

**SPECIAL MEETING – September 20, 2004**

**BE IT REMEMBERED, that on this 20<sup>th</sup> 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-OFFICIO 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 MONDAY, SEPTEMBER 20, 2004 at 8:30 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 and Commissioner Flores, Commissioner Flores arrived 10 minutes late.

**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**

Oscar Castaneda – Delinquent tax payers who do not pay taxes.

Virginia Townsend – On the waste of tax money.

Fern McClaugherty – The need for translators in the Court.

Jessica Martinez – From Mujeres Unidas to ask the County to proclaim October as domestic violence awareness month.

**5. Approval of Consent Agenda**

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

**6. Tax Office – Armando Barrera: (SEE EXHIBIT H)**  
**A. Public Hearing for Hidalgo County 2004 Tax Rate**

At this time Judge Garcia opened the Public Hearing to the Public, being no response Judge Garcia proceeded to close the Public Hearing.

**B. Set date, time and place for vote of 2004 Tax Rate**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to set the date for September 28, 2004 at 9:30 A.M. in the Hidalgo County Commissioner's Courtroom.

**7. Elections Department – Teresa Navarro: (SEE EXHIBIT I)**

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

- 1. Update on Elections Department, including Voting System and Voter Registration Software**
- 2. Election Services Agreement between the County of Hidalgo and the City of Sullivan City, Texas**

NO ACTION taken on items 7A-1&2.

At this time the Court moved to item #14.

**8. Planning Department – Raul Sesin: (SEE EXHIBIT J)**

**A. Release of Letter of Credit:**

- 1. North Ridge Acres Phase II Subdivision – Pct. #3 (Jerry Bell, Developer)**

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

Commissioner Flores – Abstain.

**B. Partial Release and Amendment to Letter of Credit:**

- 1. Rio Rico East/West Subdivision – Pct. #1 (Roberto Salinas, Developer)**

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

**9. Sheriff Department – Capt. Quintanilla: (SEE EXHIBIT K)**

**A. Approval of Sheriff/Constable Fee Schedule for Year 2005**

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

At this time Commissioner Flores steps out of the Court.

**10. Hidalgo County – Godfrey Garza: (SEE EXHIBIT L)****A. Approval of S & B Infrastructure, Ltd. invoices on Work Authorization #1 - \$ 40,239.32 & Work Authorization #6 - \$ 37,099.00 and Work Authorization #5 - \$ 5,460.31 (retention release) for Raymondville Drain Outfall System**

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

**B. Approval for Auditor to process manual check upon audit**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval as approve by Commissioner Court, which will be a partial payment with the reduction of one invoice in the amount of \$53,098.93.

**C. Approval of budget amendment to appropriate a net amount of \$ 15,083.00 out of 2001 Bond Series needed for TXDOT project (ROW acquisition US Hwy. 83 – Phase I, II & III)**

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

**D. Approval of invoices #246224 & #246167 for TEDSI Infrastructure Group on FEMA Project**

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

**E. Authorize County Auditor to issue manual check, subject to review and approval**

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

**F. Approval of Work Authorization #2 for TEDSI Infrastructure Group for final GIS Base Map (FEMA project)**

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

**11. Head Start – Teresa Flores: (SEE EXHIBIT M)****A. Discussion/approval to submit application for Continuation Funding for Fiscal Year 2005 to the Department of Health and Human Services**

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

**B. Discussion/approval to Re-advertise for Sealed Bids on Bread items**

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

**C. Discussion/approval to exercise the ninety (90) day grace period under the current contract for “Food Service Products and Dairy Products” to avoid lapse in service during bid process**

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

**D. Discussion/approval to reject bids for Mental Health Providers and Re-advertise**

NO ACTION taken on this item.

**E. Discussion/approval of bid award and contracts to Multiple Providers Meeting all specifications for the following:**

- 1. Medical & Dental Providers #2004-06-006
- 2. Special Services Providers #2004-06-008

NO ACTION taken on this item.

**F. Discussion/approval of Contacts for Padre de Vida (McAllen IV) and Pueblo de Paz (Mission III) Head Start Centers**

NO ACTION taken on this item.

**G. Discussion/approval of bid award and contract to Multiple Vendors Meeting all specifications for the following:**

- 1. Food Products and Dairy Products

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

At this time Commissioner Flores returns to the Court.

