

SPECIAL MEETING – December 21, 2004

BE IT REMEMBERED, that on this 21st 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
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 21, 2004 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

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

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Tracy Frech – Humana Insurance Company.

Mike Meliken – Benefit Services of Louisiana.

5. Approval of Consent Agenda

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

6. Texas Cooperative Extension – Brad Cowan: (SEE EXHIBIT I)

A. Annual Report for Texas Cooperative Extension Department

Presentation made by Brad Cowan.

7. County Clerk – J.D. Salinas, III: (SEE EXHIBIT J)**A. Approval of Officials' Bonds:**

- 1. Celestino Avila – Constable-Elect -Pct. #1**
- 2. Lazaro Gallardo, Jr. – Constable Pct. #3**
- 3. Armando Barrera, Jr. – Tax Assessor/Collector**
- 4. Jose M. Flores – Commissioner Pct. #3**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a Vote of approval on items A-1 thru 4.

Commissioner Flores – Abstain.

At this time the Court moved to item #17-A, B & C.

8. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT K)**A. Discussion and possible action regarding Application for Incorporation by Community of Abram**

Presentation made.

B. Discussion, consideration and possible action regarding Hidalgo County's Tax Abatement Guidelines & Criteria

NO ACTION taken on this item.

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

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on appointing Jose Rodriguez as MHMR Board Member.

D. Discussion and update regarding the Health Services District

NO ACTION taken on this item.

E. Discussion and possible action regarding the tobacco money allocation to the Health Services District

NO ACTION taken on this item.

9. Criminal Auxiliary Court – Dairen Cedillo: (SEE EXHIBIT L)**A. Approval to create temporary Court Coordinator****B. Approval to set salary - \$ 40,000.00****C. Approval to create obj. 121 & line item transfer - \$ 1,166.00**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items A, B & C effective December 21, 2004 thru December 31, 2004.

10. Health Department – Eddie Olivarez: (SEE EXHIBIT M)

A. Requesting authorization and approval to increase auto allowance for slot #004 from \$ 3,600.00 to \$ 5,400.00 – Acct. #4-1100-441-00-340-001-0

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

B. Requesting authorization and approval of line item transfer of \$ 150.00 for item A above

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

C. Requesting authorization and approval to create obj. 742, 661 & 432 and line item transfers – Bioterrorism Grant Acct. #4-1293-441-00-340-013-5

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

D. Requesting authorization and approval of re-allocation of funding to reflect actual expenditures for the Bioterrorism Contract #7460007176-205 Change No. 08 at the same level of funding - \$ 870,011.00

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

E. Requesting authorization and approval of attached Salary Schedule and Budget for the 2004-2005 Grant Year

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

F. Requesting authorization and approval to accept the attached TB Elimination Contract #7460007176-2006 in the amount of \$ 365,878.00 for the period 1/1/2005 to 12/31/2005

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

G. Requesting authorization and approval of the attached TB Elimination Grant Budget and Salary Schedule for the 2005 year

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

H. Requesting authorization and approval to accept the attached amended SDI Contract #7460007176-A2005 Change #01 in the amount of \$ 18,276.00 for a total of \$ 674,075.00 for the period 9/1/2004 to 8/31/2005

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

I. Requesting authorization and approval of the attached SDI Grant Budget and Salary Schedule for the 2005 year

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

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

A. Hidalgo County Precinct No. 1 is requesting approval to enter into a Interlocal Agreement with the City of Elsa for the purchase of Fire Station Equipment using Urban County Funding Year 17 (2004) in the amount of \$12,000.00.

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

B. Approval to Amend a Subrecipient Agreement with the Boys & Girls Club of Edinburg Rio Grande Valley Edcouch/Elsa Units and Urban County Program on behalf of Hidalgo County Precinct No. 1 using Urban County Program Year 17 (2004) funds in the amount of \$40,000.00.

