

***SPECIAL MEETING – August 31, 2004***

*BE IT REMEMBERED, that on this 31<sup>st</sup> 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:*

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

*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 31, 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 the Prayer.

**4. Open Forum**

Aida Reyna and Jorge Rivera – La Joya ISD Bus Route

J.R. Martinez and Barbara Grossman – Calma Estates

At this time the Court moved to item 17 of the Regular Agenda.

Fern McClaugherty – Translations on presentations made in Spanish, for sale signs on property that is for sale, and dedication of roads

Alfredo Garcia – Storm Drainage Concerns

Denici Lance – Storm Drainage Concerns and Flood Zone Areas

**5. Approval of Consent Agenda**

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

At this time Commissioner Garza stepped out of the meeting.

**6. Head Start – Teresa Flores: (See Exhibit F)**

**A. Discussion/approval to postpone the relocation of the McAllen III Head Start Center and approval to contract for use of land**

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

**7. Urban County – Diana Serna: (See Exhibit G)**

**A. Resolution – Office of Rural Community Affairs – 2003 Colonia Fund Application**

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

**B. Resolution to request from the Office Rural Community Affairs (ORCA) Performance Statement Amendment for the 2003 Colonia Contract Grant #723065**

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

**C. Approval of ORCA 2003 Colonia Construction Grant #723065 Contract with ASAGO, L.L.C. in the amount \$ 479,958.00 for first time sewer services to Colonia Tierra del Valle #1 & 2, Albino Rodriguez and John Closner Subdivision for sanitary sewer improvements for the 4 Colonias in Pct. #4**

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

**D. Approval of a Resolution supporting the Interagency Council of Homelessness to develop and implement a comprehensive national approach to end homelessness**

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

**E. Requesting authorization for County Judge to sign Notice of Intent to Request for Release of Funds (NOI/RROF) and Request for Release of Funds (RROF) for 2003 & 2003 for City of Weslaco Public Facility Improvements, in the amount of \$ 64,480.32**

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

**8. Human Services – Rudy De La Viña: (See Exhibit H)**

**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 Valde Guerra.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to pay \$575,815.99 in indigent health care expenditures.

**9. Sheriff Department – Capt. Jackson:** (See Exhibit I)

**A. Request approval to enter into a training partnership agreement with Pharr-San Juan-Alamo North High School Criminal Justice Class for the school year 2004-2005 for hands on law enforcement work training**

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

**10. Hidalgo County – Godfrey Garza:** (See Exhibit J)

**A. Requesting authority for Auditor to issue a manual check to Esperanza & Jacinto Landeros for Right of Way acquisition of FM 2128 in the amount of \$ 8,935.00 (subject to review & approval) TXDOT Project budgeted from 2001 Certificate of Obligation**

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

**11. Planning Department – Raul Sesin:** (See Exhibit K)

**A. Release and Renewal of Remaining Letter of Credit:**

**1. Pita Subdivision – Pct. 3 (Jerry Bell, Developer)**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a motion to approve the release and renewal of the remaining letter of credit for this subdivision.

Commissioner Flores abstained from voting on this item.

Judge Garcia: Aye

Commissioner Handy: Aye

Commissioner Palacios: Aye

Commissioner Flores: Abstain

At this time Commissioner Garza returned to the meeting.

**B. Discussion and possible action on residential subdivisions located within La Joya Water Supply Corporation CCN Area:**

**1. Watson Heights Subdivision – Pct. 3 (Paul Daniec, Developer)**

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

At this time Commissioner Handy stepped away from the meeting.

**12. Buildings & Grounds – Daniel Flores:** (See Exhibit L)

**A. Status of old jail building**

At this time the Court moved to item 18 F. 1 & 2 of the Regular Agenda.

**B. Maintenance of county grounds**

Presentation made by Daniel Flores.

**C. Status of renovation of administration building**

Presentation made by Marty Salazar.

At this time Commissioner Handy returned to the meeting.

**13. Risk/Emergency Management – Charlie Montgomery: (See Exhibit M)**

**A. Discussion and status of Pct. #4 Landfill Closure**

Presentation made by Adolfo Trevino.

At this time Judge Garcia stepped away from the meeting.

