

SPECIAL MEETING – OCTOBER 05, 2004

BE IT REMEMBERED, that on this 5th day of October, A.D., 2004, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

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

and J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 05, 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 Judge Garcia who arrived 5 minutes late.

2. Pledge of Allegiance

Commissioner Handy led the Court and Audience in the Pledge of Allegiance.

3. Prayer

Commissioner Handy called on Monica Badillo to lead the Court and Audience in Prayer.

4. Open Forum

Godfrey Garza – On the handout of the Employee Consultation Policy.

5. Approval of Consent Agenda

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

At this time the Court moved to item #15-G and 7-A.

6. Elections Department – Teresa Navarro: (SEE EXHIBIT F)

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

1. Presentation of Hidalgo County Elections Department Website

Presentation made by Teresa Navarro.

2. Update on Elections Department, including Voting System Mandates

Presentation made by Teresa Navarro.

3. City of Progreso, Texas, November 2, 2004 City Election

Presentation made by Ofelia Martinez.

At this time Commissioner Garza steps out of the Court.

4. Election Day Polling Locations, approval for Department of Justice

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.

7. Texas Cooperative Extension – Doug Denny: (SEE EXHIBIT G)

A. Approval of Proclamation – “National 4-H Week” October 4-8, 2004

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

At this time Commissioner Garza returns to the Court.

8. County Judge’s Office – Lorie Ochoa: (SEE EXHIBIT H)

A. Approval of Proclamation proclaiming October 2004 as “Czech Heritage Month”

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

B. Approval of Proclamation proclaiming October 2004 as “Domestic Violence Awareness Month”

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

C. Discussion, approval and action regarding the revised Economically Disadvantaged Counties Program Application

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

9. Head Start – Teresa Flores: (SEE EXHIBIT I)

A. Appointment of one (1) Community Representative by each member of the Commissioners’ Court, to serve on the Hidalgo County Head Start Program Policy Council, for a one (1) year term according to 45CFR Chapter XIII, § 1304.50(b)(1)-(b)(7)

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on the appointment of Mauro Vasquez by Judge Garcia and Lorie Segovia by Commissioner Palacios.

At this time the Court moved to item #19-A

10. Health Department – Eddie Olivarez: (SEE EXHIBIT J)

- A. Approval to ratify the action taken on September 20, 2004 regarding the Immunization Grant salary schedule (to reflect salary adjustment and additional duties)**

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

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

11. Urban County – Diana Serna: (SEE EXHIBIT K)

- A. Approval of a Budget/Program Amendment for the City of Alton using Urban County Program Years 15 (2002) and 16 (2003) funding for Water/Sewer Improvements Colonia Match to Aloha Village.**
- B. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Dannenbaum Engineering Corporation in connection with the City of Palmview for the design of Year 15 & 16 Street Improvements Project in the amount of \$14,167.30.**
- C. Approval of professional services engineering contract with Dannenbaum Engineering Corporation with the City of Palmview for the design of UCP Year 15 & 16 Street Improvements Project (Palmview Drive) in the amount of \$14,167.30.**
- D. Approval of a Budget/Program Amendment for the City of Penitas using Urban County Years 13 (2000), 14 (2001), 15 (2002), 16 (2003) & 17 (2004) funding for Street Improvements for Martinez, Camargo and Barcelona subdivisions.**
- E. The City of Weslaco requests the approval of a construction contract with Lambda Construction I, Ltd., for a total amount of \$179,409.00 for the waterlines and paving project in Fiscal Year 15 & 16 (2002 & 2003) for Mesquite Street, Valentino Street and Second Street.**
- F. Authorization for Hidalgo County Judge Ramon Garcia to execute the Hidalgo County Urban County Program Interlocal Agreements with the 18-member City Consortium for Urban County Year 17 (2004).**
- G. Consider awarding bid for the construction of fifteen (15) emergency housing units to Proyecto Azteca for the total amount of 432,500.00.**

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

At this time Commissioner Flores returns to the Court.

