

**SPECIAL MEETING – November 23 , 2004**

**BE IT REMEMBERED, that on this <sup>23rd</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:**

**HONORABLE RAMON GARCIA**

**HIDALGO COUNTY JUDGE**

**HONORABLE SYLVIA HANDY**

**COMMISSIONER, PRECINCT NO. 1**

**HONORABLE HECTOR (TITO) PALACIOS**

**COMMISSIONER, PRECINCT NO. 2**

**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

**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 TUESDAY, NOVEMBER 23, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**1. Roll Call**

All Members of the Court were counted present with the exception of Commissioner Flores and Commissioner Garza.

**2. Pledge of Allegiance**

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

**3. Prayer**

Commissioner Handy led the Court and Audience in Prayer.

**4. Open Forum**

Virginia Townsend – Waste of taxpayers' money on personal vendetta issues.

Nancy Sherry – Giving thanks for not having close session in the middle of the Court Meetings.

Javier Salazar – Asking the Court for help.

Fern McLaugherty – Waste of taxpayers' money.

**5. Approval of Consent Agenda**

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

- 6. Elections Department – Teresa Navarro: (SEE EXHIBIT H)**
- A. Discussion, approval and possible action on the following, but not limited to:**
- 1. Delete slot #10, Elections Coordinator Assistant**
  - 2. Create slot #19, Elections Specialist Assistant**
  - 3. Set salary at \$ 22,470.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 1, 2, and 3 effective Jan. 1, 2005.

At this time the Court moved to item #15.

- 7. Head Start – Teresa Flores: (SEE EXHIBIT I)**
- A. Discussion/approval of budget amendment**

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

- B. Discussion/approval of Earnest Money Contract for Purchase of Administration Building between Guer-Can Investments, Inc. and Hidalgo County**

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

- C. Discussion/approval to advertise for sealed bids for:**
- 1. Classroom supplies**
  - 2. Computer Software**

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

- D. Discussion/approval to award Contract to Multiple Providers meeting all specification for Mental Health Providers #2004-09-014**

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

- E. Discussion/approval of Lease Agreement for the Vine Terrace Head Start Center**

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

- F. Discussion/approval on Request to participate in and enter the Western State Contracting Alliance with Dell Marketing, L.P. (Contractor under the Texas Department of Information Resources) for computers and printers**

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

**G. Discussion/approval to participate in and enter the Texas “State Travel Management Program” Card Services with Bank One (Contractor under the Texas Building & Procurement Commission)**

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

**H. Discussion/approval to extend all Lease and/or Interlocal Agreements for one year**

NO ACTION taken on this item.

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

**A. Reimbursement of a Cash Deposit:**

**1. Tres Vecinos Subdivision – Pct. 4 (Betty Gaston, Developer)**

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

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

**A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Noe Garza Engineering, Inc in connection with the City of Progreso Year 17 (2004) Street Improvements for the reconstruction design of “J” and “K” Street within Orchard Subdivision.**

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

**B. Approval of professional services engineering contract with Noe Garza Engineering, Inc. with the City of Progreso Year 17 (2004) Improvements for the reconstruction design of “J” and “K” Street within Orchard Subdivision using Urban County Program funding from Year 17 (2004) in the amount of \$26,897.40.**

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

**C. Approval to award a Construction Contract to Sascon, Inc. for the Reconstruction and Drainage Improvements to Sioux Terrace, Sioux Terrace South and Sioux Road in the City of San Juan using Urban County Program Street Improvements funding from Year 12 (1999), Year 14 (2001), Year 15 (2002), and Year 16 (2003) in the amount of \$357,315.00.**

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

- D. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for testing services with Millennium Engineering Group, Inc. in connection with the City San Juan for the Street Improvements Project that includes Sioux Terrace, Sioux Terrace South and Sioux Rd under Urban County Program Year 12 (1999) funding.**

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

- E. Approval to award a Testing Services Contract to Millennium Engineering Group, Inc. for the City of San Juan Street Improvement Project that includes Sioux Terrace, Sioux Terrace South and Sioux Rd under the Urban County Program Year 12 (1999) funding in the amount of \$3,436.40.**

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

- F. The City of Donna requests authorization to purchase Bunker Gear from Ferrera Fire Apparatus, Inc. for the Fire Department under the Fire Station Equipment project line time utilizing Urban County Program funds from Year 17 (2004).**

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

- G. Request for approval to amend the original 2002 HOME Community Housing Development Organization (CHDO) Exhibit "A" Performance Statement presented by Southern Rio Services (CHDO).**

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

**10. Budget Office – Valde Guerra: (SEE EXHIBIT L)**

**A. Information Technology:**

- 1. Approval to create obj. 748 & line item transfer - \$ 5,000.00**

**B. Health Department – TB Control:**

- 1. Approval to create obj. 113, 211, 212, 220, 230, 250 & 260 & line item transfer - \$ 14,000.00**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items A1 & B1.

