

SPECIAL MEETING – December 07 , 2004

BE IT REMEMBERED, that on this 07th day of December, 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 SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOSE FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

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

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

**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, DECEMBER 07, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Roll Call

All Members of the Court were counted present with the exception of Judge Garcia.

2. Pledge of Allegiance

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

3. Prayer

Teresa Navarro led the Court and Audience in Prayer.

4. Open Forum

No presentations made under Open Forum.

5. Approval of Consent Agenda

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

6. Head Start Program – Teresa Flores: (SEE EXHIBIT F)

A. Discussion/approval of Lease Agreement with San Martin de Porras Catholic Church of Alton, Texas for the Western Road Head Start Center located at the corner of Western Rd. & FM 2221

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

B. Discussion/approval of Form used to extend all Interlocal and Lease Agreements for those Contracts that contain a one (1) year extension option:

Alamo, Alton, Donna II, Donna III, Donna IV, Edcouch, Edinburg I, Edinburg II, Elsa, Granjeno, Hidalgo, La Herencia, La Joya, Las Milpas I, Las Milpas II, McAllen III, McAllen IV, McAllen V, McAllen VI, Mercedes I, Mercedes II, Mission I, Monte Alto, Palmview I, Palmview Annex, Penitas, Pharr, Progreso, San Juan, Weslaco II

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

C. Discussion/approval of Request for Exemption from Competitive Bidding Requirements under the Texas Local Government Code, Section 262.024 (a)(8)(d) for Food (bread) Purchases

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

D. Discussion/approval on Request to Participate in and enter the General Services Administration with HATCH Technology & Toys for the purchase of computers, software and classroom supplies

NO ACTION taken on this item.

E. Discussion/approval to purchase through the Certified Centralize Master Bidder List (CMBL) with National Education Systems, Inc. (Contract under the Texas Building and Procurement Commission, Procurement Services Division) for the Purchase of Classroom Supplies

NO ACTION taken on this item.

F. Discussion/approval to pay IRS penalty from county funds

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

G. Discussion/approval of Interlocal Cooperation Agreement (Sam Houston Elementary School located on the corner of Main Street and Jackson Avenue in McAllen, Texas) between Hidalgo County and the City of McAllen

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

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

A. Discussion, consideration and identification of source of funds and the allocation of same to acquire/purchase computer and related equipment/software for the Geographic Information Systems (GIS) Program

Presentation made by Teresa Navarro.

At this time Commissioner Flores steps out of the Court.

8. Health Department – Eddie Olivarez: (SEE EXHIBIT H)**A. Requesting authorization and approval to combine 340-002 Sanitation Budget with 340-001 Adm. Budget for Year 2005 and combine 340-003 Health Clinic with 340-004 Mobile Clinic**

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

9. Urban County – Diana Serna: (SEE EXHIBIT I)**A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with L&G Engineering Laboratory in connection with the City of Elsa for the testing of Year 16 streets in the amount of \$3,319.44.**

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

B. Approval of professional services engineering contract with L&G Engineering Laboratory with City of Elsa for the testing of Travis & Bowie Streets UCP Year 16 (2003).

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

C. HOME – Housing Rehabilitation Grant Program Cancellation of Contract.

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

10. Planning Department – Raul Sesin: (SEE EXHIBIT J)**A. Partial Release and Renewal of Letter of Credit:****1. Berny Estates Unit 1 Subdivision – Pct. #4 (Helen Bentsen, Developer)**

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

B. Reimbursement of Cash Deposit:**1. Replat of Lot 8 Saratoga Terrace Unit 1 – Pct. 4 (Arnulfo Gomez, Jr.)**

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

11. County Judge's Office – Mona Parras: (SEE EXHIBIT K)**A. Appointment of Board Member to the Hidalgo County Emergency Services District #4 Commission**

NO ACTION taken on this item.