- H. Requesting authority to advertise for, “Request for Qualifications – Planning Services”, in connection with the County of Hidalgo’s preparation of the Five Year Consolidated Plan & Strategy.**

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

12. Right of Way – Godfrey Garza: (SEE EXHIBIT L)**A. Discussion and/or action on an existing road located west of Sunflower Rd. between Mile 17 ½ and Rogers Road**

NO ACTION taken on this item.

At this time Commissioner Garza steps out of the Court.

B. Discussion and recommendation for approval of road map for Hidalgo County

NO ACTION taken on this item.

C. Authorization to transfer Parcel #4 (FM 2061-Jackson Rd. from the County of Hidalgo to the State of Texas

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

At this time Commissioner Garza returns to the Court.

13. Hidalgo County – Godfrey Garza: (SEE EXHIBIT M)**A. Request authorization of appointment for Hidalgo County FEMA Advisory Board**

At this time Judge Garcia appointed Edwin M. Payne and Commissioner Garza appointed Richard W. Ruppert for the FEMA Advisory Board, Commissioner Handy, Commissioner Flores and Commissioner Palacios will appoint their choices at a later time.

At this time Commissioner Flores steps out of the Court.

14. County Auditor – Tony Sandoval: (SEE EXHIBIT N)**A. Approval of budget amendment for Fund 1201 and Fund 1315 “TXDOT Project” New Fund - \$ 59,849.00**

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

B. Request approval of budget amendment for Fund 1427 (Refunding Bond 1998) - \$ 350.00**C. Request approval of budget amendment for Fund 1428 (Certificate of Obligation 1998) - \$ 350.00**

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

At this time Commissioner Flores returns to the Court.

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

- A. Requesting approval to rescind court action 14.A of 8/31/04 agenda for “Approval and acceptance of GED/JOB Readiness Program” Grant or Contract (Texas Workforce Solutions Grant)- \$ 175,000.00**

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

- B. Requesting approval of Interlocal Agreement between Hidalgo County & The Lower Rio Grande Valley Workforce Development Board for the GED JOB Readiness Program - \$ 100,000.00**
- C. Request approval to rescind court action 14.C on 8/31/04 for “Approval of budget amendment of \$ 175,000.00 for GED/JOB Readiness Program**
- D. Request approval of budget amendment of \$ 100,000.00 for “GED/JOB Readiness Program – Texas Workforce Grant”**
- E. Request approval of Educational Services/Cost Reimbursement Agreement with Urban County for \$ 12,000.00 for GED/JOB Readiness Program**
- F. Request approval of budget amendment of \$ 12,000.00 for “GED/JOB Readiness Program” – Urban County Grant**

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

- G. Request approval of a Resolution honoring Corporal Alberto Castillo, returning home to Donna, Texas from “Operation Enduring Freedom”**

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

16. Pct. #4 – Comm. Garza: (SEE EXHIBIT P)

- A. Request authorization to enter into an Interlocal Cooperation Agreement between the City of Edinburg and Hidalgo County Pct. #4 on: El Seco Subdivision (Nadia & Okeechobee Streets)**

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

17. Budget Office – Valde Guerra: (SEE EXHIBIT Q)**A. Health Dept. – Adm.:**

1. Approval to create obj. 439 & line item transfer - \$ 2,200.00

B. Probate Court:

1. Approval to create obj. 890 & line item transfer - \$ 1,544.00

C. Parking Lot:

1. Approval to create obj. 331 & 339 & line item transfer - \$ 250.00

D. Pct. #3 – CIP:

1. Approval to create obj. 841 & line item transfer - \$ 733,000.00

E. Insect Eradication:

1. Approval to create obj. 622 & line item transfer - \$ 150.00

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

F. Interdepartmental transfer:

1. Budget Office Contingency/Public Defense

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

G. Intradepartmental transfers (line item transfer):

1. Pct. #1 – Colonia Access Program
2. Texas Cooperative Extension

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

H. Approval to appropriate funds for FEMA Grant as approved in Court on 7/13/04 - \$ 300,000.00

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

I. Approval to purchase new and replacement vehicles requested during the 2004 and 2005 budget process but not previously funded – total estimated cost \$ 1,033,000.00

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

J. Discussion, consideration and action on retroactive payment of employee(s) wage probation – Sheriff's Department

NO ACTION taken on this item.

