

SPECIAL MEETING – September 14, 2004

BE IT REMEMBERED, that on this 14th day of September, 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

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, SEPTEMBER 14, 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 with the exception of Commissioner Garza.

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

Mr. Lance – Northfield Acres Subdivision

Mr. Fernando Enriquez – The need for caliche on 8 ½ and Ware Rd area.

5. Approval of Consent Agenda

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

6. Presentation of Delinquent Tax Attorney Report – Lucy G. Canales (SEE EXHIBIT F)

Presentation made by Cindy Garza Schammel.

At this time the Court moved to item # 8.

7. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT G)**A. Approval of Resolution proclaiming September 2004 as “National Preparedness Month”**

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

B. Discussion, consideration and approval on purchasing and displaying a flag to mourn individuals who have perished in the line of duty

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

At this time the Court moved to Addendum #2.

8. Urban County – Diana Serna: (SEE EXHIBIT H)**A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional services with S&B Infrastructure, LTD in connection with the City of La Joya Water/Sewer Improvements.**

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

B. Approval of professional services contract with S&B Infrastructure, LTD with the City of La Joya – Water/Sewer Improvements Yr 15, 16 & 17 (2002, 2003 & 2004). Amount requested \$45,500.00.

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

C. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional services with Dannenbaum Engineering in connection with the City of Palmview Street Improvements.

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

D. Approval of professional services contract with Dannenbaum Engineering with the City of Palmview Street Improvements for Yr. 14, 15 & 16 (2001, 2002 & 2003) in the amount of \$51,183.81.

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

- E. Approval of a Budget and Program Amendment for the City of Edcouch Urban County Program Year 15 (2002) and Year 16 (2003). This proposed budget and program amendment will help complete Year 15 Water/Sewer Improvements and Year 16 Parks, Recreational Facilities and Water/Sewer Improvements.**

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

9. Planning Department – Raul Sesin: (SEE EXHIBIT I)

A. PRELIMINARY APPROVAL:

Andrea Estates Subdivision – Pct. 4 (Jesus & Maria G. Andrade, Developers)

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

Citrus Tree Subdivision – Pct. 2 (Roy A.B. Lacklaws, Developer)

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

Oakland Village Phase 2 Subdivision – Pct. 4 (Jack McClelland, Developer)

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

Villicana – Elizondo Subdivision – Pct. 2 (Sergio & Mirelda Villicana, Developers)

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

Evergreen Valley Estates Phase 2 Subdivision – Pct. 4 (Tillman Welch, President)

Palos Rojos Subdivision – Pct. 1 (Norberto Salinas, Developer)

Angelita Ranch Subdivision – Pct. 2 (Noemi De La Cruz Galvan, Developer)

Saldana Subdivision – Pct. 1 (Armando & Melba Saldana, Developers)

Coultas Subdivision – Pct. 1 (Adele Coultas, Developer)

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

Commissioner Flores – Abstain.

B. FINAL APPROVAL:

Eduardo's Subdivision Phase 3 - Pct. 3 (Aniceto Yzaguirre, Developer)

Jardin Del Valle Apartments Phase 2 – Pct. 4 (Antonio Villarreal, Developer)

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

**C. FINAL APPROVAL WITH LETTER OF CREDIT:
Santa Cruz Ranches No. 2 Subdivision – Pct. 4 (Richard Ruppert, Developer)**

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

Sevilla Subdivision - Pct. 4 (Carlos Mason, Developer)

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

**D. FINAL APPROVAL WITH A CASH DEPOSIT:
Northfield Acres Subdivision – Pct. 3 (Zar-Mat Properties, Developers)**

NO ACTION taken on this item.

**E. FINAL APPROVAL WITH A LETTER OF CREDIT AND A CASH DEPOSIT:
Los Venados Phase IV Subdivision – Pct. 4 (Garco, Ltd.)**

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

**F. REIMBURSEMENT OF A CASH DEPOSIT:
Amales Subdivision – Pct. 3 (Lucinda Gutierrez, Developer)**

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

At this time the Court moved back to item #7-A

10. Risk Mgmt./Workers' Compensation – Flora Vasquez: (SEE EXHIBIT J)

A. 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 \$ 39,973.68 for the period ending August 31, 2004

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

11. Hidalgo County – Godfrey Garza: (SEE EXHIBIT K)

A. Approval of TXDOT Construction Plans for FM 2128

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

12. Human Services – Rudy De La Viña: (SEE EXHIBIT L)

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.

13. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT M)

A. Status of old jail building

Presentation made by Martha Salazar.

B. Maintenance of county grounds

Presentation made by Daniel Flores.

At this time Commissioner Handy returns to the Court.