**14. Pct. #1 – Comm. Handy: (See Exhibit N)**

**A. Approval and acceptance of “GED/Job Readiness Program” Grant and/or Contract (Texas Workforce Solutions Grant) - \$ 175,000.00**

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

**B. Approval to create five (5) “GED/Job Readiness Program positions and set salaries for each position:**

**One (1) Project Director – \$ 42,000.00**  
**One (1) Assistant Project Director – \$ 36,000.00**  
**Two (2) GED Instructors - \$ 31,000.00**  
**One (1) Driver/Teacher Assistant - \$ 22,000.00**

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

**C. Approval of budget amendment of \$ 175,000.00 for “GED/Job Readiness Program” Grant**

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

**15. Pct. #2 – Comm. Palacios: (See Exhibit O)**

**A. Request authorization and approval to set salary from \$ 15,654.00 to \$ 20,150.88 on R & B Maintenance I (006-037) vacant position**

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

**16. Pct. #3 – Comm. Flores: (See Exhibit P)**

**A. Discussion and approval of Interlocal Cooperation Agreement between County of Hidalgo and City of Palmview**

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

At this time the Court moved to item 18 of the Regular Agenda.

**17. Pct. #4 – Comm. Garza: (See Exhibit Q)**

**A. Discussion and action on a proposed road dedication of: Calma Street**

A discussion was held for this item.

NO ACTION taken on this item.

At this time the Court continued with the Open Forum.

**18. Purchasing Department – Marty Salazar: (See Exhibit R)**

- 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) The Purchasing Department does not participate in the acquisition or purchase of the good/services presented under this caption. The Purchasing Department merely facilitates the placement of such items since they deal with procurement related issues.**
- b) Departments/Programs and Vendors are all advised that acquisition of goods and/or services must be done in accordance with applicable laws/statutes and Hidalgo County Purchasing Policies & Procedures.**

**A. HIDALGO COUNTY –**

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

**1. New Hidalgo County Jail:**

Total inmate population:	<u>11,010</u>	Other Information:	<u>12</u>
Physical Count:	<u>1,077</u>	Males (in house)	<u>1,003</u>
Out of County: La Villa	<u>18</u>	Females (in house)	<u>73</u>
Brook’s		Federal Prisoners	<u>8</u>
Adj. /Sentenced to TDC	<u>141</u>	Total Paper Ready TDC	<u>104</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;**

Marty Salazar stated there was nothing to report on items 18-A. 2 & 3. a-b.

**C. Presentation for discussion, consideration, acceptance and approval of Application and Certificate for Payment No 2 from CRC Design Consultants awarded contractor for the**

**construction of the shooting Range Facility (bldg & canopy) in the amount of \$142,595.00 for the period ended 08/3/04 and as certified for payment by project architect, V-A Architecture with authority for Auditor to issue payment;**

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

- 5. Requesting authority to exercise the sixty (60) day grace period extension as provided under the current contract for: "Pest Control" with Pro-Tech Pest Control and Terminix Termite, effective September 09, 2004 through November 08, 2004, so as to have no lapse while bid process is completed.**

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

- 6. Requesting authority to advertise and approval of draft specifications for: "Pest Control".**

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

- 7. Presentation for discussion and approval of the final negotiated contract with the number one participant (Sprint PCS) for the RFP Project: "Cellular Phones/Services for Hidalgo County".**

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

- 8. Presentation for discussion, consideration, acceptance and approval with authority to implement Hidalgo County's Cellular Phone Policy (subject to legal review).**

NO ACTION taken on this item.

At this time Judge Garcia returned to the meeting.

- 9. Presentation for consideration, discussion, and approval to proceed with engagement of professional engineering firm(s) (through Hidalgo County's pool of engineering firms) and other professionals, i.e. legal firm(s) for a road and bridge assessment/study to serve various County needs, including but not limited, to the following:**

- a) **Inventory existing roadways and bridges for GASB 34 requirements and compliance;**
- b) **Determination of County Roads;**
- c) **Pavement Management Programs;**

Presentation made by Martin Lupert of the “inaudible” infrastructure firm.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on component # 1.

Commissioner Palacios withdrew his second on this motion.

The motion made by Commissioner Handy was not approved due to a lack of a seconded motion.

NO ACTION taken on this item.

