

REGULAR MEETING – November 16 , 2004

BE IT REMEMBERED, that on this 16th day of November, A.D., 2004, there was begun and held a REGULAR 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-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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, NOVEMBER 16, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

Judge Garcia led the Court and Audience in the Pledge of Allegiance.

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Guadalupe Pedraza – Problems with the streets in the Colonia Nueva Ceredonia north of Mission.

Leticia Rodriguez – Paving the streets in the Colonia Nueva Ceredonia.

J. D. Villarreal – From Pct. 3 on the legal issues pending on Colonia Nueva Ceredonia.

Karina Cardoza – With Congressmen Ruben Hinojosa Office to inform the Court on a Job Fair to be held tonight and tomorrow evening at the Edcouch Elsa Career and Technology Center.

Oferlinda Leach – Hidalgo County Historical Commission.

5. Approval of Consent Agenda

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

- 6. 139th District Court: (SEE EXHIBIT G)**
A. Approval for extension by Commissioners' Court to purchase items for the 139th District Court after deadline

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

- 7. Discussion, consideration and action on Order to appoint a county attorney from an adjoining county to represent the State of Texas in Cause #C-205-04-G in the 370th District Court (SEE EXHIBIT H)**

NO ACTION taken on this item.

- 8. Tax Office – Armando Barrera: (SEE EXHIBIT I)**
A. Approval to Grant Deed Without Warranty on Lot 7 Block 5 Middle Donna, an addition to the City of Donna, Hidalgo County, Texas, to Robert Rutledge

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

- 9. Right of Way – Godfrey Garza: (SEE EXHIBIT J)**
A. Discussion and action regarding the closing and/or abandoning roadway across Lots 47-52 and parts of 46 and 53 out of Fountain Subdivision, Hidalgo County

NO ACTION taken on this item.

- B. Approval of Interlocal Cooperation Agreement between The County of Hidalgo and the County of Willacy for the maintenance of County Road 10**

NO ACTION taken on this item.

- C. Consideration and approval of compromising and settlement agreement and “Quitclaim Release of Easement Without Warranty, in connection with settlement of the Shin Condemnation lawsuit**

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

- D. Discussion and action regarding the acquisition of road right of way for an extension of a county road from Mile 4 N (approx. 500 ft.)**

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

10. Sheriff Department – Capt. Quintanilha: (SEE EXHIBIT K)**A. Approval to extend the termination date of the COPS in Schools Grant with the U.S. Department of Justice – New termination date is October 31, 2006**

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

11. Urban County – Diana Serna: (SEE EXHIBIT L)**A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Rio Delta Engineering & Surveying in connection with Hidalgo County Precinct # 4 for the design and reconstruction of streets located within Pct #4.**

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

B. Precinct #4 is requesting approval of a professional service contract with Rio Delta Engineering & Surveying in the amount of \$15,000.00 utilizing Year 17 (2004) funding for the design and reconstruction of streets within Precinct #4.

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

C. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for testing services with Raba Kistner Consultants, Inc. in connection with City of Palmview Urban County Program Street Improvements project Year 16 (2003) in the amount of \$3,970.00.

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

D. Award of a Testing Services Contract to Raba Kistner Consultants, Inc. for the City of Palmview Urban County Program Street Improvements Project Year 16 (2003) in the amount of \$3,970.00.

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

E. Consider award bid for the demolition of existing structures and the reconstruction of three (3) units in the Countywide Area and one (1) unit in the City of La Villa to Rolando General Construction for the total amount of \$116,250.00.

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

F. Approval of a Resolution for designation and authorizing bonded signatories for all Economically Distressed Area Program – Office of Rural Community Affairs – Texas Community Development Program Funds.