C. Status of renovation of administration building

Presentation made by Martha Salazar.

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

A. Discussion, approval and possible action on the following, but not limited to:

- 1. Create temporary full-time for November 2, 2004 General Election (20 phone bank operators)**
- 2. Set salary**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 1 & 2 and set salary at \$8.00 an hr.

3. Additional appointments of Presiding and Alternate Election Judges for the Democratic Party, for the August 1, 2004 to July 31, 2005 term

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

At this time Judge Garcia steps out of the Court.

15. Pct. #1 – Comm. Handy: (SEE EXHIBIT O)

A. Request approval for Auditor to issue payment after review, audit and processing procedures completed for Application #7 to Spacemaker Construction for Pct. No. 1 Multi-purpose Center

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

- B. Request approval for auditor to issue payment after review, audit and processing procedures completed for invoice #13 to Alcocer Garcia Associates Design Consultants for Renovations to existing facilities Pct. No. 1 Multi-purpose Center Buildings 1, 2 & 3 Construction Phase, Draw No. 6**

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

- C. Approval and authorization to increase salary slot #009 (Sanitation Department) from vacant slot #010 in the amount of \$ 6,253.24**

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

16. Pct. #3 – Comm. Flores: (SEE EXHIBIT P)

- A. Discussion and approval of donation of 800 tons of caliche from Ms. Mary Lou Silva for the improvement of a county road – Pct. #3 will provide machinery and labor for upgrading and widening of a section of Four Mile Road ½ mile west of Tom Gill Rd.**

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

- B. Authorization for County Judge to execute Easement and Right of Way documents needed for the installation of the electrical facilities to the Multi-Service Complex for Hidalgo County Pct. #3**

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

- C. Discussion and action to rescind the action of February 17, 2004 by Commissioners' Court authorizing the County Auditor to process payments through manual checks for ROW Acquisitions as certified by TxDOT and Pct. #3 – project contract #C-03-173-10-09 (FM 1924 ROW Acquisition) for the area from SH 107 to FM 494 (dollar amt. not to exceed \$ 200,000.00)**

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

- D. Discussion and action to authorize County Auditor to process payments through manual checks for ROW Acquisitions as certified by L & G Engineering and Pct. #3 – the project contract #C-03-173-10-09 (FM 1924 ROW Acquisition) for the area from SH 107 to FM 494 (dollar amt. not to exceed \$ 200,000.00)**

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

At this time Judge Garcia returns to the Court.

17. Pct. #4 – Comm. Garza: (SEE EXHIBIT Q)**A. Request authorization to name an unnamed/private road located within Pct. #4 as follows: Cuevas Road (located east of Tower Rd. north of Owassa)**

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

B. Request authorization to enter into an Interlocal Cooperation Agreement between the City of Edinburg and Hidalgo County Pct. #4 on Jasman Rd. (north of FM 2812) improvements

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

18. Budget Office – Valde Guerra: (SEE EXHIBIT R)**A. Intradepartmental transfers:**

1. WIC
2. Sheriff – C/O's 2000

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

B. Interdepartmental transfers:

1. Budget Office/County Treasurer - \$ 800.00

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

C. Interfund Transfers:

1. Tax Office Fund 1246/Sheriff Dept. - \$ 3,000.00

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

D. 275th District Court:

1. Approval to create obj. #746 & line item transfer - \$ 319.00

E. County Auditor:

1. Approval to create obj. #748 & line item transfer - \$ 7,595.00

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

19. Colonia Access Program – Jaime Ortiz: (SEE EXHIBIT S)**A. Discussion and possible action regarding the distribution of Border Colonia Access Program Round II Fund by County Precinct**

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

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

- 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.**

At this time Commissioner Flores steps out of the Court.

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	1160	Other Information:	15
Physical Count:	1098	Males (in house)	1022
Out of County: La Villa	45	Females (in house)	76
Brook’s		Federal Prisoners	9
Adj. /Sentenced to TDC	155	Total Paper Ready TDC	123

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 2 & 3A&B.

C. Presentation for discussion, consideration, acceptance and approval of Application and Certificate for Payment No.3 from Asago, LLC, awarded contractor for the construction of the Shooting Range Facility (bldg. & canopy) in the amount of \$23,268.83 for the period ended 06-28-04 as Certified for payment by project architect, Quintanilla, Headley & Associates, Inc. with authority for the Auditor’s Office to issue payment;

On motion of Commissioner Palacios, seconded by Commissioner Handy, 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 approval.

5. **Recommending award of bid and approval of contract for “Traffic Road Signs and Accessories” to sole bidder meeting all requirements and specifications.**

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

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval effective October 1, 2004 or if we are able to bring on some departments upon activating the first numbers.

