

SPECIAL MEETING – December 14th, 2004

BE IT REMEMBERED, that on this 14th 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 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, DECEMBER 14, 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 Garza and Commissioner Flores.

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

Renan Ramirez – Addressing the article on the Dec. 10, 2004 Issue of the Monitor concerning the County website attacks.

5. Approval of Consent Agenda

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

6. County Clerk – J.D. Salinas, III: (SEE EXHIBIT G)

A. Approval of Officials' Bonds:

- 1. Robert M. Contreras – J.P. Pct. #2, Pl. 1**
- 2. Luis J. Garza – J.P. Pct. #3, Pl. 1**

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

7. Presentation and discussion by First National Bank on landscaping and maintenance of the Edinburg Town Square for the next 12-18 months – Saul Ortega, CFO (SEE EXHIBIT H)

Presentation made by Saul Ortega.

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

A. Discussion/approval to purchase computers, software & classroom supplies with HATCH Technology & Toys through General Services Administration (GSA) for the amount of \$ 72,000.00

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

B. Requesting exemption from competitive bidding requirements under the Texas Local Government Code Section 262.024 (a)(7)(B) for the purchases of Educational Books

NO ACTION taken on this item.

C. Requesting authority to purchase from National Education Systems, Inc., Educational Books for the amount of \$ 120,014.72

NO ACTION taken on this item.

D. Discussion/approval of Application for One-Time Funding for the purpose of institutionalizing fatherhood involvement in Head Start

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

9. Hidalgo County – Godfrey Garza: (SEE EXHIBIT J)

A. Approval of TxDOT “Right of Way Acquisition Statement” CSJ: 0921-02-102, Project C 921-02 -102, (North “I” Rd. from ¼ Mile N. Nolana Loop to SH 495)

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

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

A. Preliminary Approval:

- 1. Pecan Village Phase I Subdivision – Pct. 4 (Jack Rabe)**
- 2. Cotton Estates Central Subdivision – Pct. 1 (William Nelson)**
- 3. Moreno Subdivision Phase 2 – Pct. 4 (Esperanza Moreno)**

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

B. Final Approval:

1. **Silke Village Subdivision – Pct. 4 (Laura Coffman)**
2. **Raul Gonzalez Subdivision – Pct. 4 (Raul Gonzalez)**

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

C. Final Approval with a Cash Deposit:

1. **El Portal Subdivision – Pct. 1 (Benito Carillo)**

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

D. Reimbursement of a Cash Deposit:

1. **Cardinal Meadows Subdivision – Pct. 3 (Laura Coffman)**

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

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

- A. **The Hidalgo County Precinct No. 3 is requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional services with L&G Engineering Laboratory in connection with all FY 16 and 17 (2003 & 2004) projects.**

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

- B. **Requesting approval for professional service agreement with L&G Engineering Laboratory in connection with all Precinct # 3 Street Improvement projects Yr. 16 & 17 (2003, 2004) in the amount of \$10,697.22 for Phase I.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, 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 professional engineering services with J.E. Saenz & Associates in connection with Hidalgo County Precinct # 4 for the design of Water/Sewer Improvements Project at Colonia Big 5, located within the boundaries of Pct. # 4.**

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

- D. Precinct #4 is requesting approval of a professional service contract with J.E. Saenz & Associates in the amount of \$38,800.00 utilizing Years 15 & 16 (2002 & 2003) funding for the design and construction over sight of a Water/Sewer Improvement Project for Colonia Big 5, located within the boundaries of Pct. # 4.**

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

- E. City of Sullivan City if requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional services with S&B Infrastructure, LTD in connection with all FY 17 (2004) projects.**

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

- F. Requesting approval for professional service agreement with S&B Infrastructure, LTD in connection with City of Sullivan City improvement projects Yr. 17 (2004) in the amount of \$44,600.00.**

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

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

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

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

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

NO ACTION taken on items 1 & 2.

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

- A. Status of old jail building**

Presentation made by Martha Salazar and Daniel Flores.

- B. Maintenance of county grounds**

NO ACTION taken on this item.

- C. Status of renovation of administration building**

NO ACTION taken on this item.

14. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT O)**A. Approval of reclassification of job titles**

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

B. Appointment of board member to the Tropical Texas Center MHMR Board

NO ACTION taken on this item.