**12. Urban County – Diana Serna: (SEE EXHIBIT N)**

**A. Public Hearing concerning a proposed Budget and Program Amendment for Precinct #4. The proposed amendment will allow for surplus fund transfers that will increase the Water/Sewer Improvement line items in Years 14, 15 & 16.**

At this time Judge Garcia opened the Public Hearing to the Public, being no response Judge Garcia proceeded to close the Public Hearing.

At this time Commissioner Palacios steps out of the Court.

**B. Approval of a Budget & Program Amendment for Hidalgo County Precinct # 4 using Urban County Year 14 (2001), Year 15 (2002) and Year 16 (2003) funding for Water/Sewer Improvements.**

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

- C. Consider awarding bid for the demolition of existing structures, and the reconstruction of two (2) units in the Countywide Area and (1) unit in the City of Granjeno to J R M Home Alterations for the total amount of \$87,426.00.**

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

- D. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Rio Delta Engineering & Surveying LLC in connection with Hidalgo County Precinct # 1 for the reconstruction design of Year 17 streets**

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

- E. Approval of professional services engineering contract with Rio Delta Engineering & Surveying LLC with Hidalgo County Precinct # 1 for the reconstruction design of streets using Urban County Program funding from Year 17 (2004) in the amount of \$61,289.00.**

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

- F. Requesting approval of a program amendment for the City of Progreso to include the reconstruction of streets and drainage within Orchard Homes Addition, Capetillo Subdivision, O.J. Subdivision and Progreso O.T. Subdivision to the existing Urban County Year 17 (2004) Street Improvement Project.**

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

- G. Approval to award a Construction Contract to R&R Paving Company for the Reconstruction and Drainage Improvements to "R" Street and "L" Street (located in O.J. Subdivision), Calle Street and Obregon Street (located in Orchard Homes Addition) in the City of Progreso using Urban County Program Street Improvements funding from Year 16 (2003) and Year 17 (2004) in the amount of \$288,365.50.**

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

- H. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with R.E. Garcia in connection with the City of La Villa for the design of Year 15 (2002) Water/Sewer Improvements in the amount of \$14,100.00.**

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

**I. Approval of professional services engineering with R.E. Garcia with the City of La Villa for the design of Year 15 (2002) Water/Sewer Improvements.**

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

**J. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with R.E. Garcia in connection with the City of La Villa for the design of Year 16 (2003) Water/Sewer Improvements in the amount of \$10,600.00**

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

**K. Approval of professional services engineering contract with R.E. Garcia with the City of La Villa for the design of Year 16 (2003) Water/Sewer Improvements.**

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

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

**A. Update and inform Commissioners' Court on the recent air quality analysis on the TB Isolation Rooms in the Pulmonary Clinic**

Presentation made by Eddie Olivarez.

**B. Requesting authorization and approval to increase the Immunization Grant Contract #74600071762005 change no. 6 (acct. #4-1293-441-00-340-012-0) in the amount of \$ 275,677.00**

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

**C. Requesting authorization to accept budget amendment**

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

**D. Requesting authorization to accept the salary schedule and approve 2 new positions L.V.N. position #340-012-011 and CSA position #340-012-012 and transfer slot #340-003-010 (TVFC Program Manager) from Gen. Fund Acct. #4-1100-441-00-340-003-0 (\$31,709.20) to Imm. Grant Acct. #4-1293-441-00-340-012-0 slot #340-012-010 and update salary schedule to reflect redistribution of general fund monies**

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

**E. Authorization and approval to accept the Bioterrorism Grant Contract #74600071762005 Change Notice No. 07 (Acct. #4-1293-441-00-340-013-5) in the amount of \$ 870,011.00 – contract term 9/1/04 – 8/31/05**

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

**F. Approval of salary schedule for denoted grant**

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

**G. Approval of budget amendment for the denoted grant**

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

At this time Commissioner Palacios returns to the Court.

At this time the Court moved to item #18.

**14. Budget Office – Valde Guerra: (SEE EXHIBIT P)**

**A. Tax Office:**

**1. Approval to create obj. #434 & line item transfer - \$ 12.50**

**B. Pct. #2 – CRC:**

**1. Approval to create obj. #540 & line item transfer - \$ 500.00**

**C. Pct. #3 – Parks:**

**1. Approval to create obj. #339 & line item transfer - \$ 6,000.00**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 14-A, B & C.