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

12. Constable Pct. #3 – Larry Gallardo (Project STOP Grant): (SEE EXHIBIT M)

A. Request approval and acceptance of FY 2005 (9/1/04-8/31/05) – State Criminal Justice Planning (421) Fund Program

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

B. Approval to appropriate grant 70% - \$ 96,536.00 and local match 30% - \$41,373.00

C. Approval to set salaries of Truant Officers/Deputies 5% increase and Administrative Assistant increase to \$ 21,000.00 effective January 1, 2005

D. Approval to submit application for Project STOP Grant to Lower Rio Grande Development Council for 2005-2006

E. Approval of Resolution

NO ACTION taken on items B thru E.

13. Planning Department – Raul Sesin: (SEE EXHIBIT N)

A. Reimbursement of a Cash Deposit:

1. Los Venados Phase IV Subdivision – Pct. 4 (Garco, Ltd.)

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

Commissioner Garza – Abstain.

B. Release of Letter of Credit:

1. Weslaco Gardens Subdivision – Pct. 1 (Tim Gearhart, Developer)

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

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

1. Ellis No. 4 Subdivision – Pct. 3 (Gilbert Ellis, Developer)

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

At this time the Court moved to item # 19-A-13.

14. County Judge’s Office – Lorie Ochoa: (SEE EXHIBIT O)

A. Discussion, consideration and approval of City of Edinburg’s request to renew and extend Interlocal Agreement with Hidalgo County for operation of a Recycling Center for a one (1) five -year term

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

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

A. Request approval to rename a road in Los Amigos Subdivision, Mercedes:

1. Los Amigos Circle to: N. Los Amigos Drive & S. Los Amigos Drive

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

B. Request approval to rename a road in Tierra Prieta Subdivision, Donna:

1. De La Rosa Circle to: N. De La Rosa Drive & S. De La Rosa Drive

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

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

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

- 1. Authorization to pay claims: 2004 \$2,126,204.66**
- 2. Indigent Health Care expenditures**

Presentation made by Rudy De La Vina.

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

A. Status of old jail building

NO ACTION taken on this item.

B. Maintenance of county grounds

Presentation made by Daniel Flores.

C. Status of renovation of administration building

NO ACTION taken on this item.

18. Budget Office – Valde Guerra: (SEE EXHIBIT S)

A. Discussion, consideration and possible action on General Fund Hiring Freeze

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

B. Discussion, consideration and action on 2005 Proposed Holiday Schedule

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

C. WIC:**1. Discussion and action on the indirect cost rate proposal for the WIC Department needed for submittal to the Texas Department of Health**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on the rate of 7.48%.

At this time the Court moved to item #19-A-9.

At this time Commissioner Palacios steps out of the Court.

At this time Commissioner Flores steps out of the Court.

D. County Wide Adm. Acct.:

1. Approval to create obj. 664 & line item transfer - \$ 21,000.00

E. J.P. Pct. #4, Pl. 2:

1. Approval to create obj. 831 & line item transfer - \$ 1,137.78

F. Tax Office:

1. Approval to create obj. 681 & line item transfer – \$ 100.00

G. Juvenile Justice Court:

1. Approval to create obj. 745 & line item transfer - \$ 2,309.50

H. County Court #5:

1. Approval to create obj. 748 & line item transfer - \$ 1,119.60

I. 398th District Court:

1. Approval to create obj. 661 & line item transfer - \$ 3,830.53

J. Pct. #4 – Lateral Acct.:

1. Approval to create obj. 334 & line item transfer - \$ 8,000.00

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

K. Health Department:

1. Authorization and approval to appropriate the projected TB Control Program Income Acct. #4 -1293-441-00-340-020-5 in the amount of \$ 14,000.00 for the fiscal year 9/1/04 to 8/31/05 per the attached budget and salary schedule

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

L. Intradepartmental transfers:

- 1. Pct. #1 – CAP - \$ 551.00**

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

M. Interdepartmental transfers:

- 1. B.O. Contingency/Tax Office - \$ 25,810.42**
- 2. B.O. Contingency/Various Depts. - \$ 108,751.76**

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

N. Pct. #4 - Sanitation:

- 1. Approval to budget loan proceeds for the purchase of vehicles/equipment - \$ 220,000.00**

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

19. 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 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:	<u>1074</u>	Other Information:	<u>9</u>
Physical Count:	<u>1063</u>	Males (in house)	<u>980</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>83</u>
Brook’s		Federal Prisoners	<u>13</u>
Adj. /Sentenced to TDC	<u>148</u>	Total Paper Ready TDC	<u>118</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 A-2, 3-A, 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 Garza, the Court made a UNANIMOUS vote of approval.