15. Pct. #1 – Comm. Handy: (SEE EXHIBIT P)**A. Request approval of payment for Sascon Inc. (CAP Project): Application #4 - \$ 8,456.41 & Application #5 - \$ 50,112.34 (retainage) contracted to Sascon, Inc. #03-155-08-05**

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

B. Request authorization for Auditor to issue manual check upon review

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

C. Request approval of Advance Funding Agreement with TxDOT for Off-System Bridge Replacement Project (CSJ-0921-02-931), CR 684 (Mi. 4 North Rd.)

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

D. Request authorization to submit Application to the States Economically Disadvantage County Program for Local Match reduction on (CSJ-0921-02-931) (CR 684, Mile 4 North Rd.) with TxDOT

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

E. Request authorization to advertise for construction bids under CIP for Monte Alto Street Improvement Project

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

F. Request approval of payment to S&G Paving (CAP Project):

1. Application #3 - \$ 23,197.50

2. Application #4 – Final Application for Payment (Release of Retainage) - \$ 49,319.85 contracted to S&G Paving Group I #04-001-01-07

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

G. Request authorization for Auditor to issue manual check upon review

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

At this time Judge Garcia acknowledged the presence of Judge Joe B. Evins to the Court and Audience.

16. Pct. #2 – Comm. Palacios: (SEE EXHIBIT Q)

A. Discussion and possible action to approve Change Order for Colonia Access Program: Arco Iris, Las Palmas & Primavera Subdivisions to convert asphalt driveways to concrete driveways

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

B. Discussion and possible action regarding an extension of the contract time period pending final determination of days associated with possible liquidated damages

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

C. Authorization for surveys, title report, appraisals and possible acquisition of property for Community Resource Center Area located between Alamo and Tower Rd. south of El Gato Rd.

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

17. Pct. #3 – Comm. Flores: (SEE EXHIBIT R)

A. Discussion, consideration and action on the Texas Department of Transportation request for written confirmation regarding the Biennial inspection of the Off-System Bridges in Hidalgo County

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

18. Purchasing Department – Marty Salazar: (SEE EXHIBIT S)

- 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>1038</u>	Other Information:	<u>9</u>
Physical Count:	<u>1027</u>	Males (in house)	<u>955</u>
Out of County: La Villa	<u> </u>	Females (in house)	<u>72</u>
Brook’s	<u> </u>	Federal Prisoners	<u>8</u>
Adj. /Sentenced to TDC	<u>161</u>	Total Paper Ready TDC	<u>120</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 & 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 Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

5. Requesting authority to advertise and approval of draft specifications as attached hereto for “Striping of County Roads” project.

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

6. 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;**

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

- 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.

7. Requesting authority to advertise and approval of draft specifications for: New Tires and Tire Related Services”.

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

8. Presentation by A.B.Flores Consultants, Inc. of evaluation grid with recommendations of firms submitting Proposals in response to County’s “Group Health Insurance- Hidalgo County “RFP, for the purposes of ranking by Commissioners’ Court under both Fully-Insured and/or Self Insured plan options.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on ranking Humana as #1 and VHP as #2 under fully funded.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on ranking HAS as #1, Mutual of Omaha as #2, Health First as #3, FA&A as #4, EBA as #5, Harrington as #6, Benefit Plan as #7 and TAC as #8 under self funded.

9. Authority to direct Purchasing/Legal Counsel/Consultants to negotiate best and final offers with contract(s) for consideration by Commissioners’ Court for possible award, of “Group Health Insurance-Hidalgo County’ with Number One ranked firms under the final plan option selected Commissioners’ Court .

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

10. Presentation for discussion, consideration, acceptance and approval of a “Letter of Engagement “ with Harrison, Bettis, Staff, McFarland & Weems, L.L.P. in connection with the possible litigation against Texas Association of Counties (TAC).

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

11. Pursuant to discussions and information provided for Commissioners Court at Workshop of December 7, 2004 (workshop agenda attached hereto) in connection with the presentation for consideration, discussion and approval to terminate “post tax” deductions for AFLAC (for Disability Insurance/ Coverage) currently processed through Hidalgo County Payroll Dept. with notice to those employees affected of a deadline of January 31, 2005.