**D. Courthouse Parking Lot:**

**1. Approval to create obj. 121 & transfer of funds \$9,904.55**

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

**E. Intradepartmental transfers:**

**1. Pct. #2 – CIP - \$ 294.85**

**2. Pct. #4 – Colonia Access Program - \$ 254,258.92**

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

**F. Interdepartmental transfer:**

- 1. Budget Office Contingency/Pct. #1 – Landfill - \$ 198,500.00**
- 2. Budget Office Contingency/Purchasing Department - \$ 10,000.00**
- 3. Budget Office Contingency/Fire Marshal**

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

**G. Discussion, consideration and direction from Commissioners’ Court to the Office of Budget Officer on Capital Improvement Project timelines**

NO ACTION taken on this item.

At this time Commissioner Handy steps out of the Court.

**15. Texas Cooperative Extension – Brad Cowan: (SEE EXHIBIT Q)**

**A. Approval to increase hours from 20 to 30 hours per week of part-time permanent position**

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

**16. Human Services – Rudy De La Viña: (SEE EXHIBIT R)**

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

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

NO ACTION taken on this item.

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

**A. Status of old jail building**

Presentation made by Martha Salazar.

**B. Maintenance of county grounds**

Presentation made by Daniel Flores.

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

Presentation made by Martha Salazar.

At this time Commissioner Handy returns to the Court.

At this time the Court moved back to item #8.

**18. 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**

**A. HIDALGO COUNTY –**

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

**1. New Hidalgo County Jail:**

Total inmate population:	<u>1191</u>	Other Information:	<u>30</u>
Physical Count:	<u>1106</u>	Males (in house)	<u>1014</u>
Out of County: La Villa	<u>68</u>	Females (in house)	<u>87</u>
Brook’s		Federal Prisoners	<u>10</u>
Adj. /Sentenced to TDC	<u>173</u>	Total Paper Ready TDC	<u>143</u>

**2. Current inter-local(s) and/or contract(s) for the “Housing of Inmates”**

**3. New Adult Detention Facility and Law Enforcement Center Project:**

- A. Detention Facility Law Enforcement Center Design- Build Contract Action (if necessary)**
- B. Presentation for discussion, consideration and action (if necessary) regarding Landmark final Certificate & Application for Payment, punch list and retainage;**
- C. County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

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

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

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

**5. Presentation for discussion, consideration and approval of Amendment No. 1 with MGT of America for “Step and Grade Consulting Services” to reflect a new timeline with corresponding billing schedule thus extending the term of the contract.**

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

- 6. Requesting authority to reject proposals received in response to Hidalgo County’s “Loss Control Services” RFP; and**

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

- 7. Requesting authority to re-advertise for “Loss Control Service-Hidalgo County” with Modification and Requirements Criteria RFP.**

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

- 8. Requesting authority to advertise and approval of specifications for: “Copy Paper and Assorted Color Paper”.**

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

**B. HIDALGO COUNTY BUILDINGS & GROUNDS –**

- 1. Pursuant to a directive by Commissioner’s Court on 9-14-04, presentation for consideration discussion and action including, but not limited to, the following:**

**a) Authorization for project architect to draft necessary drawings, specifications & requirements and proceed to include in the proposal from TCPN’s awarded vendor, Centennial Contracting, Inc. (authorized by CC on 9-14-04) additional repairs/renovations in connection with, but not limited to the following:**

- 1. Hidalgo County Courthouse including County Clerk roof, wall problems (facades) and sky lights;**
- 2. Dripping/sprinkler irrigation system**

**And request inclusion of these locations/buildings not under any architect or engineer in the proposal from Centennial Contracting, Inc. as well:**

- 3. County Extension Service Roof**
- 4. Edinburg Clinic Roof on Schunior/Richardson Rd**
- 5. Department of Human Service roof and sky lights (Indigent Health) on Moorefield Road**

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

- 2. Requesting consideration of authorizing “Additional Services” from project architect, George A. Garcia, to recommend and engagement a consultant to conduct ADA Compliance and Life Safety Study(s) for the Administration Building**

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

**C. HIDALGO COUNTY ELECTION DEPARTMENT –**

1. **Requesting authority to purchase a Cannon Image Runner 6000 Copier from Ikon Office solutions through TBPC Term Contract 600-A5 for Req #57692 in the total amount of \$9,821.00;**

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

2. **Requesting authority to enter into a maintenance agreement with Ikon Office Solutions for a Canon Image Runner 6000 following expiration of 90 day warranty first year \$2,098.70, second year \$2,151.17, and third year \$2,258.72.**

