

**SPECIAL MEETING – November 1<sup>st</sup>, 2004**

**BE IT REMEMBERED, that on this <sup>01st</sup> day of November, 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:**

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

**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:**

**October 29, 2004**

**Dear Commissioners Court Members:**

**Please be advised that due to technical difficulties with the computer network, I was forced to post the agenda for: Monday, November 1, 2004 at 11:00 a.m. instead of 9:30 a.m.**

**Rest assured, the problem has been taken care of and our system is up and running; thanks to the IT Department.**

**See you on Monday and have a great weekend.**

**Sincerely,**

**Monica Badillo  
Agenda Coordinator**

**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

**HIDALGO COUNTY  
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, NOVEMBER 1, 2004 at 11:00 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 Flores who arrived 20 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**

Nancy Sherry – Problems with the bathrooms in the early voting polls and poll watchers talking with other people.

**5. Approval of Consent Agenda**

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

**6. Urban County – Diana Serna: (SEE EXHIBIT H)**

- A. Urban County Program on behalf of Hidalgo County Precinct # 1 and Precinct #2 requests approval of a Reimbursement Agreement between Mujeres Unidas / Women Together Corporation and Hidalgo County Urban County Program calling for a contribution in the amount of \$20,000.00 for the construction of the Social Service Complex Building from Urban County Program Year 17 (2004).**

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

- B. Approval to request a Contract Period Amendment and extension of forty six (46) days from the Office of Rural Community Affairs for the 2002 Colonia Construction TCDP Contract No. 722065.**

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

- C. EDAP Contract # 723225 & EDAP Contract # 723245 Requesting authorization for County Judge to sign Notice of Intent to Request for Release of Funds/Certification Form, Finding of Categorical Exclusion and Categorical Exclusion Letter.**

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

- D. Request for Cancellation of Bid approved for Mrs. Emilia Ramirez.**

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

- E. Request for approval to award bid for the rehabilitation of one unit and the liquidation of mortgage balance on the property of Mrs. Emilia Ramirez.**

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

**7. Risk Management/Workers' Compensation: (SEE EXHIBIT I)**

- 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 \$81,803.37 for the period ending October 1-15, 2004**

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

**8. County Judge – Lorie Ochoa: (SEE EXHIBIT J)**

**A. Discussion, consideration and possible action regarding requested space within the County Administration Building**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on the space for Judge Ricardo Flores.

**9. Emergency Management – Art Gaytan: (SEE EXHIBIT K)**

**A. Discussion on Hurricane Bret FEMA 1287 monies received by County and disallowed cost of \$ 1,895.92 by Governor’s Division of Emergency Management – Office of Governor**

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

**B. Request approval of a manual check of \$ 1,895.92 for cost noted above**

NO ACTION taken on this item.

**10. Planning Department – Raul Sesin: (SEE EXHIBIT L)**

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

**1. Berny Estates Unit 1 Subdivision – Pct. 4 (Helen Bentsen, Developer)**

NO ACTION taken on this item.

**B. Reimbursement of Cash Deposit:**

**1. Northfield Acres Subdivision – Pct. 3 (Zaragoza Hinojosa, Developer)**

**2. Dionicio Villarreal Subdivision – Pct. 3 (Dionicio Villarreal, Developer)**

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

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

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

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

**11. Human Services – Rudy De La Viña: (SEE EXHIBIT M)**

**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.

**12. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT N)****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.

**13. Budget Office – Valde Guerra: (SEE EXHIBIT O)****A. Requesting authorization and approval to transfer the 3<sup>rd</sup> Qtr. Lapsed salaries and fringe benefits into the County's Contingency Acct.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on the amount of \$590,338.11.

**B. Intradepartmental Transfers:**

1. **Pct. #1 – Colonia Access Program - \$ 101,956.25**
2. **Colonia Access Program - \$ 24,420.60**
3. **Colonia Access Program - \$ 9,180.90**
4. **Pct. #2 – CIP - \$ 1,000.00**
5. **389<sup>th</sup> District Court - \$ 5,000.00**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items 1 thru 5.

**C. Interdepartmental transfers:**

1. **B.O. Contingency/Unemployment Comp. Fund - \$ 106,489.77**
2. **B.O. Contingency/Planning Department - \$ 4,100.00**
3. **B.O. Contingency/County Wide Administration - \$ 80,000.00**

At this time Commissioner Flores steps out of the Court.