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

C. Precinct #4 is requesting approval of a contract with Mission Paving Company in the amount of \$18,341.01 for a Street Improvement Project utilizing Urban County Program Year 17 (2004) funds.

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

D. Requesting approval of a budget / program amendment for the City of Progreso to include the reconstruction of Watts Street to the existing Urban County Year 17 (2004) Street Improvement activity and to transfer \$9,601.30 in General Administration Funding to Street Improvements.

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

12. 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 \$ 3,096,076.64**
- 2. Indigent Health Care expenditures**

Presentation made by Rudy De La Vina.

13. 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**

Presentation made by Daniel Flores.

14. Sheriff's Department – Roy Quintanilha: (SEE EXHIBIT Q)**A. Approval to appropriate 2005 budget for \$ 289,623.54 for Jail Commissary Acct. (salaries & fringe benefits) effective 1/1/05**

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

B. Set salaries for seven (7) employees assigned to the Jail Commissary

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

C. Approval to set salaries (salary increase) for the Year 2005 for grant employees assigned to:

- 1. Combined Governmental Drug Enforcement & Special Crimes – 5**
- 2. South Texas Auto Theft Enforcement – 3**
- 3. COPS in School – 14**
- 4. Crime Victim Coordinator Liaison – 1**

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

D. Approval to set budget for COPS Universal Hiring Grant No. 2004ULWX0008) from the U.S. Department of Justice for the period 08/01/04 – 07/31/05

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

E. Set salary schedule for fifteen (15) deputy sheriff positions

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

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

A. Request authority to accept contribution from BFI (\$ 300.00) for Rio Grande Valley Livestock Show Booth Rental

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

B. Request authority for Auditor to issue payment (\$ 300.00) to Rio Grande Valley Livestock Show for Booth Rental

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

C. Discussion and action on proposed irrigation alignment for Mile 2 West Project

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

16. 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>1027</u>	Other Information:	<u>9</u>
Physical Count:	<u>1016</u>	Males (in house)	<u>947</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>69</u>
Brook’s		Federal Prisoners	<u>7</u>
Adj. /Sentenced to TDC	<u>189</u>	Total Paper Ready TDC	<u>155</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;

Nothing to report on items 2, 3-A & B.

- C. Presentation for discussion, consideration, acceptance and approval of Application and Certificate for Payment No. 5 & Final from Asago, LLC, awarded contractor for the construction of the Shooting Range Berm Project on site of the New Adult Detention Facility & law Enforcement Center Project in the amount of \$46,787.17 for the period ended 12-10-04 and as certified for payment by project architect, Quintanilla, Headley & Associates, Inc. with authority for Auditor to issue payment;**

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

- D. Presentation by project engineer, Quintanilla, Headley & Associates, Inc. for discussion, consideration, acceptance and approval of Certificate of Construction Competition and accompanying documentation (General Guarantee from Asago Construction, Contractor's Final Release Waiver of Liens, and Authorization to Release Funds) for the Hidalgo County Shooting Range Berm Project on site of the New Adult Detention Facility & law Enforcement Center Project;**

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

- E. Presentation by project architect, V-A Architecture, Inc. for discussion, consideration, acceptance and approval of Certificate of Substantial Completion from CRC Design Consultants for the Hidalgo County Shooting Range Facility on site of the new Adult Detention Facility and Law Enforcement Center Project with an effective date of 12-21-04;**

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

- F. Presentation for discussion, consideration, and approval to surplus asset # 03-0951 "chair" detailed in attachment labeled Exhibit # 1 to Law Enforcement personnel that retire, leave or are promoted (as further described in Exhibit #1) and authority to sell said "chair" on a dollar for dollar cost basis with the price noted on Exhibit # 1;**

NO ACTION taken on this item.

- G. County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

NO ACTION taken on this item.