12. Hidalgo County – Godfrey Garza: (SEE EXHIBIT L)**A. Approval of invoice #246329 in the amount of \$ 10,485.20 for TEDSI Infrastructure on FEMA Project, with authority for Auditor to pay by manual check (2001 Bond Series)**

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

B. Approval of invoices for S & B Infrastructure, LTD for Raymondville Drain Outfall System: #U9444.101-22 - \$ 34,849.04 & #U9444.101-23 - \$ 26,462.77 – General Contract Management #U9444.201-07 - \$ 13,395.55 & #U9444.201-08 - \$ 17,705.97 – Environmental

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

C. Approval for Auditor to pay S & B Infrastructure, LTD by manual check upon review and audit

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

D. Approval to interview and hire Landman (Right of Way) as authorized by Court on 10/26/04

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

E. Approval of Interlocal Cooperation Agreement between Hidalgo County Drainage District and Hidalgo County

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

13. Pct. #1 – Comm. Handy: (SEE EXHIBIT M)**A. Request approval of payment for S & G Paving(CAP Project), Application #3 - \$ 30,397.50 including retainage \$ 50,119.85 contracted to S & G Paving Group I #04-001-01-07**

NO ACTION taken on this item.

B. Request authorization for Auditor to issue manual check upon Auditor's Review

NO ACTION taken on this item.

C. Request approval of payment for S & G Paving(CAP Project), Application #4 - \$ 12,474.00 & Application #5 - \$ 84,341.13 (retainage) contracted to S & G Paving Group III #04-003-01-07**D. Request authorization for Auditor to issue manual check upon Auditor's Review**

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

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

A. Amendment to Interlocal Agreement between the City of San Juan, City of Pharr and the County of Hidalgo, Texas

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

15. Human Services – Rudy De La Viña: (SEE EXHIBIT O)

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 items 1 & 2.

16. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT P)

- A. Status of old jail building**
- B. Maintenance of county grounds**
- C. Status of renovation of administration building**

NO ACTION taken on item A, B, & C.

At this time Commissioner Flores returns to the Court.

17. 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:	<u>1024</u>	Other Information:	<u>10</u>
Physical Count:	<u>1011</u>	Males (in house)	<u>930</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>81</u>
Brook’s		Federal Prisoners	<u>9</u>
Adj. /Sentenced to TDC	<u>149</u>	Total Paper Ready TDC	<u>103</u>

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

At this time Commissioner Garza steps out of the Court.

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 Claims/Invoices with authority for Auditor to issue payment for the items detailed in: "Exhibit A" attached hereto.**

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

At this time Commissioner Garza returns to the Court.

5. **Presentation by Mr. Steve Fisher from TASB "Buy Board" of the Job Order Contracting (JOC) Program's awarded vendor- JAMAIL (General Contractor/Construction Managers), a resource for Hidalgo County's additions, renovation(s), repair(s) or construction related projects**

Presentation made by Mr. Steve Fisher.

6. **Presentation and acceptance of roster (as listed on the RFQ Acceptance Sheet attached hereto) of "Architectural Services" Pool of pre-qualified firms submitting Statements of Qualifications for ranking on an "as needed" basis per project by all County departments requiring said services as set forth in the requirements stated in the County's departments Request for Qualifications packet.**

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

7. **Presentation for discussion, consideration and action on bids received for the purposes of award for "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti- Freeze Products" with the following options:**
 - a) **Recommending award of bid and approval of contract for "Lubricants (Grease , Oil Hydraulic Fluids) and Anti-Freeze Products" to the overall lowest bidder meeting all requirements and specifications;**

NO ACTION taken on this item.

- b) **Recommending award of bid and approval of contract(s) for “Lubricants (Grease, Oil Hydraulic Fluids) and Anti-Freeze Products” to the lowest bidders’ for each item meeting all requirements and specifications. Note: Hollon Oil – (83 items); Arnold Oil (1 item)**

NO ACTION taken on this item.

- 8. **Recommending award of bid and approval of contract(s) to lowest multiple bidders meeting all requirements and specifications for “Hidalgo County –Type D Hot Mix Asphalt-Gravel & Lime stone”**

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

- 9. **Recommending award of bid and approval of contract to lowest bidder meeting all requirements and specifications for “Hidalgo County –Hot Mix Cold Laid”.**

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

- 10. **Recommending and requesting authority to purchase items terminated (by CC 11-16-05) from Made- Rite through, TASB Buy board’s multiple vendors, effective 01-16-05 through April of 2005 so as to include all 70+ janitorial products in one project for advertising.**

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

- 11. **Presentation for discussion, consideration, acceptance and approval of a “Letter of Engagement” with Harrison, Bettis, Staff, McFarland & Weems, L.L.P. (previously evaluated, ranked and selected through a request for qualification) in connection with the possible litigation against Texas Association of Counties (TAC).**

NO ACTION taken on this item.