**C. Interdepartmental transfers:**

- 1. Pct. #1 Adm./R & B - \$ 13,167.96**  
**2. B.O. Contingency/Autopsies - \$ 50,000.00**  
**3. B.O. Contingency/Human Resources - \$ 3,000.00**

**4. Paved & unpaved Insurance/County Wide Administration**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 1 thru 4.

**D. Intradepartmental transfers (line items):**

- 1. Health Department – Fund 1293 - \$ 4,775.08**
- 2. Health Department – Fund 1293 - \$ 20,237.00 (into salaries)**

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

**E. Authorization to ask electric retail provider to issue connect order as it pertains to US 83 Illumination Agreement**

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

**F. Authorization to allow the advertisement and hiring of the following positions:**

- 1. One (1) Internal Auditor – County Auditor’s Office**
- 2. Two (2) Maintenance II – Pct. #1 (Sanitation)**

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

**11. Right of Way – Godfrey Garza: (SEE EXHIBIT M)**

**A. Approval of Advance Funding Agreement with TxDot for Schunior Rd. Project (CSJ-2450-01-015)**

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

**B. Approval of Budget Amendment in the amount of \$22,950.20 (transfer out) from the 2002 Bond Series, and appropriate additional funds for drainage structure crossing @ SH 107 & FM 2128**

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

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

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

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

NO ACTION taken on this item.

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

**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.

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

**A. Request approval to extend the full-time temporary Office Clerk position for R & B until 12/31/04**

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

**B. Authorization to submit Economical Disadvantage Counties Program application for the reconstruction of Moore Road Bridge (CR 790) over Drainage Ditch STR#07-09-001**

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

**15. Delinquent Tax Attorneys – Cynthia G. Shammel: (SEE EXHIBIT Q)**

**A. Discussion and auction on private bid submitted by the Veterans of Foreign Wars Sgt. Benito Alaniz, VFW Post #7473 on Property described as:**

**Lots 3, 4, 5, 6 and 7, Employers Reinsurance Corporation’s North Elsa Subdivision Part #4, according to the map thereof recorded in Volume 7, Page 43, Map Records of Hidalgo County, Texas and carried on the tax roll as Lots 3, 4, 5, 6 & 7, Block 7, Elsa Original Townsite, Hidalgo County, Texas**

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

At this time the Court moved backed to item #7.

**16. Purchasing Department – Marty Salazar: (SEE EXHIBIT R)**

- 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>1071</u>	Other Information:	<u>9</u>
Physical Count:	<u>1060</u>	Males (in house)	<u>977</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>83</u>
Brook's	<u>0</u>	Federal Prisoners	<u>10</u>
Adj. /Sentenced to TDC	<u>164</u>	Total Paper Ready TDC	<u>128</u>

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

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

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

Nothing to report on items 2, 3, A, B, or 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 Palacios, the Court made a UNANIMOUS vote of approval.

**5. Presentation of a report on the auction held on October 30, 2004 by McAllen Auto Auction, contracted vendor for the disposition of surplus items for Hidalgo County and related agencies and/or programs.**

Presentation made by Martha Salazar.

**6. Requesting approval of a correction to the “initial term’s” expiration date from April 20, 2005 to December 31, 2004 as indicated in original specifications; with Valley Mail Services, LLP.**

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

**7. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provide in contract) with Upper Valley Mail Services, LLP with an effective date of Jan. 1, 2005 to December 31, 2005 .**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a

UNANIMOUS vote of approval.

8. **Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provide in contract) with Language Line Services.**

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

9. **Presentation of the response received in connection with “Loss Control Services-Hidalgo County” RFP for the purpose of selection and award:**

Presentation made by Martha Salazar.