- 10. **Requesting approval of method of engagement of legal firm(s), if necessary, to produce the necessary documentation, displays and requirements for public hearing associated with determining roadways that are to classified as County Roads.**

NO ACTION taken on this item.

At this time Commissioner Palacios stepped away from the meeting.

- 11. **Presentation to consider, discuss and approve the recession of the contract with Oil Patch Fuel & Supply, Inc due to non compliance with Hidalgo County workers compensation insurance requirements.**

On motion of Commissioner Garza, seconded by Commissioners’ Flores and Handy, the Court made a UNANIMOUS vote of approval to rescind the contract with Oil Patch Fuel & Supply

Inc.

- 12. **Requesting authority to advertise and approval of draft specifications for Lubricants (Grease, Oil Hydraulic Fluids) and Anti-Freeze Products.**

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

**B. HIDALGO COUNTY PRECINCT NO 3 –**

- 1. **Requesting authority to accept donation from Izaguirre Septic Tank for a 500 gallon septic tank for the Precinct No 3 Waste Collection Sub-Station located at 7 mile line and Troser Road and to include installation and labor subject to meeting all Hidalgo County Insurance Requirements.**

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

**C. HIDALGO COUNTY PRECINCT NO 1 –**

1. **Requesting authority to purchase computer equipment from a CISV vendor, MPC-G, LLC through TBPC Catalogue Purchasing Program for Req #56592 in the total amount of \$15,288.00.**

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

**D. HIDALGO COUNTY ADULT PROBATION –**

1. **Requesting authority to purchase computer equipment and peripherals from a CISV vendor, Dell Marketing, through TBPC Catalogue Purchasing Program for Req #56492 in the total amount of \$21,634.50.**
2. **Requesting authority to purchase computer software from a CISV Vendor, Plato, Inc., through TBPC Catalogue Purchasing Program for Req #56595 in the total amount of \$19,830.00.**

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

**E. HIDALGO COUNTY BUDGET OFFICE-**

1. **Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures are completed) in the amount of \$28.45 to CACC - Carolyn Arnold Communications Consultant (see attachment):**  
**SWBT ACCOUNT 956-318-2000**  
**Integretel issued adjustment as follows:**  
**Today=s Resources adjustments for unauthorized billing of 800 Services to 956-318-2128 @ \$4.95 per month. (Credit still to post is \$ 4.95)**  
**SkyNet adjustment for unauthorized billing of LD Plan to 956-383-8590 (Credit still to post is \$39.99).**

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

**F. HIDALGO COUNTY BUILDING AND GROUNDS –**

1. **Presentation of a report by Luis Figueroa, AIA, Principal; (Rike Ogden Figueroa Dickson Wells), project architect for the facility assessment & feasibility study of the former Hidalgo County Sheriff Office and Adult Detention Facility located at 3100 S Hwy 281, Edinburg, Texas in connection with the suitability of structure to be renovated/remodeled (with additional square footage, if necessary) for use as office space;**
2. **Presentation of projected costs in connection with additions, renovations/remodeling of facility or construction of new facility;**

**Presentation made by Luis Figueroa of the firm Rike, Ogden, Figueroa, Dickson and Wells.**

**At this time the Court moved back to item 12.**

**G. HIDALGO COUNTY HEALTH DEPARTMENT –**

1. **Requesting ratification of Purchase Order No. 538901 in the amount of \$33,684.00 to Texas 2-Way from San Juan, Texas through a CISV vendor through our participation with Texas Building & Procurement Commissions Catalogue Purchasing Program and as previously requested on 8-17-04 agenda.**

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

**H. HIDALGO COUNTY I.T. DEPARMENT -**

1. Requesting authority to purchase computer equipment and peripherals from a CISV vendor, Trillion Partners, Inc., through TBPC Catalogue Purchasing Program for Req #56012 in the total amount of \$6,288.00.

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

**I. HIDALGO COUNTY J.P. Pct. 3 Pl. 2 –**

1. Requesting authority to exercise the additional one year extension as provided in current contract for “Lease of Office Space in Mission/Palmview” under the same rates, terms and conditions with Jose Ismael Ochoa effective 09/30/04 thru 09/03/05.