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

3. **Pursuant to previous discussion by Commissioner's Court, requesting consideration of, but not limited to the following procurement options;**
  - a) **Authorization to solicit Requests for Offers through our participation with Texas Building & Procurement non automated contract award program (state bid opening set for 10-21-04) for the purchase or lease of Electron Voting System certified by Texas Secretary for Hidalgo County; or in the alternative,**
  - b) **Authorization to proceed to advertise a Request for Bids or Proposals for the purchase or lease of Electronic Voting System from vendors certified by Texas Secretary of State for Hidalgo County;**
  - c) **Authorization to solicit Requests for Offers through our participation with the Texas Building & Procurement non automated contract award program for the purchase of a Voter Registration System as certified by Texas Secretary of State for Hidalgo County; or in the alternative,**
  - d) **Authorization to proceed to advertise a Request for Bids or Proposals for the purchase of a Voter Registration System as certified by the Texas Secretary of State of Hidalgo County.**

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

NO ACTION taken on items b & d.

**D. HIDALGO COUNTY ADULT DETENTION FACILITY-**

1. **Requesting authority to utilize (as an additional resource) our membership through participation with TASB BuyBoard for the purchase of Non-Legend (OTC) Pharmaceuticals and any other Cooperative Procurement Program.**

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

**E. HIDALGO COUNTY I.T. DEPARTMENT –**

1. Pursuant to Hidalgo County Cellular Telephone Policy, presentation for consideration, acceptance and approval of Cellular Phone Request Forms for the following elected official(s), department head(s), program director(s) and employee(s) subject to execution of contract document as review and approval by legal counsel:

Department	Name of Employee	Basic Rate Plan per Month	Total Minutes
I. T. Dept	Juan DeLeon	\$33.75	500
I.T. Dept	Hugo Manzares	\$33.75	500
I.T. Dept	Stan Ramos III	\$33.75	500
I.T. Dept	Cruz Quintana, Jr	\$33.75	500

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

**F. HIDALGO COUNTY –**

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

NO ACTION taken on this item.

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

**19. 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 No. 2001-4204-JSJ; General Resource Corporation vs. Citicorp Vendor Finance, Inc

**20. Open Session:**

- A. Real Estate Acquisition

NO ACTION taken on this item.

- 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. Civil Action No. 2001-4204-JSJ; General Resource Corporation vs. Citicorp Vendor Finance, Inc.**

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

**21. Closed Session:**

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

**22. Open Session:**

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

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

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on MONDAY, SEPTEMBER 20, 2004, at 8:30 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-A.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
  - A. RGV-Empowerment Zone GED – NO ACTION taken on this item.**
  - B. Pct. #1 – R & B**
  - C. Pct. #1 – Landfill**
  - D. Pct. #2 – Parks**
  - E. Pct. #2 – Adm.**
  - F. Pct. #3 – Landfill**
  - G. Constable Pct. #3**
  - H. Constable Pct. #4**
  - I. Civil Service**
  - J. Risk Management**
  - K. Computer Department**
  - L. District Attorney**
  - M. 398<sup>th</sup> District Court**
  - N. Tax Office**
  - O. Law Library**
  - P. Health – Mobile Clinic**
  - Q. Health – Adm.**
  - R. Elections Department**
  - S. County Judge**
  - T. WIC**
- 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. Monthly Fee Reports – August: (SEE EXHIBIT D)**

- A. County Clerk – \$ 573,698.11**
- B. District Clerk – \$ 247,138.21**

**5. Right of Way – Permits: (SEE EXHIBIT E)**

**Paid (\$3.75) - North Alamo Water Supply: Install a 2” waterline approximately 500 feet west of Gwin Road on the 1<sup>st</sup> county road south of Davis Road – Bore – Rosa Cantu.**

**Paid (\$15.00) - North Alamo Water Supply: Install a 2” waterline**

- **Approximately 60’ west of Victoria Road on Stites Road – Bore – David Guzman.**
- **El Charro Subdivision Lot 2 Block 2 located on Tower Road, west side of south Alberta Road – Bore – Jose de Jesus Aguilar.**
- **approximately ¼ mile west of FM 493 on Anderson Road – William Schnabel.**
- **approximately 800’ south of Davis Road on Gwin Road – Bore – Cosme Martinez, Jr.**

**Paid (\$7.50) - North Alamo Water Supply: Install an 8” waterline**

- **approximately 104’ north of Iowa Road on Tower Road – Bore – Tower Trails # 2.**
- **approximately 113’ west of Tower Road on Iowa Road – Bore – Tower Trails # 2.**