At this time Commissioner Flores returns to the Court.

7. **Pursuant to the approval of the cellular phone policy, requesting authority to modify the County’s Form (ARS-CA-035, subject to Auditor’s review) used for payment of personal mobile phone calls.**

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

8. **Requesting approval of requirements for “Group Health Insurance-Hidalgo County” RFP as recommended by A.B. Flores Insurance Consultants.**

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

At this time Commissioner Palacios steps out of the Court.

B. HIDALGO COUNTY PRECINCT NO 4 –

1. **Recommending award of bid and approval of contract for “Paving of Anderson Road (Valverde to Dillion)” to the lowest bidder meeting all requirements and specifications.**

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

- 2. **Requesting approval to exercise the additional sixty (60) day extension as provided in the current contract for “CRS-2 Emulsified Asphalt” with Marlin Asphalt Ltd. so as to have no lapse while bidding process is completed.**

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

- 3. **Requesting authority to advertise and approval of specifications as attached hereto for “CRS-2 Emulsified Asphalt”.**

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

C. HIDALGO COUNTY BUILDINGS & GROUNDS –

- 1. **Pursuant to a recommendation from George A. Garcia, AIA, Principal, AGADC, Project Architect, (for renovation/repair of the administration building) a presentation by Texas Cooperative Network (TCPN) on their Job Order Contracting Program as an option to the renovation and/or repair of the administration building with question and answer session, if necessary;**

Presentation made by Mr. Gilbert Herrera.

At this time Commissioner Palacios returns to the Court.

- 2. **Authorization for project architect to draft necessary drawings, specifications & requirements and proceed to obtain a proposal for Court’s consideration from TCPN’s awarded vendor, Centennial Contracting, Inc. for the renovation and/or repairs for the Hidalgo County Administration Building (100 E. Cano, Edinburg, Texas);**

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

- 3. **Authority for Project Architect to draft drawings, specifications & requirements and proceed to advertise a sealed bid for the renovation and/or repairs of the Hidalgo County Administration Building (100 E. Cano, Edinburg, Texas)**

NO ACTION taken on this item.

At this time the Court requested to go into Executive Session.

D. HIDALGO COUNTY ADULT DETENTION CENTER–

- 1. **Presentation for discussion, consideration, acceptance and approval for the purpose of ranking by Hidalgo County Commissioner’s Court as “Qualified”, the statements of qualifications received to the RF&Q in connection with “Registered Pharmacist Consulting Services for Hidalgo County Adult Detention Center”.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to rank Mr. David Mac Castro as #1.

- 2. Requesting authority for Purchase Department to negotiate a contract with “ David Mac Castro ”, as “Qualified” for Registered Pharmacists Consulting Services for Hidalgo County Adult Detention Center.**

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

- 3. Presentation for discussion, consideration, acceptance and approval regarding request by vendor (Med-Aid Pharmacy) to terminate the award and contract (contract document unexecuted by vendor) for “Legend and Non-Legend and Infirmary Medical Supplies” awarded on September 7, 2004.**

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

- 4. Recommending award of bid and approval of contract for “Legend and Non Legend and Infirmary Medical Supplies” to second lowest bidder meeting all specifications and/or requirements.**

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

E. HIDALGO COUNTY DISTRICTCLERK –

- 1. Requesting exemption from competitive bidding requirements and authority to purchase twenty (20) computers and peripherals from Dell Inc. in the amount of \$25,879.60 through the Texas Local Government Code , Section 262.024 (a) (c), a state agency, Department of Information Resources (DIR’s) participation in the Western States Contract Alliance (WSCA) Contract #92-00151.**

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

F. HIDALGO COUNTY I.T. DEPARTMENT –

- 1. Requesting authority to purchase computer equipment from CISV vendors, Excel/Meridian Data, Inc., through TBPC Catalogue Purchasing Program for Req.# 57347 in the amount of \$5,433.12**

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

G. HIDALGO COUNTY ELECTIONS DEPARTMENT-

- 1. Requesting authority to purchase a phone system from a CISV vendor, Trillian Partners Inc., through TBPC Catalogue purchasing program in the total amount of \$18,785.26.**

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

H. 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.**

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

At this time the Court moved to Addendum #1.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to go 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. C-866-03-B; Landmark Organization, L.P. vs. Hidalgo County et. al**
- E. C-502-03-G; Cottonfields, LTD. vs. Hidalgo County and City of Weslaco**
- F. Cause No. C-212-04-E; Jose Luis Ramirez et. Al vs. Deer & Company, et.al**

At this time Judge Garcia did not returned to the Court from Closed Session.