At this time Commissioner Garza steps out of the Court.

- 12. **Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures are completed) in the amount of \$124.58 to CACC-Carolyn Arnold Communications CONSULTANT (see attached):**

SWBT Account 956-318-2000

MCI- Adjustment for calls related that should have been billed through SBC but did not due to SBC Network Error.

Note: Adjustments are for charges on June 04, bill that SBC didn’t previously re-rate

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

B. HIDALGO COUNTY PRECINCT NO. 1-

1. **Requesting authority to exercise the additional one (1) year extension as provided in current contract for “Hauling Services” under the same terms and conditions with Universal Truckers, Inc effective 01/01/05 thru 12/31/05.**

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

2. **Requesting authority to exercise the additional one (1) year extension as provided in current contract for “Landfill Access” under the same terms and conditions with BFI Waste Systems of North America, Inc., Inc effective 01/01/05 thru 12/31/05.**

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

3. **Recommending bid award to the lowest qualified (Anderson Equipment Co.) meeting all requirements for “One (1) 2004 or Newer Smooth Drum Vibratory Compactor” project;**

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

4. **Recommending bid award to the lowest bidder (Seiver Implement Co.) meeting all specifications for “Two (2) 2004 or Newer Tractors with Cab” project.**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for consideration, discussion and award of solicited quote(s) for Six-Thirty Cubic Yard Containers” in the amount of \$ 20,600.00 , but in no event to exceed the statutory bid limit of \$ 25,000.00.**

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

2. **Pursuant to original award of bid by (Commissioner’s Court on 09-07-04-) to Abel Cisneros, dba, Connect Infrastructures & Dev. For Pct 2, “To Supply Equipment and Labor for the Installation of Storm Sewer (inlets, Manholes) on an “As Needed Basis”, commencing with South I Rd Project requiring approval of the next contract on an “As Needed Basis”- San Juan Park Project with Abel Cisneros dba Connect Infrastructure & Dev.**

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

At this time Commissioner Garza returns to the Court.

D. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024(a) (4) for professional engineering/consulting services with L&G Engineering in connection with the “GASB-34 Road Survey Projects” in Precinct Number Three.**

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

- 2. Requesting approval of a professional engineering/consulting services contract subject to legal review, with L&G Engineering in connection with the “GASB-34 Road Survey Projects” in Precinct Number Three.**

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

E. HIDALGO COUNTY ADULT PROBATION PROJECT –

- 1. Presentation by Mr. Luis Figueroa, AIA ROFDW (project architect for design and construction of New Adult Probation Department Facility on site of the former Hidalgo County Sheriff’s Dept. and Jail on HWY. 281 in Edinburg) for discussion, consideration, direction and approval of design and construction elements not as yet determined or confirmed including, but not limited to the following:**
 - a) Parking for Adult Probation;**
 - b) Contribution through the Hidalgos County Drainage District No. 1 on increasing available parking area from the drain ditch located on the southern border of property;**
 - c) Recommended areas for demolition in order to accommodate the square footage necessary to construct the 38,000 sq. ft. facility;**
 - d) Time lines for all aspects and components of the overall project;**

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

F. HIDALGO COUNTY BUILDINGS & GROUNDS –

- 1. Presentation for consideration, discussion, acceptance and approval of recommended modifications including, but not limited to, specifications, requirements, terms, conditions and insurance requirements, (if necessary) for: Elevator Repairs and Maintenance Service Project which is being extended through CC approval on 11-30-01 (with re-advertisements on 12-04-04 & 12-11-04) to December 22, 2004**

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

At this time Commissioner Flores steps out of the Court.

2. **Presentation for discussion, consideration acceptance and approval of final proposals from Centennial Contracting Enterprises, Inc awarded AJOC (area job order contractor) through the County's participation/membership with Texas County Purchasing Network's Program (under the Region IV contract) and approval of the contract document(s) between Centennial Contracting Enterprises, Inc. and Hidalgo County for each renovation component(s) with authority 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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

b) Hidalgo County Courthouse (Sally Port Project);

NO ACTION taken on this item.