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 1-

- 1. Requesting exemption from competitive bidding requirements for professional services/water quality monitoring (as mandated by the Texas Commission on Environmental Quality) for Delta Lake Waste Water Treatment Plant Operations.**

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

- 2. Approval of contract for professional services with Mr. Agustin Gomez, licensed wastewater treatment plant operator in an amount not to exceed \$ 7,800.00.**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024(a) (4) for professional engineering services in connection with the "GASB-34 Road Survey Projects" under Precinct Number Two with the firm of Turner, Collie & Brayton.**

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

- 2. Requesting approval of professional engineering services contract with the firm of Turner, Collie & Brayton, subject to legal review, in connection with the "GASB-34 Road Survey Projects" under Precinct Number Two.**

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

D. HIDALGO COUNTY CONSTABLE PRECINCT NO. 3-

- 1. Presentation for consideration, discussion and acceptance of the best and final offer(BAFO) received from Presidio Behavioral Health Services, Inc., in response to the RFP for "Motivational Speakers" for Hidalgo County Constable Precinct No. 3 – Project STOP.**

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

- 2. Requesting approval of contract for "Motivational Speakers" for Hidalgo County Constable Precinct No. 3 Project STOP to Presidio Behavioral Health Services, Inc., subject to legal review.**

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

E. HIDALGO COUNTY BUILDINGS & GROUNDS –

1. Pursuant to Article 3.1 –“Additional Services” of the current agreement between Hidalgo County and Alcoser Garcia Associates Design Consulting for: “Improvements to County Courthouse Building and to Administration Building,...”, presentation for discussion, consideration, and approval for project architect to proceed to engage the services of a Registered Accessibility Specialist (RAS)- (through the State of Texas’ Dept. of Licensing & Regulations List of registered accessibility specialists) to perform/conduct a post construction inspection of the 275th & 370th State District Courts in order to comply with Texas Accessibility Standards including the payment of the applicable inspection filing fees and authority for County Auditor to issue a manual check, if necessary;

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

2. Pursuant to Article 1.3.3.1-“Additional Services” of the current agreement between Hidalgo County and Alcoser Garcia Associates Design Consulting for: “Renovations to Existing Facilities, Hidalgo County Pct. # 1 Multipurpose Center-1902 Joe Stephens Drive, Weslaco, Texas”, presentation for discussion, consideration, and approval for project architect to proceed to engage the services of a Registered Accessibility Specialist (RAS)- (through the State of Texas’ Dept. of Licensing & Regulations List of registered accessibility specialist) to perform/conduct a post construction inspection of the Pct. # 1 Multipurpose Center Facility in order to comply with Texas Accessibility Standards including the possible payments of administrative penalties and inspection filing fees, with authority for County Auditor to issue a manual check, if necessary;

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

F. HIDALGO COUNTY JUDGE’S OFFICE –

1. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures are completed) in the amount of \$8.91 to CACC-Carolyn Arnold Communications CONSULTANT (see attached):

SWBT Account 956-318-2000

Today’s Resources adjustment on authorized billing of 800 Service to 956-318-2128 @ \$4.95 per month. Total amount billed was \$44.55 from January through August 2004. Credit of \$ 14.85 posted to August 2004 bill, leaving credit due of \$29.70. (See check # 22584 enclosed)

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

G. HIDALGO COUNTY TAX OFFICE –

- 1. Presentation of evaluation and scoring of firms submitting Proposals in response to “Tax Office Imaging of Handicap File Records” RFP, for the purpose of ranking by Commissioners’ Court.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to rank Quality Date as #1, Apex as #2, DocuDate as #3 and Tech Scan as #4.

- 2. Authority to direct Purchasing/Legal Counsel to negotiate a final contract for consideration by Commissioner’s Court for possible award, for “Tax Office- Imaging of Handicap File Records” with number one ranked firm.**

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

H. HIDALGO COUNTY 139TH DISTRICT COURT –

- 1. Requesting authority to purchase surveillance equipment from a CISV vendor C&R Technologies through TBPC Catalogue Purchasing Program for Req #61796 in the total amount of \$20,173.61**

I. HIDALGO COUNTY 398th DISTRICT COURT –

- 1. Requesting authority to purchase computer equipment from a CISV vendor, C&R Technologies through TBPC catalogue Purchasing Program for Req # 61833 in the total amount of \$9,328.97.**

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

J. HIDALGO COUNTY ELECTIONS DEPARMENTS –

- 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.**

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

K. HIDALGO COUNTY –

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

NO ACTION taken on this item.