4. **B.O. Contingency/Buildings & Grounds**
5. **B.O. Contingency/County Judge**

At this time Commissioner Garza steps out of the Court.

6. **B.O. Contingency/Master Court #2**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 1 thru 6.

At this time Commissioner Garza and Commissioner Flores return to the Court.

**D. Constable Pct. #3:**

- 1. Approval to create obj. #746 & line item transfer – \$ 2,350.00

**E. County Court #2:**

- 1. Approval to create obj. #671 & line item transfer - \$ 1,000.00

**F. Pct. #2 – Parks:**

- 1. Approval to create obj. #626 & line item transfer - \$ 6,000.00

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a Vote of approval on items D1, E1 & F1.

Commissioner Palacios – Abstain.

**G. Information Technology:**

- 1. Approval to pay entire County’s telephone service local and long distance bill - \$ 129,505.31

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

At this time Judge Garcia steps out of the Court.

**14. Pct. #2 – Comm. Palacios: (SEE EXHIBIT P)**

**A. Discussion and possible action to approve Amendment of Interlocal Agreement between the City of Pharr, City of San Juan and the County of Hidalgo for North I Rd. Project, Phase II**

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

**15. Purchasing Department – Marty Salazar: (SEE EXHIBIT Q)**

- 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: | 1099 | Other Information:    | 10   |
| Physical Count:          | 1081 | Males (in house)      | 1000 |
| Out of County: La Villa  | 4    | Females (in house)    | 81   |
| Brook’s                  |      | Federal Prisoners     | 10   |
| Adj. /Sentenced to TDC   |      | Total Paper Ready TDC |      |

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 approval of**
  - a) **Claims/invoices with authority for Auditor to issue payment for the items detailed in: “Exhibit A” attached hereto.**

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

5. **Requesting authority to advertise and approval of specifications for “Hidalgo County-Hot Mix Cold Laid”**
6. **Requesting authority to advertise and approval of specifications for “Hidalgo County – Type D Hot Mix Asphalt –Gravel & Limestone”**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items 5 & 6.

7. **Requesting approval to replace the “correct” fee schedules for Raba-Kistner Consultants and Professional Service Industries, inc. respectively, in as much as original contracts (approved on November 12, 2002) for both firms erroneously contained the incorrect fee schedules.**

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

At this time Judge Garcia returns to the Court.

8. **Requesting approval of an Acceptance Agreement with Nationwide Trust Company, FSB the deferred Compensation-Section 457 Plan (approved by CC on March 08, 2004) with authority for County Judge to execute said document.**

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

At this time Commissioner Palacios steps out of the Court.

- 9. **Requesting exemption from competitive requirements under Texas Local Government Code, 262.024 (a) (4), professional services for the provision of engineering services in connection with Aboveground/Belowground Storage Tanks Project for Hidalgo County:**

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

- 10. **Requesting authority to negotiate a contract for the provision of engineering services for the Aboveground/Belowground Storage Tanks Project with the number one ranked engineering firm (ranked from the County’s “Pool” of Engineering Firms by Mr. Godfrey Garza, at purchasing department’s request)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on ranking Raba-Kistner as #1, PSI as #2 and Millennium as #3, if they can reach an agreement with Raba-Kistner on the price than go to #2 rank.

- 11. **Presentation of status report on Hidalgo County’s Group Health Insurance “RFP” Project.**

Presentation made by Martha Salazar.

At this time Commissioner Palacios returns to the Court.

**B. HIDALGO COUNTY PRECINCT NO. 2-**

- 1. **Requesting authority to purchase one (1) Terex TX 760-Wheel Drive Backhoe Loader, through the Interlocal Agreement with Houston Galveston Area Council (H-GAC) Vendor being R.B. Everett & Company. Total purchase price \$45,157.35 Administration and delivery fees included.**

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

- 2. **Requesting authority to purchase one (1) Hino Truck with 5-6 cubic yard Dump Body, from an awarded vendor, Rush Truck Center, through the Interlocal Agreement with TASB Buyboard for Hidalgo County Precinct No. 2 Total purchase price \$53,760.00. Administration and delivery fees included.**

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

**C. HIDALGO COUNTY PRECINCT NO. 3-**

- 1. **Recommending award of bid and approval of contract to the sole bidder meeting all specifications attached hereto for: “Hauling Services of Type D Hot Mix Asphalt”**