At this time Commissioner Palacios returns to the Court.

At this time Commissioner Flores returns to the Court.

- 5. Request by awarded contracted vendor (Maderite Janitor Supply) to withdraw janitorial items detailed on Exhibit "A" from the total of 33 items (currently under contract), due to escalating supplier pricing; and, if approve;**

NO ACTION taken on this item.

- 6. Requesting authority for items withdrawn to be purchased through the Inter-local with TASB "Buyboard" from multiple awarded vendors (CC Distributors and Gulf Coast Paper) to have no lapse in user department ability to acquire products necessary to continue department operations; or in the alternative;**

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

- 7. Presentation for discussion, consideration, and approval for Hidalgo County to exercise its sixty (60) day written notice prior for cancellation for "Janitorial Supplies" and awarded contracted vendor, Maderite Janitor Supply; and if approve;**

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

- 8. Requesting authority to advertise and approval of draft specifications as attached hereto for "Janitorial Supplies".**

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

- 9. Presentation by project architect, Luis A. Figueroa, AIA, ROFDW of preliminary report of the "Asbestos Testing" conducted by contracted engineering consultant, Raba-Kistner at the former Hidalgo County Jail and Sheriff's Dept;**

Presentation made by Mr. Luis A. Figueroa.

10. **Report on the development of specifications for the following sealed bid projects:**
 1. **Abatement/removal of asbestos including air quality testing and monitoring, if necessary:**
 2. **Demolition specifications for those structures in order to accommodate required area for the construction of the new facility to house the new adult probation department:**

Report made by Martha Salazar.

11. **Status, including, but not limited to, of the following;**
 1. **AIA contract with ROFDW;**
 2. **Design development of new facility.**

Status made by Martha Salazar.

At this time the Court moved back to item #18-D.

12. **Requesting authority to purchase telephone equipment from a CISV vendor, Trillion Partners, Inc., through TBPC Catalogue Purchasing Program for the following departments;**

Req	Department	Amount	Account Number
60183	I. T. Dept	\$19,632.09	4-1100-415-00-200-001-0-745
59750	398 th District Court	\$ 2,756.23	4-1100-412-00-008-001-0-745
60135	County Clerk	\$21,028.19	4-1100-415-40-180-001-0-743
60306	206 th District Court	\$ 2,572.90	4-1100-412-00-004-001-0-745
60223	Master Court	\$ 2,572.90	4-1100-412-00-032-001-0-745
59439	Tax Office	\$ 2,058.46	4-1100-415-15-140-001-0-743

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

13. **Presentation by the Hon. Jesus “Chuy” Ramirez, bond counsel, for discussion, consideration and approval of an:**

ORDER

AUTHORIZING ISSUANCE, SALE AND DELIVERY OF HIDALGO COUNTY, TEXAS TAX NOTES, SERIES 2004; PAYABLE FROM THE LEVY OF A DIRECT AND CONTINUING ANNUAL AD VALOREM TAX WITHIN THE LIMITS PRESCRIBED BY LAW AS AUTHORIZED PURSUANT TO CHAPTER 137, ACTS OF THE 73RD. LEGISLATURE, REGULAR SESSION 1993 (GOVERNMENT CODE SECTION 1431.001 ET.SEQ.); PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AND MAKING OTHER PROVISIONS REGARDING SUCH NOTES AND MATTERS INCIDENT THERETO for the acquisition of the building with land, known as the “Kmart Building Property”.