10. **Requesting approval to finalize contract for “Loss Control Services-Hidalgo County” RFP with selected vendor; OR, in the alternative:**

NO ACTION taken on this item.

11. **Requesting authority to reject proposals received in response to Hidalgo County’s “Loss Control Services” RFP inasmuch as not all services are addressed; if approved,**

NO ACTION taken on this item.

12. **Requesting authority to re-advertise for “Loss Control Services-Hidalgo County” RFP with modified requirements and Scope of Services (as developed through recommendations and suggestions by present staff).**

NO ACTION taken on this item.

13. **Requesting authority to advertise and approval of specifications as drafted by project architect, Luis Figueroa, ROFDW (as attached hereto for) a) Asbestos Abatement and b.)Demolition Services projects of portions of the existing building on site of the former Hidalgo County Sheriff Office and Adult Detention Facility for the construction of a New Facility for Community Supervision and Corrections Department (Adult Probation Department )**

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

14. **Requesting authority to advertise a Request for Proposals for: “Indirect Costs Computations/Calculations”**

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

**15. Requesting authority to advertise a Request for Sealed Bids for: Landscaping with Maintenance of Hidalgo County Courthouse Grounds**

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

**16. Requesting authority to purchase computer equipment and peripherals from vendors on the State of Texas DIR GoDirect Program for the following;**

<b>Req</b>	<b>Department</b>	<b>Vendor</b>	<b>Amount</b>	<b>Account Number</b>
61083	Adult Probation	HP Direct	\$ 5,002.00	4-1297-423-00-320-002-5-745
61034	Auditor’s Office	CDW Government	\$18,415.39	4-1100-415-21-170-001-0-745
61031	I.T. Dept.	Dell Marketing	\$14,840.60	4-1100-415-00-200-001-0-745
60470	Health Dept.	HP Direct	\$ 1,427.10	4-1100-441-00-340-003-0-745
60470	Health Dept.	HP Direct	\$20,857.44	4-1100-441-00-340-001-0-745
60470	Health Dept.	HP Direct	\$14,233.46	4-1100-441-33-340-002-0-745
60864	370 <sup>th</sup> District Court	Dell Marketing	\$ 7,264.90	Pending Line Item Transfer

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

**B. HIDALGO COUNTY PRECINCT NO. 1-**

**1. Notification and ratification of extension of bid opening date (as authorized by Commissioner’s Court on January 13, 2004) in order to clarify the correct amount of mowers required by the Precinct.**

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

**2. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024 (a) (4) for professional engineering services with Rodriguez Engineering in connection with the “Various Pavement Improvement Projects” under Precinct Number One.**

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

**3. Requesting approval of a professional engineering services contract, subject to legal review, with Rodriguez Engineering in connection with the “Various Pavement Improvement Projects” under Precinct Number One.**

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

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

1. **Presentation for discussion, consideration and approval of a modification to the existing contract with Alcoser Garcia Associates Design Consultants for the renovations of the Administration Building to include architectural services for the completion of the atrium interior;**

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

2. **Presentation by project architect Alcoser Garcia Associates Design Consultants, for consideration, discussion and approval of the “Proposal(s)” as submitted by Centennial Contracting Enterprises, Inc., awarded JOC (job order contractor) through the County’s participation/membership with Texas County Purchasing Network’s Program (under the Region IV contract) for each renovation component(s) with authority and approval to issue necessary purchase order(s) for various projects including, but not limited to, the following:**

- a) **Administration Building (i.e. atrium interiors, roofs to include third floor concrete slab, repair & re-gasket of windows, fire suppression system, fire alarm system, etc.);**

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

**b) Hidalgo County Courthouse (Sally Port Project)**

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

- 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;**

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

3. **Presentation by project architect of preliminary information in connection with obtaining assessments on the escalator located in the tax office area and repair options for the single elevator located outside and across Commissioner’s Court meeting room area.**

NO ACTION taken on this item.

4. **Presentation for consideration, discussion, acceptance and approval of invoice No. 2 (corrected) in the amount of \$5,625.00 submitted by project architect, George A. Garcia, AGADC in connection with architectural services related to the renovations to the atrium roof authority for Auditor to issue payment;**

NO ACTION taken on this item.