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

**D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PCT NO 1 –**

- 1. Recommending bid award and approval of contract for; “Road Construction of Roads for R.C. BABB & BAR # 7” Precinct No. 1 to low bidder meeting all specifications (S&G Paving Company in the amount of \$ 168,927.25) (Project carried by: TEDSI Infrastructure Group)**

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

**E. HIDALGO COUNTY FRAUD INVESTIGATORS-**

- 1. Presentation for consideration, discussion, acceptance and approval of Fleet Fuel System Application (Original) to be forwarded to Arguindegui Oil Co. II, Ltd. as submitted by Hidalgo County Fraud Investigators and detailing the “holders and users” of fleet cards under awarded contract for “Gasoline, On & Off Highway Diesel Fuel”.**

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

**F. HIDALGO COUNTY CONSTABLE PRECINCT NO. 3-**

- 1. Requesting authority to advertise an RFP with approval of draft requirements and qualifications for “Motivational Speakers” in connect with Project Stop.**

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

**G. HIDALGO COUNTY BUILDINGS AND GROUNDS-**

- 1. Requesting approval of negotiated proposal from Centennial Contractors Enterprises, Inc. the awarded vendor through The Cooperative Purchasing Network’s Job Order Contractor Program not to exceed \$3,556.98 in connection with the asbestos testing abatement (removal) and air quality monitoring for the Elections Department water pipes.**

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

**H. HIDALGO COUNTY BUDGET OFFICE –**

- 1. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures are completed) in the amount of \$398.56 to CACC - Carolyn Arnold Communications Consultant (see attachment):**

**SWBT ACCOUNT 956-318-2000**

**SBC Local Service- Calls re-lated to correct SBC Rate due to SBC Network error**

**MCI- Adjustment for calls re-lated that should have been billed through SBC but did not due to SBC Network Error**

**Note: Adjustments are for charges on July, August and September ‘04 SBC Bill Additional adjustments of \$ 415.25 for the June ‘04 bills are still to post.**

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

**I. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT –**

- 1. Requesting authority to purchase computer equipment from Dell Marketing a vendor on the State of Texas Department of Information Resource’s contract WSCA 92-00151 for the following:**

| <b>Req</b>   | <b>Amount</b>      | <b>Account Number</b>              |
|--------------|--------------------|------------------------------------|
| <b>59861</b> | <b>\$ 5,651.80</b> | <b>4-1100-415-00-200-001-0-745</b> |
| <b>59795</b> | <b>\$10,198.29</b> | <b>4-1100-415-00-200-001-0-745</b> |
| <b>59525</b> | <b>\$ 5,352.10</b> | <b>4-1242-412-00-060-001-0-745</b> |

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

**J. HIDALGO COUNTY DEPARTMENT-**

- 1. Requesting approval of a short-term 60 day extension of the current agreement with Tristar Risk Management, Inc. (number one ranked firm) for the provision of Quality Claims Administration Services for Hidalgo County’s Workers Compensation Program (while present negotiations on a long term contract are finalized and presented to CC for consideration and action) under the same rates, terms and conditions.**

**Note: This short term extension would expire upon approval of a long term negotiated contract for the provision of Quality Claims Administration Services:**

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

**K. 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 Palacios, the Court made a UNANIMOUS vote of approval to go into Executive Session.

**16. Closed Session: (SEE EXHIBIT R)**

**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 No. C-3590-B; James Brady Parker vs. Hidalgo County et.al**

**17. Open Session:**

- 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**

NO ACTION taken on items A, B or C.

**D. Cause No. C-3590-B; James Brady Parker vs. Hidalgo County et.al**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to settle in the amount of \$17,500.00 with the authority for the County Auditor to issue a manual check once the County Auditor has received the settlement document along with the proper release.

**18. Closed Session:**

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

**19. Open Session:**

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

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

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 1, 2004, at 11:00 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 Handy, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of items 2-E, 2-G, 2-M & 2-W.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve items 2-E, 2-G, 2-M & 2-W with corrections.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
  - A. 206<sup>th</sup> District Court (2)**
  - B. Purchasing Department**
  - C. D.A. – Bad Checks**
  - D. D.A. – Gen. Fund**
  - E. County Court #1**
  - F. County Court #2**
  - G. County Court #5**
  - H. Library System**
  - I. Fire Marshal**
  - J. WIC**
  - K. County Clerk – Rec. Mgmt.**
  - L. J.P. Pct. #1, Pl. 1**
  - M. Computer Department (2)**
  - N. Constable Pct. #3 – Project SWEEP**
  - O. 332<sup>nd</sup> District Court**
  - P. 389<sup>th</sup> District Court**
  - Q. Texas Cooperative Extension (2)**
  - R. DPS – Highway Patrol**
  - S. County Judge**
  - T. J.P. Pct. #2, Pl. 2**
  - U. District Clerk (2)**
  - V. Law Library**
  - W. Tax Office**
  - X. Sheriff – Jail**
  - Y. Budget Office**
  - Z. 93<sup>rd</sup> District Court**