- 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. **Presentation for consideration, discussion and approval to correct the award and contract approved on Commissioner's Court on 12-07-04 to Frontera Material for "Hidalgo County –Type D-Hot Mix Asphalt (Gravel)& Limestone" to reflect the deletion on Precinct # 4; and**
6. **Presentation for consideration, discussion and approval to correct the award and contract approved on Commissioner's Court on 12-07-04 to Valley Caliche for "Hidalgo County – Type D Hot Mix Asphalt –(Gravel) & Limestone" to reflect the addition of Precinct # 4.or in the alternative, (if applicable):**

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

7. **Authority to award to multiple vendors at multiple pit locations based on location within the precinct where material is needed.**

NO ACTION taken on this item.

8. **Recommending award of bid and approval of contracts (s) to lowest multiple bidders meeting all requirements and specifications for "Hidalgo County –Type D Hot Mix Asphalt –Gravel & Limestone".**

NO ACTION taken on this item.

9. **Presentation by A.B. Flores Consultants, Inc. for discussion, consideration and necessary action of the negotiated best and final offers by the number one ranked providers under Fully Insured (Humana) and Self-Funded (HAS) options for the purposes of selecting one plan option and award of contracts/document(s) (subject to legal review) for Hidalgo County –Group Health Insurance Project.**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on the Self-Funded HAS option.

At this time Judge Garcia steps out of the Court.

10. **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.**

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

11. **Presentation for discussion, consideration, acceptance and approval of a final negotiated contract with the number one ranked engineering firm, Raba-Kisnter Consultants, Inc. for Aboveground/Belowground Storage Tanks Compliance Assessment.**

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

B. HIDALGO COUNTY PRECINCT NO. 1-

1. **Recommending bid award to the lowest bidder (H&V Equipment Co.) meeting all requirements for “Two (2) New 2004 or Newer Rotary Mowers” project;**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

1. **Requesting authority to advertise and approval of draft specifications for: “Hauling Services”.**

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

D. HIDALGO COUNTY PRECINCT NO. 4-

1. **Requesting authority to advertise and approval of specifications for “Hidalgo County Precinct no. 4 Hauling Services of all road materials (excluding hot-mix)”**

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

2. **Requesting approval of Change Order No. 1 (increase) in connection with “Paving of Azuzena Street & Driveways” in the amount of \$ 42.84 with Mission Paving Company Inc.**

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

E. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 1-

1. **Requesting approval of Change Order No.1– (Net Decrease) in the amount of \$< 15,826.00> in connection with: Contract # CAP-04-001-01-07- “Construction of Roads for Catherine, Rosalito, La Quinta, Mesquite, Ramiro Leal, Oak and Flea Market Subdivisions” awarded to S&G paving company. (Project carried by Javier Hinojosa Engineering)**

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

F. HIDALGO COUNTY CAP PRECINCT NO. 2-

1. **Presentation for consideration, discussion, acceptance and approval of Application for Payment No.6 in the amount of \$ 75,900.78 submitted by D.M. Roth, Inc. and as recommended by project engineer, R. Gutierrez Engineering Corp. in connection with Las Palmas under the Border Colonia Access Program for Precinct # 2 with authority for Auditor to issue a manual check;**

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

2. **Presentation for consideration, discussion, acceptance and approval of Application for Payment No. 7 in the amount of \$27,731.88 submitted by D.M. Roth, Inc. and as recommended by project engineer, R. Gutierrez Engineering Corp. in connection with Arco Iris # 2 under the Border Colonia Access Program for Precinct # 2 with authority for Auditor to issue a manual check;**

NO ACTION taken on this item.