22. Open Session:**A. Real Estate Acquisition**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to settle in the amount \$107,850.00 on condemnation belonging to Alicia Espinosa for project # 2128.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to settle in the amount of \$7,035.00 on a parcel #107A belonging to Nicolas and Alma Rodriguez.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to have the court to consider authorizing Commissioner Flores from Pct. 3 the ability to begin negotiating in making offers on tracks on land that the County has a vested interest in and coming back the to the Court with those offers.

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

NO ACTION taken on this item.

C. Pending and/or potential litigation

NO ACTION taken on this item.

D. C-866-03-B; Landmark Organization, L.P. vs. Hidalgo County et. al

NO ACTION taken on this item.

E. C-502-03-G; Cottonfields, LTD. vs. Hidalgo County and City of Weslaco

NO ACTION taken on this item.

F. Cause No. C-212-04-E; Jose Luis Ramirez et. Al vs. Deer & Company, et.al

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on the settlement offer in the amount as discussed.

At this time the Court moved back to item # 20D.

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

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, SEPTEMBER 14, 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 with the exception of item #2-J

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
 - A. WIC**
 - B. Tax Office**
 - C. Purchasing Department**
 - D. Computer Department**
 - E. Planning Department**
 - F. Elections Department**
 - G. Law Library**
 - H. County Clerk**
 - I. Pct. #1 – Adm.**
 - J. Pct. #3 – Park – NO ACTION taken on this item.**
 - K. Texas Cooperative Extension**
 - L. Pct. #2 – 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. Tax Refunds: (SEE EXHIBIT D)**

Taxpayer	Payer	Amount
A. Jose F & Dolores Yerena	San Jacinto Title	\$ 7,737.00

5. Purchasing Department: (SEE EXHIBIT F)**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
57285	I.T. Dept	CDW Government	\$1,677.03	4-1100-415-00-200-001-0-664
57203	I.T. Dept	Telemate Net Software	\$1,000.00	4-1100-415-00-200-001-0-747
57203	I.T. Dept.	Telemate Net Software	\$1,583.00	4-1100-415-00-200-001-0-745
57266	Indigent Defense	CDW Government	\$ 290.80	4-1100-412-00-009-003-0-745

**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, SEPTEMBER 14, 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 V)**

1. Roll Call

All Members of the Board were counted present with the exception of Judge Garcia 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. Approval of TxDOT construction plans for FM 2128

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

5. Approval of Interlocal Cooperation Agreement between Hidalgo County Drainage District #1 and the City of Hidalgo (Drainage Improvement)

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

6. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$13,006.83 for the period ending August 31, 2004

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

7. Purchasing Department – Marty Salazar:

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

- A. Requesting approval of requirements for "Group Health Insurance-Hidalgo County" RFP as recommended by A.B. Flores Insurance Consultants.**

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

- B. Requesting award of bid to low bidder meeting all required specifications for: "Two (2) New 2004 Pick-up Trucks".**

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

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

8. Closed Session:

Board of Directors 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. Cause No. C-212-04-E; Jose Luis Ramirez et. Al vs. Deer & Company, et.al

9. Open Session:

- A. Real Estate Acquisition**
B. Cause No. C-212-04-E; Jose Luis Ramirez et. Al vs. Deer & Company, et.al

10. Closed Session:

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

11. Open Session:

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

On motion of Commissioner Palacios, seconded by Commissioner Flores, the 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, SEPTEMBER 14, 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 Flores, 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**
- 2. Discharge Permits:**
 - A. City of McAllen – Lot 2 B, River Valley Subdivision**
 - B. City of Pharr – Southwinds/Hall Acres Rd.**
 - C. City of Pharr - Southwinds**
 - C. Oscar L. Garza, Jr. – MGM Grand Ranches Phase II**
- 3. Line item transfer - \$ 23,800.00**
- 4. Line item transfer - \$ 32,798.00**

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 14, 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

1. Discussion, consideration and approval on accepting the resignation of the Emergency Management Coordinator

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

2. Budget Office – Valde Guerra:

A. Approval of line item transfer C/O 2002– Juvenile Justice Center - \$ 211,828.00

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

B. Approval of budget amendment – C/O 2002 - \$ 70,000.00

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

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

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, SEPTEMBER 14, 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 #2

1. Discussion by citizens of Pct. #3 regarding county roads/safety issue in La Joya

Discussion made by Jorge Rivera and Ida Reyna.

2. Constable Pct. #2:

A. Discussion, consideration and action on Appointment of Deputy Constable as per Local Government Code Section 86.011

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to appoint Albert Allen Collins.

At this time the Court moved back to item #10.

At this time Commissioner Handy steps out of the Court.

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 14th day of September, 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 September 14, 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: _____

(Seal)