- AA. Pct. #1 – Landfill
- BB. Pct. #2 – County Wide Shop
- CC. Pct. #2 – Landfill
- DD. Pct. #2 – R & B
- EE. Pct. #3 – Park
- FF. Pct. #3 – R & B
- GG. Pct. #3 – Landfill
- HH. County Clerk
- II. Human Resources
- JJ. County Auditor
- KK. Buildings & Grounds
- LL. Pct. #4 - Landfill

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

**A. North Alamo Water Supply (Paid \$ 3.75): Mile 1 ½ East on Mile 12 North**

**5. Urban County: (SEE EXHIBIT E)**

**A. Request for Approval of two (2) Applicants under the Owner Occupied Housing Rehabilitation Deferred/Loan Program. – Countywide**

**6. Tax Refunds: (SEE EXHIBIT F)**

**A. John L. Lackey                      McManus Development                      \$ 5,336.92**

**7. Purchasing Department: (SEE EXHIBIT G)**

**A. HIDALGO COUNTY –**

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

| Req   | Department                       | Vendor           | Amount     | Account Number              |
|-------|----------------------------------|------------------|------------|-----------------------------|
| 59621 | 206 <sup>th</sup> District Court | Dell Marketing   | \$1,912.02 | 4-1100-412-00-004-001-0-745 |
| 59633 | I.T. Dept                        | QA Systems       | \$2,439.00 | 4-1100-415-00-200-001-0-747 |
| 59409 | Elections Dept                   | Dell Marketing   | \$2,096.60 | 4-1100-414-00-130-001-0-745 |
| 59680 | 92 <sup>nd</sup> District Court  | CDW Government   | \$ 369.00  | 4-1100-412-00-001-001-0-745 |
| 59730 | Tax Office                       | CDW Government   | \$ 418.99  | 4-1100-415-15-140-001-0-747 |
| 59731 | Tax Office                       | CDW Government   | \$1,575.71 | 4-1100-415-15-140-001-0-745 |
| 59899 | I.T. Dept                        | CDW Government   | \$ 100.00  | 4-1100-415-00-200-001-0-664 |
| 59281 | I.T. Dept                        | S.J.S. Computers | \$ 42.00   | 4-1100-415-00-200-001-0-661 |
| 59849 | District Attorney                | Global Data      | \$ 500.00  | 4-1100-412-00-080-006-0-336 |

**B. HIDALGO COUNTY AUDITOR’S OFFICE -**

**1. Requesting authority to purchase a shredder from Olympia Business Systems Inc. through TBPC State Contract 600-A1 for Req #59289 in the total amount of \$1,546.83.**

**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, NOVEMBER 1, 2004 at 11:00 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 S)**

**1. Roll Call**

All Members of the Board were counted present.

**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. Risk Management/Workers' Compensation:**

- A. Update on Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 9,997.26 for the period ending October 1-15, 2004**

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

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

- 1. Requesting approval to re-advertise for: “Mile 2 West Road Bride Widening” Project.**

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

- 2. Requesting exemption from competitive requirements under Texas Local Government Code, 262.024(a) (4), professional services for the provision of engineering services in connection with Aboveground/Belowground Storage Tanks Project for Hidalgo County Drainage District No. 1.**

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

- 3. Requesting authority to negotiate a contract for the provision of engineering services for the Aboveground/Belowground Storage Tanks Project with the number one ranked engineering firm (ranked from the County’s “Pool” of Engineering Firms by Mr. Godfrey Garza, at purchasing department’s request).**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to rank Raba-Kistner as #1, PSI as #2 and Millennium #3.

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

NO ACTION taken on this item.

**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 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 MONDAY, NOVEMBER 1, 2004 at 11:00 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

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

**DRAINAGE DISTRICT**

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

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

*There being no further business to come before said Court, the meetings of the Commissioners' Court and the Drainage District #1 Board are now hereby adjourned.*

Dated this the 01<sup>st</sup> day of November, 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 Novmeber 01, 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)