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 elevation located outside and across Commissioner's Court meeting room area.**

NO ACTION taken on this item.

4. **Presentation for discussion acceptance and approval of final proposal document from Centennial Contracting Enterprises, Inc., (Awarded AJOC (area job order contractor) through the County's participation/members with Texas County Purchasing Network's Program (under the Region IV Contract) between Centennial Contracting Enterprises, Inc. for the provision of project managerial services, inspections, field supervision, labor, materials, for the re-roofing of entire building, two new canopies, new fascia , new soffits and painting of exterior (with a metal galvalume standing seam roof system) in conjunction with the Rainwater Harvesting Project for the Hidalgo County Agriculture Extension Building located at 410 N. 13th Street, Edinburg, Texas with authority to issue purchase order in an amount not to exceed \$71,662.38.**

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

5. **Presentation for discussion, consideration, of a recommendation through project architect, AGADC, to proceed to engage Robert Saenz, Registered Accessibility Specialist (RAS) through the State of Texas' Dept. of Licensing & Regulations) to perform/conduct a post construction inspection of the 275th & 370th . State District Courts in order to comply with Texas Accessibility Standards in an amount not to exceed \$600.00.**

NO ACTION taken on this item.

G. HIDALGO COUNTY HEALTH DEPT. & BUILDING & GROUNDS DEPT.-

- 1. Presentation for discussion, consideration acceptance and approval of final proposal from Centennial Contracting Enterprises, Inc., (area job order contractor) through the County’s participation/membership with Texas County Purchasing Network’s Program (under the Region IV contract) between Centennial Contracting Enterprises, Inc. for the provision of project managerial services, inspections, field supervision, labor, materials, for the demolition and re-installation of a 35,454 square foot roof replacement of the Hidalgo County Health Department (administration building located on frontage road on Hwy.281 by pass in Edinburg) with authority to issue necessary purchase order in an amount not to exceed \$163,899.70.**

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

H. HIDALGO COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPT -

- 1. Requesting authority to correct initial one (1) year term of contract which erroneously reads as a two (2) years and authority to exercise the additional one (1) year extension as provided in current lease for “Lese of Office Space-City of McAllen “ under the same terms and conditions with Hanshaw Trust effective 01-01-05 thru 12-03-05.**

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

I. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Requesting authority to purchase computer equipment peripherals from a CISV vendors, Zones, Inc., through TBPC Catalogue Purchasing Program for Req #61122 in the total amount of \$10,751.32.**

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

J. HIDALGO COUNTY SHERIFF’S DEPARTMENT –

- 1. Requesting approval of an additional amendment to contract document for “lease of Tower Space” with O.E. Investments, Inc. and as previously approved and amended by CC at meetings of 11/23/04 and 11/30/04 respectively.**

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

K. HIDALGO COUNTY TAX OFFICE –

- 1. Requesting authority to purchase computer equipment and peripherals from CDW Government, a vendor on the State of Texas DIR GoDirect Program for Req #61555 in the total amount of \$10,116.03**

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

At this time Commissioner Flores returns to the Court.

L. HIDALGO COUNTY 370TH DISTRICT COURT –

- 1. Requesting authority to purchase computer equipment and peripherals from Dell Marketing a vendor on Texas DIR GoDirect Program for Req #61577 in the total amount of \$5,249.10**
- 2. Requesting authority to purchase telecommunication equipment from a CISV vendor Trillion, through TBPC CISV Catalogue Purchasing Program for Req #61575 in the total amount of \$13,555.47**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a Vote of approval on items 1 & 2.

Commissioner Garza – Abstain.

At this time the Court moved to item # M-2.

M. HIDALGO COUNTY JUVENILE JUSTICE CENTER –

- 1. Pursuant to discussions on CC of 11-20-04, a report by project architect, V-a Architecture in connection with the design and construction of a new Juvenile Justice Center Complex for Hidalgo County including any necessary action and/or approvals, but not limited to, on the following:**
 - a) Presentation of facility data, i.e., square footage for detention and administration sections, floor plans, etc.;**
 - b) Status of plans, specifications and/or construction documents with anticipated date for presentation to Commissioners Court for approval prior to publication of Sealed Bid Advertisement;**
 - c) Anticipated or projected time lines;**

Presentation made on items a, b & c.