18. Civil Service – Esther Cortez: (SEE EXHIBIT R)

A. Discussion, consideration and action on designation of Chairman of the Hidalgo County Civil Service Commission as per Texas Local Government Code 158.008(a)

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

19. Risk Management: (SEE EXHIBIT S)

A. Presentation by Ramon Montalvo regarding settlement with Chubb Insurance on water damage to Administration Building

Presentation made by Ramon Montalvo.

B. Acceptance of settlement check in the amount of \$ 67,826.64

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

C. Approval of temporary assignment of truck #1 to Elections Department

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

D. Discussion/presentation regarding a notification from the Governor’s Division of Emergency Management of low-interest emergency loans available to Hidalgo County residents due to a recent disaster declaration

Presentation made by Valde Guerra.

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

20. Human Services – Rudy De La Viña: (SEE EXHIBIT T)

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.

21. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT U)

A. Status of old jail building

Presentation made by Martha Salazar.

At this time the Court moved to item #22-A.

B. Maintenance of county grounds

Presentation made by Daniel Flores.

At this time Commissioner Palacios steps out of the Court.

C. Status of renovation of administration building

Presentation made by Martha Salazar.

22. Purchasing Department – Marty Salazar: (SEE EXHIBIT V)

- 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 ARE 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:	1120	Other Information:	10
Physical Count:	1034	Males (in house)	959
Out of County: La Villa	73	Females (in house)	75
Brook’s		Federal Prisoners	11
Adj. /Sentenced to TDC	140	Total Paper Ready TDC	115
- 2. Current inter-local(s) and/or contract(s) for the “Housing of Inmates”**
- 3. New Adult Detention Facility and Law Enforcement Center Project:**
 - A. Detention Facility Law Enforcement Center Design - Build Contract Action (if necessary)**
 - B. Presentation for discussion, consideration and action (if necessary) regarding Landmark final Certificate & Application for Payment, punch list and retainage;**
 - C. County Auditor’s Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

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

- 4. Presentation for discussion, consideration, acceptance and**
 - a) 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: “Rental of Uniforms” with Ameripride Services, effective October 10, 2004 through December 09, 2004, so as to have no lapse while bid process is completed.**

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

6. **Presentation for discussion, consideration and action to designate/or appoint a committee to grade, evaluate and score (for the purposes of ranking by Commissioner’s Court) the Statements of Qualifications received under the Request for Qualifications/Proposals for: “Legal/Consulting Services for Litigation against Texas Association of Counties” Project. Note: Pursuant to action taken by Commissioner’s Court on 8-3-04, score of 80 points will be provided by committee and the remaining 20 points will be completed after presentation by firms to Commissioner’s Court.**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on the appointment Gloria Beltran by Commissioner Garza, J.D. Villarreal by Commissioner Flores, Dr. Lorie Ochoa by Judge Garcia and Raul Lozano by Commissioner Handy and subject to Commissioner Palacios’ designation.

At this time Judge Garcia steps out of the Court.

7. **Presenting for discussion, consideration and action on a request by the following Electric providers:**
- a. **Central Power & Light Company**
 - b. **First Choice Power**

For Hidalgo County to approve and execute a “Letter of Authorization” for release of billing information & ESI ID numbers in order to obtain historical usage information.

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

8. **Requesting authority to purchase “One (1) 2005 Ford Club Wagon 8 Passenger Van”, through the Interlocal Agreement with the Houston-Galveston-Area-Council (H-GAC) - Philpott Motors, Port Neches, Texas. H-GAC Administration and Delivery Fees are included. Total price: \$15,918.25.**

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

At this time Commissioner Palacios returns to the Court.

