441-00-340-013-4-663

B. HIDALGO COUNTY AUDITOR –

- 1. Requesting authority to enter into a rental agreement for a Digital Copier with Minolta through TBPC Automated State Contract 985-A5 for Req #52196 for \$348.00 a month. Effective upon approval.**

**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, AUGUST 03, 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 FF)**

1. Roll Call

All Members of the Board were counted present with the exception of Commissioner Flores and 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 Consent Agenda.

4. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$3,741.06 for the period ending July 15, 2004 (07-01-04 through 07-15-04)

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

5. Purchasing Department – Marty Salazar:

NOTES: 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. Requesting approval to accept a check in the amount of \$29,102.32 from Cantu Ventures LTD, for the “Sale of Real Property”, (25 foot strip of land) at A.J. McColls Subdivision and Steel & Pershing Subdivision, approved on June 22, 2004.**

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

At this time the Board moved not to go into Executive Session.

6. Closed Session:

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

- A. Real Estate Acquisition**

7. Open Session:

- A. Real Estate Acquisition**

8. Closed Session:

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

9. Open Session:

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Board 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, AUGUST 03, 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 Handy, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

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

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 3rd day of August, 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 August 3rd, 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)