19. Budget Office – Valde Guerra: (SEE EXHIBIT T)**A. Authorization to allow the advertisement and hiring of the following position(s):****1. One (1) Truancy Case Manager – J.P. Pct. #4, Pl. 2 (Judge Palacios)**

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

B. Approval to create object #s and approval of intradepartmental transfers for the following:

- 1. Constable Pct. #4 – obj. 661 - \$ 200.00**
- 2. County Court #5 – obj. 432 - \$ 350.00**
- 3. Juvenile Justice Court – obj. 630 & 534 - \$ 153.31**
- 4. Pct. #1 CIP – obj. 540 - \$ 1500.00**
- 5. 398th D.C. – obj. 748 - \$ 999.00**
- 6. Master Court #1 – obj. 810 - \$ 75.00**
- 7. Parking Lot – obj. 890 – 25.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 1 thru 7.

C. Intradepartmental transfers:

- 1. Pct. #1 – CAP - \$ 9,106.11**
- 2. Pct. #2 – CIP - \$ 2,044.00**
- 3. Pct. #3 – CAP – \$ 150.00**
- 3. Buildings & Grounds - \$ 61,545.00**
- 4. 139th District Court - \$ 700.00**

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

D. WIC:**1. Approval to amend BF Peer Counselor budget to reflect grant award of \$ 250,000.00**

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

2. Approval to create two (2) new positions and set salaries

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on the amount of \$17,742.00 for the salaries

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

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on the amount of \$17,472.00 for the salaries

3. Approval of salary schedule reflecting 5% increase effective 1-1-05

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

E. County Treasurer:**1. Approval to pay out comp-time and rescheduled holiday accumulated hours to exempt employee #060545 (total of 60.51 hrs.)**

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

2. Approval to create obj. 130 & line item transfer - \$ 1,231.58

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

F. 398th District Court:**1. Requesting approval of extension to purchase items after the deadline**

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

G. Health Department:**1. Requesting authorization and approval to implement the attached salary schedules for the 2005 budget year to reflect a salary increase for the Health Department employees working under various grant programs to take effect January 1, 2005**

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

H. Approval of Interdepartmental transfers from B.O. Contingency Acct. to County Wide Adm. Acct. in the amount of \$7,667.06 and authority for County Auditor to issue payment to IRS

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

I. Approval of Interdepartmental transfer from Sheriff's Department/Jail (room/board acct.) to the COPS 15 Grant – CY 2004 in the amount of \$ 138,105.00 to fund the first year local match

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

J. Approval of Interdepartmental transfer from B.O. Contingency to County Wide Administration - \$6,715.00

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

K. Approval of Closing Documents for Acquisition of K-Mart Property and authorize County Auditor to issue manual check

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, for the closing cost of \$1,621,421.67.

L. Elections Department:

1. Appropriation of funds in the amount of \$ 18,500.00 from B.O. Contingency to Elections Department to purchase GIS Equipment/Software

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

M. Request from Kenedy County, County Attorney, Jaime Tijerina for expense reimbursement as it relates to Cause #C-205-04-G

Presentation made by Jaime Tijerina.

At this time the Court moved back to item # 12.

On motion of Commissioner Handy, 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

21. Open Session:

A. Real Estate Acquisition

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on the settlement offer of \$2,502.00 for parcel # 112 belonging Hidalgo County Irrigation District #2.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to have legal counsel execute option contract for Letty M. Ihorn

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.

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 Handy, 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 14, 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. Constable Pct. #3**
 - B. Budget Office**
 - C. Health – Sanitation**
 - D. Health – Clinics**
 - E. Elections**
 - F. County Court #1**
 - G. Texas Coop. Extension**
 - H. 389th District Court**
 - I. D.A. – Bad Checks**
 - J. D.A. – Gen. Fund**
 - K. Tax Office**
 - L. Fire Marshal (2)**
 - M. WIC (2)**
 - N. Buildings & Grounds (2)**
 - O. J.P. Pct. #4, Pl. 2**
 - P. J.P. Pct. #5, Pl. 1**
 - Q. Pct. #1 – Landfill**
 - R. Pct. #1 – R & B (2)**
 - S. Pct. #1 – Parks**
 - T. Pct. #2 – Landfill**
 - U. Pct. #2 – Parks**
 - V. Pct. #2 – Adm.**
 - W. Pct. #2 – R & B**
 - X. Pct. #4 – R & B**
 - Y. Pct. #4 – Lateral Rds.**