9. Requesting authority to purchase computer equipment and telecommunication equipment from CISV vendors through TBPC Catalogue Purchasing Program for the following;

Req	Department	Vendors	Amount	Account
58430	Elections	Global Data Systems	\$7,428.40	4-1100-414-00-130-001-0-745
57877	Auditor's Office	CDW Government	\$7,359.84	4-1100-415-21-170-001-0-745
58344	Auditor's Office	CDW Government	\$6,876.13	4-1100-415-21-170-001-0-747
58484	Elections Dept	ES&S	\$5,000.00	4-1100-414-00-130-001-0-442

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

B. HIDALGO COUNTY PRECINCT NO 1 –

- 1. Presentation for discussion, consideration and approval of certificate of Substantial Completion as submitted by contractor, Spacemaker Construction, Inc., and as recommended by project Architect, George A. Garcia, AGADC, for the Improvements to Facilities, Precinct 1 Multi-Purpose Center Buildings 1,2&3 exterior plus Building # 2 GED & Alcoholics Anonymous areas and adjacent offices located at 1902 Joe Stephens Ave., Weslaco, Texas;**

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

- 2. Presentation for discussion, consideration, acceptance and approval of Application and Certificate for Payment No.8, for period through 9-30-04 from Spacemaker Construction in the amount of \$16,668.00 with authority for Auditor to issue payment under the contract for the remodeling and/or improvement of the Pct. 1-Multi-purpose Center and as certified by project Architect, George A. Garcia, AGADC;**

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

- 3. Presentation for discussion, consideration, acceptance and approval of Inv. #246044 (4-30-04) from TEDSI Infrastructure Group in the amount of \$74,488.71 in connection with: a) HES Funding Candidates-Traffic Signal Design \$56,988.71; and b) Design Field Survey \$17,500.00 (Inv. # 7054) for Engineering services rendered.**

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

- 4. Requesting authority to advertise for Request for Bids for the following projects and approval of specifications as attached hereto for:**
 - a) One 2004 or Newer Smooth Drum Vibratory Compactor**
 - b) Two (2) 2004 or Newer Tractors/w Cab**
 - c) Two (2) 2004 or Newer Mower Shredders**
 - d) Two (2) 2004 or Newer Tandem Dump Trucks**

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

C. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Requesting authority to advertise and approval of specifications as attached hereto for: “Hauling Services of Type D Hot Mix Asphalt” RFB**

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

D. HIDALGO COUNTY PRECINCT NO. 4 – LANDFILL –

- 1. Presentation for consideration, discussion, acceptance and approval of Invoice No.’s 14 & 15, ENG .562&563 respectively from J.E. Saenz & Associates, Inc. totaling \$72,596.00 with authority for Auditor to issue payment in connection with services rendered to date on the Landfill Cap and Closure, Phase II, Part B;**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval subject to the auditor’s review.

E. HIDALGO COUNTY JUDGE’S OFFICE-

- 1. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures are completed) in the amount of \$12.88 to CACC - Carolyn Arnold Communications Consultant (see attachment):**

SWBT ACCOUNT 956-318-2000

Integretel issued adjustment as follows:

SkyNet adjustment for unauthorized billing of LD Plan to 956-383-8590 (Credit still to post is \$39.99).

(OAN issued adjustment as follows:

USA Voicemail adjustment for unauthorized billing for monthly Voicemail service 782-5766

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

F. HIDALGO COUNTY BUILDINGS AND GROUNDS-

- 1. Recommending award of lowest sealed quote (\$1,556.40) meeting all specifications and requirements, including approval of a short-term contract with ERS/Mayne Insulation Company in connection with the asbestos abatement and removal from the 389th. District Court with supervision and monitoring of abatement by Drash Consulting Engineers, Inc. under current service contract C-04-199-06-15 for the repair of the air handler system.**

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

G. HIDALGO COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPT.-

- 1. Recommending engineering firm from County’s Pool of Engineers for Asbestos Assessment and Testing to identify areas requiring Abatement prior to demolition.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on Raba Kistner as No. 1.

At this time the Court moved back to item #21-B.

H. HIDALGO COUNTY SHERIFF'S DEPARTMENT-

- 1. Requesting authority to advertise and approval of draft specifications as attached hereto for "Uniforms- Section I" project.**

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

I. HIDALGO COUNTY JP PCT. 2 PLACE 1 –

- 1. Requesting authority to advertise and approval of draft specifications as attached hereto for "Lease of Office Space for JP Pct. 2. Place 1" Project.**

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

J. HIDALGO COUNTY INFORMATION TECHNOLOGY –

- 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) with positions as indicated and further detailed in "Exhibit A" attached hereto;**

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

At this time Judge Garcia returns to the Court.