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

- 2. Presentation for discussion, consideration and acceptance and approval of Request for Payment No. Nine (9) submitted by project architect, V-a Architecture in the amount of \$ 30,045.42 in connection with architectural services rendered for the design and construction of Juvenile Justice Center for Hidalgo County with authority for Auditor Office to issue payment;**

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

N. HIDALGO COUNTY I.T. DEPARTMENT-

- 1. Pursuant to Texas Local Government Code Section 263.152. (a) (2), requesting authority and approval to surplus for the purpose of trade-in, 27 Cisco Phones.**

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

O. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. **Presentation for discussion, consideration and action on a request to purchase computer equipment, hardware, software, and peripherals from ESRI and Dell Marketing, vendors on Texas DIR GoDirect program in the total amount of \$18,369.74, subject to Commissioners' Court approval of funding source.**

NO ACTION taken on this item.

P. 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.

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

- A. Approval to increase mileage rate from 37.5 to 40.5 cents a mile and set rate for 2005 year**

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

- B. Approval of transfer of General Fund lapsed salaries and fringes from various departments to the General Fund Contingency Acct. and the Public Defense Legal Services Acct.**

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

- C. Approval to allocate 2004 C.O. Funds for Buildings and Grounds among the various approved projects**

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

D. Courthouse Security:

1. **Discussion, consideration and action of regular license plates to be used on exempt vehicle**

NO ACTION taken on this item.

E. Pct. #3:

1. **Approval to increase auto allowance pay for slot #43 to \$5,400.00**

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

- F. Planning Department – Approval to create obj. 679 & line item transfer - \$ 18.55**
- G. Historical Commission – Approval to create obj. 661 & 606 & line item transfers - \$ 579.50**
- H. Pct. #1 GED Program – Approval to create obj. 602 & line item transfer - \$ 800.00**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items F, G & H.

I. Risk Management/Workers' Comp.:

- 1. Approval of reimbursement to the Hidalgo County's Workers Compensation claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$53,852.65 for the period ending November 16-30, 2004**

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

2. Discussion, consideration and action on Confirmation of Comp-Time

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

J. Intradepartmental transfers:

- 1. 398th District Court**
- 2. Health – TB Elimination**
- 3. WIC**
- 4. Pct. #4 – CAP**

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

K. Approval of Official Bond – 2005:

- 1. Guadalupe “Lupe” Treviño**

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

L. Discussion, consideration and action on Interlocal Cooperation Agreements between Hidalgo County Library System Members and the Cities of: Alamo, Donna, Edinburg (2), Elsa, Hidalgo, La Joya, McAllen, Mercedes, Mission, Pharr, San Juan, Weslaco

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

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on the 2nd agreement with the City of Edinburg.

M. WIC:**1. Discussion, consideration and action on recognition of WIC Employees as County Employees**

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

At this time the Court moved back to item #M-1.

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

19. 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. Pending and/or potential claim; Robert Garate vs. Hidalgo County Head Start Program****E. Cause #CL-04-2424-D; Horacio Garcia vs. Enrique "Henry" Escalon and the Hidalgo County Sheriff's Department in County Court at Law #4 Hidalgo County, Texas****F. Pending and/or potential litigation; Olga Alicia Avila vs. Hidalgo County****20. Open Session:****A. Real Estate Acquisition**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to settle on parcel #126 Adan Salinas etal for the amount of \$7,000.00

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to direct Steve Crain to draw up a contract on the landfill.

B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project

NO ACTION taken on this item.

C. Pending and/or potential litigation

NO ACTION taken on this item.

D. Pending and/or potential claim; Robert Garate vs. Hidalgo County Head Start Program

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to authorized Steve Crain to proceed as directed.

E. Cause #CL-04-2424-D; Horacio Garcia vs. Enrique “Henry” Escalon and the Hidalgo County Sheriff’s Department in County Court at Law #4 Hidalgo County, Texas

NO ACTION taken on this item.

F. Pending and/or potential litigation; Olga Alicia Avila vs. Hidalgo County

NO ACTION taken on this item.