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

At this time the Court moved back to item #14.

- 14. Presentation for consideration, discussion, acceptance and approval of Work Authorization #10 (with a proposed fee of \$130,000.00) with TEDSI Infrastructure Group to provide Hidalgo County and Auditor with a Final Report on the Roadway Assessment in Accordance with GASB-34 Criteria (in the deliverable format discussed, required and requested by the Hidalgo County Auditor’s Office) and in association with independent precinct selected and contracted consultants under the terms and conditions of the current contract #C03-270-09-02.**

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

B. HIDALGO COUNTY PRECINCT NO. 1-

- 1. Requesting approval of Change Order No. 1 (increase) and (decrease) in connection with “Mile 6 North from FM 1015 Easterly-3,000 ft. to Canal “ in the amount of \$20,362.00(increase) and \$16,960.00 (decrease) with Sascon Inc. and as recommended by Project Engineer, Sigler, Winston. Greenwood & Associates, Inc.**

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

- 2. Presentation for consideration, discussion, acceptance and approval of Work Authorization #2 (with a proposed fee of \$100,000.00) with TEDSI Infrastructure Group to provide Hidalgo County Precinct No. 1 with an inventory of their current roadway assessment in accordance with GASB-34 Criteria in a deliverable format acceptable to the County Auditor as identified and detailed in this work authorization under the terms and conditions of the current contract #C04-301-09-28.**

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

At this time Commissioner Garza steps out of the Court.

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Recommending award of Bid and approval of Contracts for “Hauling of Dirt with an Option to Load” to multiple bidders meeting all requirements and specifications.**

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

- 2. Recommending award of Bid and approval of Contract for “Reconstruction & Widening McColl Road” to sole bidder meeting all requirements and specifications.**

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

3. **Recommending award of Bid and approval of Contract for “Construction of Hot-Mix Asphaltic Concrete Pavement, Curb & Gutter, Pavement Markings, Signing, Metal Beam Guard Fence and Flashing Beacon” to sole bidder meeting all requirements and specifications.**

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

D. HIDALGO COUNTY PRECINCT NO. 3-

1. **Presentation for discussion, consideration, acceptance and approval of invoices in the amount of \$19,956.28, with authority for Auditor to issue payment to Hinojosa Engineering for the rendering of engineering services as requested by project architect Alcoser Garcia and Associates Design Consultants, and as authorized under the architectural contract #C03-121-01-14 for the design and construction of Precinct No. 3’s Multi-Purpose Complex.**

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

E. HIDALGO COUNTY PRECINCT NO. 4-

1. **Requesting approval of Change Order No. 1 (decrease) in connection with “Anderson Road Improvements” in the amount of \$1,905.12 (decrease) with Mission Paving Company, Inc. and as approved by Project Engineer, Noe Garza Engineers.**

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

2. **Recommending award of bid and approval of contract for “Hidalgo County Precinct No. 4 Pit Run Caliche” to the lowest bidder meeting all requirements and/or specifications.**

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

F. HIDALGO COUNTY 206th & 398th District Court –

1. **Requesting authority to purchase surveillance equipment for the court room from a CISV vendor, C & R Technologies, for Req #60674 in the total amount of \$8,681.98 and for Req #60785 in the total amount of \$10,200.43 respectively.**

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.

G. HIDALGO COUNTY BUILDINGS & GROUNDS –

1. **Presentation of a report by Alcoser Garcia Associates Design Consulting, project architect for Administration Building Renovation Project (including completion of the Atrium area) with discussion, consideration, acceptance and approvals of, including, but not limited to the following**
 - a) **Scheduling of the “Work” (recommended order of sequence of renovation components) with information as to time lines for completion of each component including finalization of design or alternative repair/renovation options by Hidalgo County;**

Presentation made by Mr. Alcoser.

At this time Commissioner Flores steps out of the Court.

At this time Commissioner Handy steps out of the Court.