3. **Presentation for consideration, discussion, acceptance and approval of Application for Payment No. 7 in the amount of \$ 27,731.88 submitted by D.M. Roth, Inc. and as recommended by project engineer, R. Gutierrez Engineering Corp. in connection with Arco Iris #2 under the Border Colonia Access Program for Precinct # 2 with authority for Auditor to issue a manual check;**

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

G. HIDALGO COUNTY PRECINCT NO. 3-

1. **Presentation by project architect, George A. Garcia, AGADC for consideration, discussion, acceptance and approval of Change Order # 2 (decrease) in the amount of (\$ 11,579.50) from Rio Valley Construction, Inc. contracted vendor for the construction of Precinct # 3, Multi-Service/Purpose Center which brings construction contract amount to \$1,520,050.50;**

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

2. **Presentation by project architect, George A. Garcia, AGADC for consideration, discussion, acceptance and approval of Certificate of Substantial Completion from Rio Valley Construction, Inc. for the Precinct # 3, Multi-Service/Purpose Center with an effective date of 12-21-04;**

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

H. HIDALGO COUNTY ADULT PROBATION PROJECT –

1. **Presentation for consideration, discussion, acceptance and approval of the final AIA, 1997 Edition, B 141 Form Agreement (subject to legal review) between Hidalgo County and ROF Architects, Inc. for the asbestos abatement and demolition of portions of the former Sheriff's Dept. and Jail located on Hwy. 281 in Edinburg, Tx. for the purposes of design and construction of a new structure/building for the Hidalgo County Community Supervision and Corrections Department.**

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

At this time Judge Garcia returns to the Court.

2. **Presentation buy project architect, Luis Figueroa, AIA, Rike Ogden Figueroa, Inc. (ROF) for consideration, discussion, acceptance and approval of the specifications and requirements and authority to advertise for: Asbestos Abatement and Demolition of portions of the former site of the Hidalgo County Sheriff's Dept. and Jail located on Hwy. 281 in Edinburg, Texas including the following proposed/anticipated time line:**
 1. **Ad dates: Sunday, December 26, 2004 & Sunday, January 2, 2005;**
 2. **Pre-bid conference: January 5, 2005;**
 3. **Bid opening date: January 12, 2005 @ 4:00 p.m.;**
 4. **Bid award date: January 18, 2005**

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

I. HIDALGO COUNTY BUILDINGS & GROUNDS –

1. **Presentation for consideration, discussion, acceptance and approval of Application for Payment # 6 (Final) submitted by Mar-Vel Construction Co. LLC in the amount of \$21,215.00 and as certified for payment by project architect, George A. Garcia, AGADC in connection with Atrium Roof Renovations for the Administration Building authority for Auditor to issue payment;**

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

2. **Presentation for consideration, discussion, acceptance and approval of Invoice No. Six (Final in the amount of \$750.00 as submitted by project architect, George A. Garcia in connection with architectural services rendered for the Atrium Roof Renovations with authority for Auditor to issue payment;**

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

3. **Presentation fro consideration, discussion, acceptance and approval to extend bid opening date from December 22, 2004 to December 29, 2004 for: "Elevators Repairs and Maintenance Service"**

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

J. HIDALGO COUNTY HEALTH DEPARTMENT –

1. **Recommending award of bid and approval of contract to low multiple bidders meeting all requirements and/or specifications in each category for "Hidalgo County Health Department- Mosquito Control Chemicals".**

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

K. HIDALGO COUNTY I.T. DEPARTMENT –

- 1. Requesting authority to purchase a schedule service from Global Data through Texas DIR GoDirect Program (DIR-BUSOP-013) for Req # 62205 in the total amount of \$15,000.00.**

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

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

Department Name:	Name of Employee(s)	Basic Rate Plan Per Month	Total Minutes Plan:	Equipment/Cost
93 rd Dist. Judge	Rodolfo Delgado	\$ 82.00	2000	Samsung SPH- <u>i600 @ \$649.99</u>

NO ACTION taken on this item.

L. HIDALGO COUNTY WIC PROGRAM –

- 1. Presentation for discussion, and approval requested by WIC Program for Hidalgo County to exercise its option to terminate (under Article 1.3) with A.V.L.,L.P. by giving sixty (60) days written notice due to the relocation of office space to the New Precinct No. 3 Multi-Purpose Center.**

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

M. HIDALGO COUNTY SHERIFF’S DEPARTMENT –

- 1. Presentation for consideration, discussion and acceptance of the sole proposal submitted by Premier Management Enterprise received in response for Hidalgo County Sheriff’s Department Commissary Services for possible award.**

NO ACTION taken on this item.