21. Closed Session:

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

22. Open Session:

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

23. Adjourn

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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, DECEMBER 07, 2004, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

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

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
 - A. 92nd District Court**
 - B. 93rd District Court**
 - C. 275th District Court**
 - D. 370th District Court (3)**
 - E. 389th District Court**
 - F. County Court #2**
 - G. J.P. Pct. #3, Pl. 1**
 - H. Courthouse Parking Lot**
 - I. Elections Department**
 - N. Pct. #1 – Sanitation**
 - O. Pct. #3 – Sanitation**
 - P. Pct. #4 – Sanitation (2)**
 - Q. Indigent Defense (2)**
 - R. County Clerk**
 - S. Buildings & Grounds**
 - T. Minor Structures**
 - U. Tax Office**
 - V. Adult Probation**
 - W. County Jail**
 - X. Constable Pct. #5**
 - Y. Sheriff Department**
 - Z. Pct. #1 – Adm**
 - AA. Pct. #1 – R & B**
 - BB. Pct. #3 – Adm.**
 - CC. Pct. #3 – R & B**
 - DD. Pct. #4 – Adm.**
 - EE. Pct. #4 – R & B**
 - FF. Pct. #1 – Parks**

- GG. WIC (2)**
- HH. District Clerk**
- II. Human Resources**
- JJ. Purchasing Department**

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. Rincon Petroleum Corp. – Sharp Rd. & south side of Mile 220 Rd.

B. Valley Telephone Co-op – Old Puerto Rico Rd.

C. Southwestern Bell –

- **Mile 2 West south of Mile 10 North**
- **Val Verde Rd. north of Mile 19 ½ Rd.**

5. Purchasing Department: (SEE EXHIBIT E)

A. HIDALGO COUNTY –

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

<u>Req</u>	<u>Department</u>	<u>Vendor</u>	<u>Amount</u>	<u>Account Number</u>
61523	District Attorney	Xerox Corporation	\$1,820.00	4-1100-412-00-080-002-0-743
61505	Adult Probation	CDW-G	\$ 802.80	4-1297-423-00-320-002-5-747
61494	Purchasing	PC Mall	\$1,494.49	4-1100-415-18-160-001-0-745

2. Requesting authority to purchase computer equipment and peripherals from a vendor on State of Texas DIR GoDirect Program, Dell Marketing, for the following;

<u>Req</u>	<u>Department</u>	<u>Amount</u>	<u>Account Number</u>
60940	93 rd District	\$1,382.68	4-1100-412-00-002-001-0-745
61587	92 nd District	\$2,905.96	pending line item transfer
61581	370 th District	\$602.00	pending line item transfer

**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, DECEMBER 07, 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 the Board were counted present with the exception of Judge Garcia.

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 to advertise for new dozer, surplus and trade-in, 1985 Fiat-Allis crawler w/dozer, asset #016686

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

5. Approval of Interlocal Cooperation Agreement between Hidalgo County Drainage District and Hidalgo County

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

6. Update on Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 9,203.16 for the period ending November 16-30, 2004

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

7. Purchasing Department – Marty Salazar:

NOTES: FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY DRAINAGE DISTRICT –CONTRACT’S MANAGER

- A. Recommending approval to reject sole bid received and authority to re-advertise for: “Hidalgo County Drainage District No. 1- H.C.I.D. No.2 – Irrigation Adjustments”, due to low participation and budget cost.**

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

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

8. 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**

9. Open Session:

- A. Real Estate Acquisition**

10. Closed Session:

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

11. Open Session:

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

12. Adjourn

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to adjourn today’s meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, DECEMBER 07, 2004 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

DRAINAGE DISTRICT

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Approval of line item transfer - \$ 8,200.00**
- 3. Approval of line item transfer - \$ 7,000.00**

**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, DECEMBER 07, 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:

ADDENDUM

1. Closed Session: (SEE EXHIBIT S)

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following:

A. Cause #C-2069-04-H; Jesus Reyes Jr. et.al vs. City of Mission and County of Hidalgo

2. Open Session:

A. Cause #C-2069-04-H; Jesus Reyes Jr. et.al vs. City of Mission and County of Hidalgo

NO ACTION taken on this item.

3. Closed Session:

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

4. Open Session:

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

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 07th day of December, 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 December 07, 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)