**Marty Salazar informed the Court that the date should read 09/30/04 thru 09/30/05.**

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

**J. HIDALGO COUNTY –**

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

**NO ACTION taken on this item.**

**19. Budget Office – Valde Guerra: (See Exhibit S)**

**A. Interdepartmental transfers:**

1. Sheriff Department (Jail)/Budget Office Contingency
2. Budget Office Contingency/Health Department
3. Budget Office Contingency/Fire Marshal
4. Budget Office Contingency/Public Defense
5. Budget Office Contingency/Juvenile Probation

**On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve items 19.A.1, 3, 4, & 5.**

**NO ACTION taken on item 19.A.2.**

**B. Intradepartmental transfers:**

1. Sheriff Department
2. Jail
3. Buildings & Grounds

**At this time Commissioner Palacios returned to the meeting.**

**Valde Guerra stated, “For the record, the sheriff’s department we are moving some monies**

**around from water and electricity.”**

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

- C. Approval to de-obligate funds from the Criminal Justice Planning Grant (Fund 421) - \$ 91,000.00
- D. Approval to appropriate \$ 91,000.00 into Contingency Acct.

**Valde Guerra Stated, “For the record, this in effect will also decrease the projected and stated revenues by that same amount.**

**On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 19. C & D.**

- E. Constable Pct. #3 - Requesting approval to continue operating Project STOP until grant is received

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

**Valde Guerra stated, “For the record, if for whatever reason this grant award is not received, the general fund would absorb this cost as....”**

- F. Fire Marshal – Approval to create obj. 442 & 631 & line item transfer - \$ 390.00
- G. Veterans Services – Approval to create obj. 662 & line item transfer - \$ 800.00

**On motion of Commissioner Garza, seconded by Commissioners’ Palacios & Handy, the Court made a UNANIMOUS vote of approval.**

H. County Treasurer:

- 1. Discussion, consideration and action on implementing positive pay (authorized check payment) with First National Bank for Hidalgo County

**On motion of Commissioner Garza, seconded by Commissioners’ Palacios & Handy, the Court made a UNANIMOUS vote of approval.**

- 2. Discussion, consideration and action on request for altering Sage Search Criteria for bank reconciliation purpose, cost \$ 800.00

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

- 3. Approval to amend budget for slot #003 from \$26,250.00 to \$ 28,000.00; slot #006 from \$23,218.13 to \$ 24,000.00; slot #010 from \$ 21,974.59 to \$ 24,000.00 by reducing slot #011 from \$23,152.50 to \$ 18,595.22

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

**20. IT Department: (See Exhibit T)**

- A. Discussion, consideration and action to support Blue Moon Solution's grant application to provide broadband opportunity for two geographic areas within Pct. 1

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

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

**21. Closed Session:** (See Exhibit U)

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

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Civil Action #2004-4204-JSJ; General Resource Corporation vs. Citicorp Vendor Finance, Inc. et.al**

NO ACTION taken on items 21. A-D.

**22. Open Session:** (See Exhibit U)

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Civil Action #2004-4204-JSJ; General Resource Corporation vs. Citicorp Vendor Finance, Inc. et.al**

NO ACTION taken on items 22. A-D.

**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 Garza, 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 31, 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 all items listed on the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (See Exhibit A)**
- 2. Intradepartmental transfers: (See Exhibit B)**
  - A. Indigent Defense (2)**
  - B. Pct. #1 – Sanitation**
  - C. Pct. #1 – R & B**
  - D. DPS – H/P**
  - E. County Court #1**
  - F. Computer Department**
  - G. Tax Office**
  - H. Pct. #4 – R & B**
  - I. WIC**
  - J. Elections Department**
  - K. Pct. #3 – Landfill**
  - L. Pct. #3 – Parks**
  - M. 93<sup>rd</sup> District Court**
  - N. Sheriff Department**
  - O. Purchasing Department**
- 3. Planning Department: (See Exhibit C)**
  - A. Approval of the following Certificates:**
    - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
    - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
    - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**
- 4. Urban County: (See Exhibit D)**
  - A. Request for approval of Emergency Assistance Classification of one (1) applicant under the HOME No Interest Loan Program – Countywide Area**
- 5. Purchasing Department: (See Exhibit E)**

**A. HIDALGO COUNTY -****1. Requesting authority to purchase computer equipment and software from CISV vendors through TBPC Catalogue Purchasing Program for the following**