**6. Urban County: (SEE EXHIBIT F)**

- A. Request approval to enter into three (3) “HOME "Homebuyer Assistance Program" Contracts under the Home Program. The families will be provided with \$5,000 grants for down-payment/closing cost assistance.**
- B. Request for Approval of Emergency Assistance of one (1) Applicant under the Owner Occupied Housing Rehabilitation Program – City of La Villa.**
- C. Request for Approval of one (1) Applicant under the Owner Occupied Housing Rehabilitation Program – City of Mercedes.**
- D. Request for Approval of four (4) Applicants under the Owner Occupied Housing Rehabilitation Deferred/Loan Program – Countywide.**
- E. Request for Approval of one (1) Applicant under the Owner Occupied Housing Rehabilitation No Interest Loan Program – Countywide**

**7. Purchasing Department – Marty Salazar: (SEE EXHIBIT G)**

**A. HIDALGO COUNTY -**

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

<b>Req</b>	<b>Departments</b>	<b>Vendors</b>	<b>Amount</b>	<b>Account</b>
57467	Constable Pct #3	Dell Marketing	\$ 198.00	4-1100-421-00-293-001-0-601
55981	ROW Dept	S.J.S. computers	\$ 195.00	4-1200-431-00-260-001-0-601
57586	Fire Marshal	MPC-G, LLC	\$1,244.00	4-1100-422-10-300-001-0-745
57644	I.T. Dept	STE	\$1,400.00	4-1100-415-00-200-001-0-664
57644	I.T. Dept	STE	\$ 250.00	4-1100-415-00-200-001-0-432
57646	I.T. Dept	STE	\$1,200.00	4-1100-415-00-200-001-0-745
57654	I.T. Dept	S.J.S. Computers	\$ 93.00	4-1100-415-00-200-001-0-664
57654	I.T. Dept	S.J.S. Computers	\$4,854.00	4-1100-415-00-200-001-0-432
57657	Pct #1	CDW Government	\$4,565.00	4-1283-466-40-121-024-4-745
57658	I.T. Dept	S.J.S. Computers	\$ 635.00	4-1100-415-00-200-001-0-743
57660	I.T. Dept	S.J.S. Computers	\$ 189.00	4-1100-415-00-200-001-0-661
57667	I.T. Dept	Trillion Partners	\$3,013.01	4-1100-415-00-200-001-0-745
57669	I.T. Dept	Trillion Partners	\$1,850.00	4-1100-415-00-200-001-0-745

**B. HIDALGO COUNTY ELECTIONS DEPARTMENT –**

- 1. Requesting authority to enter into a maintenance agreement for printers with ABA Moriah for Req #57389 in the amount of \$3,613.00. Effective August 14, 2004 through August 13, 2005.**

**C. HIDALGO COUNTY WIC PROGRAM –**

- 1. Requesting authority to add two more copier service agreements with Digital Office Systems for one year in the amount of \$299.99 a year. 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 MONDAY, SEPTEMBER 20, 2004 at 8:30 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 present with the exception of Commissioner Garza.

**2. Open Forum**

Rebecca Flores – With the United Farm Workers on working condition.

**3. Approval of Consent Agenda**

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

At this time the Board moved to item #5.

**4. 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 DRAINAGE DISTRICT –CONTRACT’S MANAGER**

**A. Requesting award of bid to bidder meeting all required specifications for: “One Reconditioned Drag-Line with Three Yard Bucket”**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote of approval on SAG Industries as the low bidder.

**5. Tax Office – Armando Barrera:****B. Public Hearing for Drainage District 2004 Tax Rate**

At this time Judge Garcia opened the Public Hearing to the Public, Godfrey Garza responded by saying that the Drainage District spends \$6,000,000.00 to maintain the Drainage District to insure against 17 or 18 billion dollars worth of drainage problems.

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

**C. Set date, time and place for vote of the 2004 Tax Rate**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to set the date for September 28, 2004 at 9:30 A.M. the Hidalgo County Commissioners' Courtroom.

At this time the Board requested 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 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 MONDAY, SEPTEMBER 20, 2004 at 8:30 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 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 Permit:**
  - A. City of Edinburg – Amended ECISD #51**
- 3. Permit:**
  - A. Install approx. 8,400' of 30", 42" and 48" gravity sewer truck liner within Hidalgo County Floodway including a crossing at the north and south levee and 30" aerial crossing with a 42 x 0.625" steel casing @ Pilot channel**

*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 20<sup>th</sup> 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 20, 2004.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

ATTEST:  
JUAN D. SALINAS, III  
County Clerk and Ex-Officio Clerk  
Of the Commissioners' Court of  
Hidalgo County

By: \_\_\_\_\_  
**Norma Garza,**

(Seal)