- 2. Status report on department requests for re-application and consideration for cellular phones and services;**

Status made by Martha Salazar.

- 3. Presentation for discussion, consideration and recommendation to amend the current Hidalgo County Cellular Phone Policy to reflect an anniversary date of October 1, for renewals/re-application for cellular phones and service.**

Presentation made by Martha Salazar.

4. Requesting authority to purchase telecommunications from a CISV vendor, Trillion Partners, through TBPC Catalogue Purchasing Program for the following:

Req	Departments	Vendor	Amount	Accounting
58375	I.T. Department	Trillion Partners, Inc	\$5,249.06	4-1242-412-00-000-001-0-745
58374	I.T. Department	Trillion Partners, Inc	\$5,186.15	4-1242-412-00-000-001-0-745
58361	I.T. Department	Trillion Partners, Inc	\$5,186.15	4-1242-412-00-000-001-0-745
58341	I.T. Department	Trillion Partners, Inc.	\$9,935.08	4-1100-415-00-200-001-0-745
57062	Planning	Trillion Partners, Inc	\$2,058.44	4-1100-419-10-210-001-0-743
58372	I.T. Department	Trillion Partners, Inc	\$2,415.78	4-1242-412-00-000-001-0-745
58379	I.T. Department	Trillion Partners, Inc	\$3,294.84	4-1242-412-00-000-001-0-745
58383	I.T. Department	Trillion Partners, Inc	\$3,284.99	4-1242-412-00-000-001-0-745
58384	I.T. Department	Trillion Partners, Inc	\$1,458.42	4-1100-415-00-200-001-0-475
58417	I.T. Department	Trillion Partners, Inc	\$1,932.62	4-1100-415-00-200-001-0-745
58418	I.T. Department	Trillion Partners, Inc	\$20,426.08	4-1100-415-00-200-001-0-745

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

K. HIDALGO COUNTY WIC DEPARTMENT-

- 1. Presentation as requested by WIC program, for Hidalgo County to consider, discuss and approve to exercise the 30-day termination clause with Joe W. Fly Company, Inc. (for the inspection & replacement of AC filters) due to budgetary funding constraints.**

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

L. HIDALGO COUNTY DISTRICT ATTORNEY OFFICE-

- 1. Requesting approval to surplus numerous seized vehicles and pieces of equipment for the purpose of disposition through auction and as set forth under Texas Local Government Code, Section 263.152. (a) (1) as detailed on Exhibit “A” and attached hereto.**

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

M. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 4-

- 1. Presentation for discussion, consideration and approval of Amendment to Contract Agreement with SASCON, Inc. for the “ROAD CONSTRUCTION OF AUSTIN GARDENS, PLANTATION OAKS & SUMMERWOOD SUBDIVISION” to reflect correction of grand total in the amount of \$328,103.35 for Contract no. CAP-04-011-06-29 (Colonia Access Program Project) (Project Carried By J.E. Saenz & Associates)**

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

N. HIDALGO COUNTY –

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

NO ACTION taken on this item.

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

23. Closed Session:

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. Cause #C-2141-04-H; Tillman G. Welch, et.al vs. Hidalgo County Bail Bond Board, et.al**
- E. Cause No. C-212-04-E; Jose Luis Ramirez et. Al vs. Deer & Company, et.al**

24. Open Session:

A. Real Estate Acquisition

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on parcel #6 belonging to Mr. and Mrs. Jose Flores for the settlement offer of \$3,148.00, on parcel #1 belonging to Mr. Guadalupe Flores and Polita Flores for the settlement offer of \$1,991.00 and on parcel #1 belonging to Armando Garcia on the settlement offer of \$500.00.

- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Cause #C-2141-04-H; Tillman G. Welch, et.al vs. Hidalgo County Bail Bond Board, et.al**
- E. Cause No. C-212-04-E; Jose Luis Ramirez et. Al vs. Deer & Company, et.al**

NO ACTION taken on items B thru E.

At this time Court moved back to item # 11.