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 – November: (SEE EXHIBIT D)

A. District Clerk - \$ 293,871.24

5. Monthly Fee Reports – October: (SEE EXHIBIT E)

A. J.P. Ochoa	\$21,979.84	
B. J.P. Saenz	\$24,488.67	
C. J.P. Trevino	\$42,906.06	
D. J.P. Garza	\$56,094.23	
E. J.P. Contreras	\$26,918.02	
F. J.P. Jackson	\$18,598.13	
G. J.P. Morales	\$26,151.77	
H. J.P. Espinosa	\$44,693.62	
I. Law Library	\$ 1,886.25	
J. Sheriff Escalon	\$59,080.66	
K. Anzalduas Park	\$ 1,680.07	
L. Delta Lake	\$ 1,114.10	
M. Constable Aguirre	\$ 1,230.00	
N. Constable Alaniz	\$ 60.00	
O. Constable Gallardo	\$ 925.00	
P. Constable Rios	\$ 700.00	
Q. Constable Rios	\$ 890.00	(Amended – September)
R. Constable Bazan	\$ 620.00	

6. Purchasing Department: (SEE EXHIBIT F)

A. HIDALGO COUNTY –

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

Req	Department	Vendor	Amount	Account
61853	Adult Probation	HP Direct	\$470.00	4-1297-423-00-320-002-5-661
61858	Adult Probation	HP Direct	\$1,240.00	4-1297-423-00-320-002-5-662
61859	Adult Probation	HP Direct	\$2,088.00	4-1297-423-00-320-002-5-745
61877	Adult Probation	HP Direct	\$1,262.00	4-1297-423-00-320-002-5-745
61879	Adult Probation	HP Direct	\$2,645.00	4-1297-423-00-320-002-5-745
61935	Adult Probation	HP Direct	\$19,059.00	4-1297-423-00-320-002-5-661
61849	Adult Probation	HP Direct	\$2,036.00	4-1297-423-00-320-002-5-432

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

Req	Department	Vendor	Amount	Account Number
61775	Health Department	Computer Tech	\$184.00	4-1100-441-33-340-002-0-745
61733	District Attorney	CDW-G	\$146.29	4-1222-412-00-080-006-0-601
61733	District Attorney	CDW-G	\$199.83	4-1223-412-00-080-007-0-661
61675	Adult Probation	PC Mall	\$624.00	4-1297-423-00-320-002-5-601

**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 14, 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 with the exception of Commissioner Garza and Commissioner Flores.

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. 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. Recommending award of bid and approval of Contract for: “Tires” to multiple vendors meeting all required specifications. (Vendors are: Good Year Store, GCR Tire Center & Pueblo Tires)**

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

2. Recommending award of bid and approval of Contract for: “Mile 2 West Road Bridge Widening Project” to low bidder meeting all required specifications.

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

3. Recommending award of bid and approval of contract for “Rental of Uniforms” to low bidder meeting all requirements and specifications for Option I (full service).

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.

5. 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

6. Open Session:

A. Real Estate Acquisition

7. Closed Session:

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

8. Open Session:

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

9. 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, DECEMBER 14, 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. Utility Permit:**
 - A. City of Mission – Mission Lateral @ Los Ebanos Rd.**
 - B. EOG Resources – EOG Resources Schuster well #1 north to EOG Resources Mercedes Deep gas unit #1**
- 3. Discharge Permits:**
 - A. Pablo Munoz Living Trust – Buen Gusto**
 - B. City of Edinburg – Hedfelt Commercial Plaza**
 - C. City of Elsa – La Plazita**
 - D. City of San Juan – Buena Suerte Subdivision**
 - E. Red Barn Development – Westlake Village Subdivision**
 - H. City of McAllen – Master Plan Plantation gap Phase 1, 2 & 3**
- 4. Line item transfer - \$ 700.00**
- 5. Line item transfer - \$ 2,000.00**

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

Dated this the 14th 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 14, 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)