- 5. **Presentation for consideration, discussion, acceptance and approval of Architect’s Certificate of Construction Completion submitted by George A. Garcia in connection with Atrium Roof Renovations rendered through the awarded general contractor, Mar Vel Construction**

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

**D. HIDALGO COUNTY HUMAN SERVICES-**

- 1. **Presentation for discussion, consideration, acceptance and award of the sole response received (meeting all of the requirements and/or specifications) from True Care Pharmacy for “On-Line Pharmacy Billing Services” RFP; and if approved,**

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

- 2. **Requesting approval of contract for “On-Line Pharmacy Billing Services” with True Care Pharmacy.**

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

**E. HIDALGO COUNTY INFORMATION DEPARTMENT –**

- 1. **Pursuant to Hidalgo County Cellular Telephone Policy, presentation for consideration, acceptance and approval of Cellular Phone Request Forms for the following elected officials(s), department head(s), program director(s) and employee(s):**

<b>Department Name:</b>	<b>Name of Employee(s)</b>	<b>Basic Rate Plan Per Month:</b>	<b>Total Minutes Plan</b>
<b>Buildings &amp; Grounds</b>	<b>Office Use</b>	<b>\$33.75</b>	<b>500</b>

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

**F. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 3–**

- 1. **Requesting approval of Change Order No. 3- (Net Decrease) in the amount of \$<2,500.80>in connection with: Contract # CAP-03-212-11-12- “Construction of Roads for Palm Lake Unit 2 and Alysonders Subdivision” awarded to S&G Paving Company. (Project Carried by Javier Hinojosa Engineering)**

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

**G. HIDALGO COUNTY SHERIFF'S DEPARTMENT –**

1. **Requesting authority to reject all bids received with approval to re-advertise project with modification of specifications for “Section I-Uniforms” project.**

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

2. **Requesting approval of final contract document for “Lease of Tower Space” with O.E. Investments, Inc.**
3. **Requesting approval of final contract document and authorization for County Auditor to issue payment through a manual check in the amount of \$4,300.00 for the months of September , October, November and December 2004 to O.E. Investments Inc., .**

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

4. **Requesting authority to exercise the additional one (1) year extension as provided in current contract for “Inmate Pay Telephone Services” under the same commission rates, terms and conditions with Evercom Systems Inc. effective 12/03/04.**

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

**H. HIDALGO COUNTY WIC PROGRAM-**

1. **Requesting approval of the sixty (60) days grace period (as provided in contract) with McKesson Medical Surgical for Medical Supplies so as not to have a lapse in services while completing the procurement process.**
2. **Requesting approval to advertise for Medical Supplies.**

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

**I. 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.

**17. County Judge's Office – Noe Cavazos:**

- A. **Approval of Resolution Recognizing and Designating Villa Verde II Subdivision as a Colonia within the boundaries of Hidalgo County, Texas**

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to go into Executive Session for items A, B & C.

**18. Closed Session: (SEE EXHIBIT S)**

**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-205-04-G; The State of Texas ex rel Noelia Gonzalez, Alex Gonzalez and Hector Valdez vs. Rene Guerra and County Commissioner Oscar Garza**

**19. 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 #C-205-04-G; The State of Texas ex rel Noelia Gonzalez, Alex Gonzalez and Hector Valdez vs. Rene Guerra and County Commissioner Oscar Garza**

NO ACTION taken on items A, B, C.

At this time the Court instructed Godfrey Garza to proceed as directed by the Court.

**20. Closed Session:**

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

**21. Open Session:**

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

**22. Adjourn**

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

**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, NOVEMBER 23, 2004, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

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

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

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
  - A. Information Technology**
  - B. Tax Office**
  - C. 13<sup>th</sup> Court of Appeals**
  - D. 370<sup>th</sup> District Court (2)**
  - E. Sheriff Department**
  - F. Health – Sanitation**
  - G. Health – Fund 1293**
  - H. Health – Adm.**
  - I. District Clerk**
  - J. Constable Pct. #5**
  - K. Civil Service**
  - L. Risk Management**
  - M. Planning Department**
  - N. 92<sup>nd</sup> District Court**
  - O. County Court #5**
  - P. WIC**
  - Q. Human Resources**
  - R. Pct. #1 – Landfill**
  - S. Pct. #1 – Parks**
  - T. Pct. #1 – Lateral Rd.**
  - U. Pct. #1 – Adm.**
  - V. Pct. #3 – Landfill**
  - W. Pct. #3 – Adm.**
  - X. Pct. #3 – R & B**
  - Y. Pct. #4 – Landfill**
  - Z. District Attorney – Gen. Fund**