- b) **Acceptance and/or Approval of “Proposal(s)” as submitted by Centennial Contracting Enterprises, Inc., awarded JOC (job order Contract) through the County’s participation/membership with Texas County Purchasing Network’s Program (under Region IV contract) for renovation component(s) with authority and approval to issue necessary purchase orders;**

NO ACTION taken on this item.

- c) **Authority for architect to proceed to engage a consultant to perform the Accessibility Survey with Report for the Administration Building and approval of the proposed fee (of \$6,450.00) for said service;**

NO ACTION taken on this item.

2. **Presentation by project architect for discussion, consideration and approval (if necessary) of a report on the status of the sealed bid project (with proposed time lines) for: “Construction of a Sally Port” on the east-side of the Hidalgo County Courthouse grounds;**

Presentation made.

H. HIDALGO COUNTY INFORMATION DESIGN FOR PRECINCT NO 3 –

1. **Presentation for discussion, consideration and ratification of purchase order #542967 to Dell Marketing, L.P. for computer equipment/peripherals needed by the IT Department to complete work at the Hidalgo County Precinct No 3’s Multipurpose Building inadvertently left off last week’s Commissioner’s Court.**

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

I. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. **Presentation of the status of the Electronic Voting Systems “Showcase Workshop” to be held on Thursday, November 18, 2004 (commencing at 9:00 a.m.) in the Hidalgo County Commissioner’s Courtroom, located on the first floor of the Hidalgo County Administration Building, 100 East Cano, Edinburg, Texas, including, but not limited to:**
 - a) **Workshop/Showcase Participants: 1) Hidalgo County Elections Commission; and 2) Hidalgo County Commissioners Court;**
 - b) **Voting Systems Confirmed Participants;**
 - c) **General Format of Workshop/Showcase;**
 - d) **Texas Building & Procurement Commission’s Sealed Bid Project(s) for: 1) Purchase of Electronic Voting Systems; and 2) Leasing of Electronic Voting Systems;**
 - e) **Voter Registration Systems Project through the Office of Secretary of State**

Presentation made by Martha Salazar on items a thru e.

J. HIDALGO COUNTY TAX OFFICE-

1. **Requesting authority to advertise an RFP with approval of requirements, scope of services, and or specifications for “Imaging of Handicap File Records”.**

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

K. HIDALGO COUNTY RIGHT OF WAY DEPARTMENT –

1. **Presentation for discussion, consideration and acceptance of a sole bid (nomination) received from EOG Resources, Inc., in the amount of \$56.25 per total of 0.25 acre for a maximum of three (3) years Paid-Up Lease for “Lease of land for Mineral Development” project, if approved;**

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

2. **Authority to negotiate lease agreement(s)(subject to legal review) with EOG Resources Inc., for the following described parcel of land; the property owned by Hidalgo County which parcels are listed follows:**
 - **“0.04 acres, (more or less), out of and forming a part of a platted subdivision of the Llano Grande Grant made by the American Rio Grande land & Irrigation Company called South Campacuas Subdivision, as recorded in Volume 271, Page 182 of the Deed Records of the Hidalgo County, Texas”;**
 - **“0.21 acres, (more or less) out of and forming a part of a platted subdivision of the Llano Grande Grant made by the American Rio Grande Land & Irrigation Company called South Campacuas Subdivision as recorded in Volume 271, Page 183 of the Deed Records of the Hidalgo County, Texas.”**

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

L. HIDALGO COUNTY SHERIFF’S DEPARTMENT –

- 1. Requesting authority to purchase law enforcement vehicle equipment from an awarded vendor through the TASB BuyBoard, G.T. Distributors, through the Interlocal agreement with TASB BuyBoard in the total amount of \$28,980.98**

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

M. 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.

20. 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. Cause No. CL-43,559-E; Hector Saenz vs. Isabel Cortez**

21. 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**
- D. Cause No. CL-43,559-E; Hector Saenz vs. Isabel Cortez**

NO ACTION taken on items A thru D.