N. HIDALGO COUNTY TAX OFFICE-

- 1. Presentation for consideration, discussion and acceptance of the Best and Final Offer received from Quality Data Imaging, Number One Ranked firm meeting all requirements for “Tax Office –Imaging of Handicap File Records” RFP.**

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

- 2. Requesting approval of contract for “Tax Office –Imaging of Handicap File Records” RFP with Quality Data Imaging, subject to legal review.**

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

O. 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. Budget Office – Valde Guerra: (SEE EXHIBIT T)

- A. Discussion, consideration and action of Notice of Intent to issue Hidalgo County Health Services Corporation Hospital Revenue Bonds (Mission Hospital, Inc. Project) Series 2005**
- B. Discussion, consideration and action of Resolution approving a Bond Resolution by Hidalgo County Health Services Corporation providing for the Issuance of Bonds for Mission Hospital, Inc.**
- C. Discussion, consideration and action of Certificate for Resolution approving the Issuance of Bonds by Hidalgo County Health Services Corporation for the benefit of Mission Hospital, Inc.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 17-A, B & C.

At this time the Court moved back to item #8.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to rescind prior motion on items 17-A, B & C.

At this time Steve Crain read the Resolution into record.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 17-A, B & C.

- D. Discussion, consideration and action on appropriation of funds in the amount of \$ 4,590.61 to various Sheriff Department Trust Accts. and approval of Interdepartmental transfer for same**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to authorized the auditor to cover the various trust fund accounts in the amount of \$4,590.61

E. Interdepartmental transfers:

1. **B.O. Contingency/Autopsies - \$ 65,000.00**
2. **Various Accts./Public Defense - \$ 375,000.00**
3. **Sheriff/Jail Accts. to COPS 15 Grant Year 2 Local Match - \$ 243,390.00**
4. **Ins. Bldg. Acct./County Auditor - \$ 5,000.00**
5. **Insurance Acct./General Litigation - \$ 62,400.00**
6. **Insurance/Court Reporters Fund - \$ 25,000.00**
7. **Insurance/I.T. Department - \$ 15,000.00**
8. **Pct. #1 R &B/Fund 1315 - \$ 3,232.00**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items E-1 thru 7, NO ACTION on item 8.

F. Human Services:

1. **Approval to appropriate unreserved fund balance of the Indigent Health Care Fund for \$ 3,300,000.00 into Indigent Health Care Expenditures**

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

G. Authority for County Auditor to issue manual check in the amount of \$ 582.33 for taxes owed on Pink Lady Property

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

H. Approval to appropriate Tax Notes Series 2004 in the amount of \$ 2,800,000.00 for the purchase of the K-Mart Property

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

I. Approval to create the following obj. #s and line item transfers:

1. **Constable Pct. #2 – create obj. 121 & 114 - \$ 26,439.00**
2. **Pct. #3 – create obj. 211 & 212**
3. **398th District Court – create obj. 431 - \$ 999.00**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items I-1 thru 3.

J. Intradepartmental transfers:

1. **Pct. #1 – CAP - \$ 817.50**
2. **Pct. #2 – Landfill - \$ 66,666.25**
3. **Health – SDI - \$ 8,217.96**
4. **Health – Adm. P.I. - \$ 3,276.82**

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

5. County Court #2

On motion of Commissioner Flores, seconded by Judge Garcia, the Court made a Vote of approval on item #5.

Commissioner Palacios – Abstain.