Req	Departments	Vendors	Amount	Account
56421	Fire Marshal	MPC-G, LLC	\$1,485.00	4-1100-422-10-300-001-0-745
56466	Precinct No. 4	S.J.S. Computer	\$390.00	4-1204-431-00-124-005-0-747
56475	I.T. Department	S.J.S. Computer	\$200.00	4-1100-415-00-200-001-0-664
56280	I.T. Department	S T E	\$155.00	4-1100-415-00-200-001-0-432
56361	Human Services	CDW-G	\$170.00	4-1100-444-00-240-001-0-601
56446	Budget Office	MPC-G, LLC	\$1,485.00	4-1100-415-14-115-001-0-745
56450	Budget Office	MPC-G, LLC	\$1,485.00	4-1200-413-00-110-033-0-745
56480	Adult Probation	Dell Marketing	\$4,516.00	4-1297-423-00-320-008-4-749
56712	Indigent Defense Prog.	CDW_G	\$513.23	4-1100-412-00-009-003-0-745
56695	Pct. #1	MPC-G, LLC	\$540.00	4-1283-466-40-121-024-4-747
56995	Pct. #1	MPC-G, LLC	\$999.00	4-1283-466-40-121-024-4-748

**B. HIDALGO COUNTY DISTRICT CLERK DEPARTMENT -**

1. Requesting authority to enter into a 48 month lease to purchase for a Fast Pac inserting system folding machine with Pitney Bowes a CISV vendor through TBPC at the rate of \$247.08 per month. Req #539220 Effective upon approval.

**C. HIDALGO COUNTY SHERIFF'S DEPARTMENT -**

1. Requesting authority to enter into a service agreement with Voice Print for the recording of phone calls in their dispatch division for one year for Req #56283 in the total amount of \$667.00. Effective September 2004 through September 2005.

**D. HIDALGO COUNTY WIC PROGRAM -**

1. Requesting authority to enter into a service agreement for two copiers with Digital Office System for one year in the amount of \$299.99 each. 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 31, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**DRAINAGE DISTRICT  
(See Exhibit W)**

**1. Roll Call**

All members of the Court were counted present.

**2. Open Forum**

No presentations were made during Open Forum.

**3. Approval of Consent Agenda**

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

At this time Commissioner Flores stepped away from the meeting.

**4. Discussion and action regarding the implementation of the Fair Labor Standards Act (FLSA) which governs overtime compensation**

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

**5. Consideration and approval to release partial drainage easement on Rado Drain**

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

**6. Approval of budget amendment to transfer out \$ 48,114.92 from unreserved fund balance to Capital Project (lateral projects)**

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

At this time Commissioner Flores returned to the meeting.

**7. 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 advertise for: “Construction Improvement for: Mile 2 West Bridge Widening” Project.**

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

**B. Requesting authority to advertise and approval of specifications as attached hereto for: RFB- “Bond Coverage for Hidalgo County State of Texas, Drainage District No 1 and Crime Policy” as previously approved under Hidalgo County on Aug 24, 2004.**

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

There was no need to enter into Executive Session.

**8. Closed Session:**

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

**A. Real Estate Acquisition**

**9. Open Session:**

**A. Real Estate Acquisition**

**10. Closed Session:**

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

**11. Open Session:**

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to adjourn this days’ 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 31, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

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

**DRAINAGE DISTRICT  
(See Exhibit X)**

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge permits:**
  - A. City of Pharr – Los Muros Subdivision**

**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 31, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**ADDENDUM**

- 1. Closed Session: (See Exhibit V)**  
**Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 to discuss the following:**
  - A. C-866-03-B - Landmark Organization, L.P. vs. Hidalgo County Et Al**  
  
NO ACTION taken on this item.
- 2. Open Session: (See Exhibit V)**
  - A. C-866-03-B - Landmark Organization, L.P. vs. Hidalgo County Et Al**  
  
NO ACTION taken on this item.
- 3. Closed Session:**  
**Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed**
- 4. Open Session:**  
**Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed**

*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 31st day of August, 2004

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

By: \_\_\_\_\_  
Ruby Guerra, 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 31, 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: \_\_\_\_\_  
Ruby Guerra, Deputy

(Seal)