22. Closed Session:

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

23. Open Session:

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

24. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, NOVEMBER 16, 2004, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve 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. 139th District Court – NO ACTION taken on this item.**
 - B. Planning Department**
 - C. Master Court #2**
 - D. Right of Way**
 - E. Fire Marshal**
 - F. Tax Office**
 - G. Civil Service**
 - H. 93rd District Court**
 - I. County Court #1**
 - J. District Clerk**
 - K. Purchasing Department**
 - L. County Judge**
 - M. Human Services**
 - N. Constable Pct. #3 (2)**
 - O. Texas Cooperative Extension**
 - P. Historical Commission**
 - Q. J.P. Pct. #4, Pl. 2 (2)**
 - R. J.P. Pct. #5, Pl. 1**
 - S. 370th District Court**
 - T. Pct. #1 – Park**
 - U. Pct. #1 – Sanitation**
 - V. Pct. #1 – R & B**
 - W. Pct. #1 – Adm.**
 - X. Pct. #3 – Park**
 - Y. Pct. #3 – R & B**
 - Z. Pct. #4 – R & B**
 - AA. Pct. #4 – Landfill**
 - BB. Pct. #4 – Adm.**

3. Right of Way – Permits: (SEE EXHIBIT C)

- PAID 3.75 NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE AT SUNNYBROOK SUBDIVISION LOT 42 LOCATED ON THE NEC OF TOWER AND CURRY ROAD - BORE - ESMERALDA RAMIREZ.
- PAID 3.75 NORTH ALAMO WATER SUPPLY: INSTALL (10) TEN 2" WATERLINES GOING SOUTH OF MILE 10 NORTH ON MILE 6 WEST (75', 375', 975', 1575', 1875', 2175', 2475', 2775', 3075' AND 3275') - COTTON ESTATES CENTRAL SUBDIVISION - 10 BORES.
- PAID 3.75 NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE AT ALBERTA SUBDIVISION LOT 25 LOCATED ON ALBERTA ROAD SS/W TOWER ROAD - BORE - MARIA ABITBOL.
- PAID 3.75 DUKE ENERGY FIELD SERVICES: INSTALL AN 8" GAS PIPELINE CONSTRUCTED OF STEEL, CROSSING MOOREFIELD ROAD AND COUNTY ROAD
- B.P. AMERICA: INSTALL A 4" GAS LINE BEGINNING AT A POINT 21' SOUTH FO THE NORTH LINE AND 30' WEST OF THE EAST LINE OF LOT 12 BLOCK 19 ALAMO LAND AND SUGAR CO. SUBDIVISION THE SAME BEING IN THE WEST ROW LINE OF CESAR CHAVEZ ROAD THENCE HEADING IN AN EASTERLY DIRECTION 60' TO A POINT IN THE EAST ROW LINE OF CESAR CHAVEZ ROAD THE SAME BEING 21' SOUTH OF THE NORTH LINE AND 30' EAST OF THE WEST LINE OF LOT 9 BLOCK 20 ALAMO LAND AND SUGAR CO. SUBDIVISION.
- B.P. AMERICA: INSTALL A 4" GAS LINE BEGINNING AT A POINT 31 WEST OF THE EAST LINE AND 20' NORTH OF THE SOUTH LINE OF LOT 5 BLOCK 19 ALAMO LAND AND SUGAR CO. SUBDIVISION THE SAME BEING ON THE NORTH ROW LINE OF BALLI ROAD IN SAID LOT 5 THENCE IN A SOUTHERLY DIRECTION 40' TO A POINT 20' SOUTH OF THE NORTH LINE AND 31' WEST OF THE EAST LINE IN LOT 12 BLOCK 19 ALAMO LAND AND SUGAR CO. SUBDIVISION.