25. Closed Session:

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

26. 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 TUESDAY, OCTOBER 05, 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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
 - A. Elections Department (2)**
 - B. Law Library**
 - C. Fire Marshal**
 - D. Health – Sanitation**
 - E. Health – Adm.**
 - F. Health – Clinics**
 - G. Buildings & Grounds**
 - H. Sheriff – L.E.O.S.E.**
 - I. Sheriff – (Jail)**
 - J. District Clerk**
 - K. Tax Office**
 - L. County Court #5**
 - M. Pct. #1 – Parks**
 - N. Pct. #1 – Sanitation**
 - O. Pct. #1 – Adm.**
 - P. Pct. #1 – RGV/GED**
 - Q. Pct. #4 – R & B**
 - R. Budget Office**
 - S. HIDTA – Program Income**
 - T. Computer Department**
 - U. Planning Department**
 - V. Purchasing Department**
 - W. Pct. #3 – P/U**

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 approval to enter into two (2) "HOME "Homebuyer Assistance Program" Contracts under the Home Program – American Dream Downpayment Initiative. The families will be provided with \$5,000 grants for down-payment/closing cost assistance.**
- B. Request for Approval of five (5) Applicants under the Owner Occupied Housing Rehabilitation Program.**

5. Purchasing Department: (SEE EXHIBIT E)

A. HIDALGO COUNTY -

- 1. Requesting authority to purchase computer equipment, hardware, and software from CISV vendors through Texas Building and Procurement Catalogue Purchasing Program for the following:**

Req	Department	Vendor	Amount	Account Number
57957	Tax Office	Global Gov't	\$148.11	4-1100-415-15-140-001-0-661
58474	I.T. Department	S.J.S. Computers	\$160.00	4-1100-415-00-200-001-0-745
57367	Tax Office	Global Govt	\$292.79	4-1100-415-15-140-001-0-601
57988	Elections	The Software Group	\$435.00	4-1100-414-00-130-001-0-432

B. HIDALGO COUNTY TAX OFFICE –

- 1. Requesting authority to enter into a maintenance agreement for a scan money counter with Cummins for one year in the total amount of \$422.00. (Req #58227) Effective October 31, 2004 through October 30, 2005.**
- 2. Requesting authority to enter into a maintenance agreement for a fax machine with Copy Graphics for one year in the total amount of \$200.00. (Req #58201) Effective October 16, 2004 through October 16, 2005.**

C. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Requesting authority to purchase and enter into a new service agreement for 16 pagers with Advanced Paging & Wireless;
16 pager for a total amount of \$319.20
16 services at \$ 4.95 a month for each pager**

**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, OCTOBER 05, 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 X)**

1. Roll Call

All Members of Board were counted present.

2. Open Forum

Godfrey Garza – On the resolution of the District Employees.

Rebecca Flores – On the disagreement of the resolution.

3. Approval of Consent Agenda

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

4. Approval of Work Authorization #6 with Dannenbaum Engineering Corporation for "on call" services related to Lateral Drain Outfall System (project approved March 23, 2004)

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

5. Discussion and action regarding contract renewal with Integ Inc., to perform the services of General Manager of the District under Texas Water Code 49.056

On motion of Commissioner Garza, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval subject to legal review.

6. 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. Recommending approval to reject sole bid received for: “Mile 2 West Road Bridge Widening Project”, due to low participation and budget cost.

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

B. Presentation for discussion, consideration, acceptance and approval regarding vendor’s request (Weslaco Ford Mercury) to rescind the award for “Two (2) New 2004 or Newer Pick-Up Trucks”, previously approved by the Board of Director’s on September 14, 2004.

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

C. Recommending award of bid for “Two (2) New 2004 Or Newer Pick-Up Trucks” to second lowest bidder meeting all specifications and/or requirements.

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

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

7. 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

8. Open Session:

A. Real Estate Acquisition

9. Closed Session:

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

10. Open Session:

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

On motion of Commissioner Garza, seconded by Commissioner Handy, 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, OCTOBER 05, 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 Garza, seconded by Commissioner Handy, 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 Edinburg – Golden Crest Apartment Community Phase II**
 - B. Pablo Trevino Jr. – Pueblo Estates Subdivision Unit I**
- 3. Line item transfer - \$ 63,363.00**

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 5th day of October, 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 October 05, 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)