**3. Planning Department: (SEE EXHIBIT C)**

**A. Approval of the following Certificates:**

- Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)
- Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)
- Certificates of Water Service Availability under Local Government Code Section (c)(2)

**4. Monthly Fee Reports – October: (SEE EXHIBIT D)**

- A. County Clerk - \$ 536,759.69
- B. District Clerk - \$ 257,614.49

**5. Tax Refunds: (SEE EXHIBIT E)**

Taxpayer	Payer	Amount
A. Brian & Candace White	Mortgage Service	\$2,928.49

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

- Sharyland Water Supply: Install a 1" waterline to be encased within a 2" pvc casing. Crossing to be located approximately 10660' north of the intersection of McColl Road and Monte Cristo Road.
- North Alamo Water Supply: Install a 2" waterline approximately 1/4 mile east of Tower Road on Canton Road - Bore - Maria Andrade
- North Alamo Water Supply: Install a 2" waterline at Heritage Subdivision Lot 4 Tract 283 (Mile 13 1/2 and Mile 6) - Dual Bore - X Road - Sylvia Gonzalez.
- North Alamo Water Supply: Install a 2" waterline on 1st County Road east of Mile 6 approximately 300' south of Mile 15 North - X Road - Jacinto Mendoza.
- North Alamo Water Supply: Install an 8" waterline approximately 2000' going east of Tower Road on Canton Road - Bore - Bally's
- Rio Delta Engineering and Surveying: Install a 12" sewer line placed on the 3' alignment of the south ROW line of Mile 10 North extending from Mile 15 1/2 west approximately 2250' west to the proposed alley.
- B.P. America: Install a 4" gas line beginning at a point 31 east of the west line of lot 16 block 24 Alamo Land and Sugar Co. Subdivision and 5' south of the drain ditch right of way. Thence heading in a south/southwesterly direction across Cesar Chavez Road 62' to a point on the west line of the Cesar Chavez Road ROW in lot 13 block 23 Alamo Land and Sugar Co. Subdivision.

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

**A. HIDALGO COUNTY –**

- 1. 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
61102	Adult Probation	HP Direct	\$1,510.00	4-1297-423-00-320-002-5-432
61006	Adult Probation	HP Direct	\$1,595.20	4-1100-413-00-110-006-0-748
61093	Adult Probation	HP Direct	\$4,572.00	4-1297-423-00-320-002-5-662
60886	CDW Government	CDW Government	\$1,840.00	4-1100-415-15-140-001-0-745

**B. HIDALGO COUNTY TAX OFFICE-**

- 1. Requesting authority to enter into a maintenance agreement with Argus for the monitoring of the Weslaco Sub-Station for a total amount of \$995.00

**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, NOVEMBER 23, 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 T)**

**1. Roll Call**

All Members of Board were counted present with the exception of Commissioner Flores and Commissioner Garza.

**2. Open Forum**

No presentations made under Open Forum.

**3. Approval of Consent Agenda**

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

**4. Approval of Resolution and Interlocal Agreement for membership with the Texas Association of Schools Cooperative (TASB Buyboard)**

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

**5. Approval to commence procedures on "Buy back" option from Holt Caterpillar for 1999 excavator serial #1YS1135**

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

**6. Approval to trade-in 1985 dozer, asset #16686**

NO ACTION taken on this item.

**7. Approval of 2005 Holidays**

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

**8. Purchasing Department:**

**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 award of bid (solicited through sealed quotes) and approval of contract(s) for: “Lubricants (Grease, Oil Hydraulic Fluids) and Anti-Freeze Products, to multiple vendors.**

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

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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, NOVEMBER 23, 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. Line item transfer - \$ 18,000.00**
- 3. Discharge Permits:**
  - A. City of Edinburg – Jackson Corner Subdivision**
  - B. City of Edinburg – Primarosa Estates Unit 2**
  - C. City of Pharr – Sam Houston Heights**
  - D. RHTJ Properties, Ltd. – Huisache Acres No. 3**
- 4. Utility Permit:**
  - A. City of Mission – Perezville Drain @ Inspiration Rd.**

*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 23<sup>rd</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 November 23, 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)