4. Urban County: (SEE EXHIBIT D)

- A. Request approval to enter into two (2) "Homebuyer Assistance Program" Contracts under the HOME Program. The Families will be provided with a \$ 5,000 grant for down-payment/closing cost assistance
- A. The Urban County Program request cancellation of two (2) contracts under the HOME "Homebuyer Assistance Program" as per the respective client's request

5. Purchasing Department: (SEE EXHIBIT E)

A. HIDALGO COUNTY –

- 1. Requesting authority to purchase computer equipment and peripherals from vendors on State of Texas DIR GoDirect Contract for the following;

Req	Department	Vendor	Amount	Account Number
60759	I.T. Dept	Dell Marketing	\$1,299.98	4-1242-412-00-060-001-0-745

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

Req	Department	Vendor	Amount	Account Number
60555	Fire Marshal	MPC-G, LLC	\$2,488.00	4-1100-422-10-300-001-0-745
60219	I.T. Dept	CDW-G	\$1,655.00	4-1100-415-00-200-001-0-745
60660	I.T. Dept	S.J.S.	\$ 155.00	4-1100-415-00-200-001-0-664
60754	I.T. Dept	S.T.E.	\$ 400.00	4-1100-415-00-200-001-0-432
60794	I.T. Dept	CDW-G	\$ 330.00	4-1242-412-00-060-001-0-745
60757	I.T. Dept	S.J.S.	\$ 130.00	4-1100-415-00-200-001-0-664
60936	Tax Office	CDW-G	\$ 691.29	4-1100-415-15-140-001-0-601
60839	Health Dept	SHI Government	\$1,994.00	4-1100-441-00-340-003-0-747
60583	TX Extension	SHI Government	\$ 366.60	4-1100-461-00-380-001-0-747
60524	Human Resource	CDW-G	\$ 135.00	4-1100-415-50-190-002-0-745
60523	Human Resource	Dell Marketing	\$1,004.18	4-1100-415-50-190-002-0-745

6. Planning Department: (SEE EXHIBIT F)

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)**

**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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, NOVEMBER 16, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**DRAINAGE DISTRICT
(SEE EXHIBIT V)**

1. Roll Call

All Members of the Board were counted present.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

4. Approval of Advance Funding Agreement with TXDOT for FM 2128 Schunior Rd. project (CSJ#2450-01-015)

NO ACTION taken on this item.

5. Approval of budget amendment in the amount of \$ 154,536.00 to fund drainage improvements to TXDOT FM 2128 Project

NO ACTION taken on this item.

6. Consideration and approval of compromising and settlement agreement and “Quitclaim Release of Easement Without Warranty, in connection with settlement of the Shin condemnation lawsuit

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

7. Approval of Interlocal Agreement among the City of Mission, Hidalgo County DD#1 and Hidalgo County Irrigation District #1

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

8. 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. Presentation for discussion, consideration and acceptance of the sole bid (nomination) received from EOG Resources, Inc., in the amount of \$110.25 per 0.49 acre for a maximum of three (3) years Paid-Up lease for “lease of land for Mineral Development” project, if approved;**
- 2. Authority to negotiate lease agreement (subject to legal review) with EOG Resources Inc., for the following described parcel of land; the property owned by Hidalgo County Drainage District No.1 and described as:**
 - Being a 0.49 acre tract (more or less) out of part of Farm tract 147, Campacuas Addition recorded in Volume “1” Page 2 Map Records and Warranty Deed Records in Volume 383, Page 55, and Deed Records of Hidalgo County, Texas.**

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

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

9. 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

10. Open Session:

A. Real Estate Acquisition

11. Closed Session:

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

12. Open Session:

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

13. Adjourn

On motion of Commissioner Handy, seconded by Commissioner Palacios, 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, NOVEMBER 16, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

DRAINAGE DISTRICT

On motion of Commissioner Palacios, seconded by Commissioner 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 McAllen – Saltillo at Bentsen Lake Subdivision**
 - B. Anthony Gray – Ranchitos De Progreso Unit #1**

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 16th 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 November 16, 2004.

Signed this _____ day of _____ 2004.

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

By: _____

(Seal)