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

18. Closed Session:

Commissioners’ Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Cause No. C-2069-04-H; Jesus Reyes, Jr. et al vs. City of Mission and Hidalgo County**
- E. Cause No. CL-04-2859-B; Rosalena Reyes et.al vs. La Joya ISD and Hidalgo County**

19. Open Session:

A. Real Estate Acquisition

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to authorize to issue a manual check in the amount of \$10,000 make payable to Betty Ihorne.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on the FM 107 earnest money contract for the purchase price of \$725,000.00.

- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Cause No. C-2069-04-H; Jesus Reyes, Jr. et al vs. City of Mission and Hidalgo County**
- E. Cause No. CL-04-2859-B; Rosalena Reyes et.al vs. La Joya ISD and Hidalgo County**

NO ACTION taken on items B, C, D & E.

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 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 21, 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. Jail (2)**
 - B. Sheriff Department**
 - C. Workers' Comp.**
 - D. 398th District Court**
 - E. Buildings & Grounds**
 - F. Civil Service**
 - G. Human Resources**
 - H. 332nd District Court**
 - I. District Attorney**
 - J. District Clerk**
 - K. Constable Pct. #5**
 - L. 389th District Court**
 - M. J.P. Pct. #2, Pl. 2 (2)**
 - N. J.P. Pct. #3, Pl. 1**
 - O. J.P. Pct. #3, Pl. 2**
 - P. Pct. #1 – Sanitation (2)**
 - Q. Pct. #1 – R & B**
 - R. Pct. #1 – Parks**
 - S. Pct. #2 – R & B**
 - T. Pct. #3 – R & B**
 - U. Pct. #3 – Landfill**
 - V. Pct. #3 – Parks**
 - W. Purchasing Department**
 - X. Risk Management (2)**
 - Y. 93rd District Court**
 - Z. 370th District Court**

- AA. Constable Pct. #1**
- BB. Health – Clinics**
- CC. County Auditor**
- DD. General Litigation**
- EE. Budget Office**

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

North Alamo Water Supply: Install a 4” waterline from Kelsey Street in Trenton Oaks Subdivision to the east along Murillo Road south for 260’ from the south ROW line of Murillo Road.

Hidalgo County (Melden & Hunt/ Pueblo Construction): Install a 24” storm sewer line along Cesar Chavez Road –Bore underneath road Seminole Valley Subdivision # 4.

North Alamo Water Supply: Install a 2” waterline approximately 500’ north of Mile 17 North on Mile 2 West – Amado Rosales.

North Alamo Water Supply: Install a 2” waterline approximately ¼ mile north of Exp. 83d on Border Road – Bore – Rosa M. Rosales.

North Alamo Water Supply: Install a 2” waterline at Capisallo Park Lot 24 Block 2 – Bore – Antonio Cantu.

North Alamo Water Supply: Install a 2” waterline approximately 485’ west of FM 1015 on Mile 11 North – Bore – Hacienda Laozada Subdivision.

North Alamo Water Supply: Install a 2” waterline approximately 720’ west of FM 1015 on Mile 11 North – Bore – Hacienda Laozada Subdivision.

North Alamo Water Supply: Install a 3” waterline approximately 120’ west of FM 1015 on Mile 11 North – Bore – Hacienda Laozada Subdivision.

North Alamo Water Supply: Install an 8” waterline approximately 3270’ east of Tower Road on Owassa – Bore –Sitio Owassa Subdivision.

North Alamo Water Supply: Install an 8” waterline approximately 3475’ east of Tower Road on Owassa – Bore –Sitio Owassa Subdivision.

Shell Exploration and Production Co.: Install a 3” gas line; All distances taken from the intersection of FM 490 and FM 681. From Theiss # 7 to Theiss # 1 manifold Theiss # 7. Theiss # 7 located 1.8 miles south of FM 2058 1.1 miles west of County Road .4 miles south. Theiss # 1 Manifold is located 1.8 miles south of FM 2058 .5 miles west on County Road .5 miles north ¼ mile east to location site.

Shell Exploration and Production Co.: Install a 3” gas line; all distances taken from the intersection of FM 490 & FM 681 at McCook, Texas. From Boston TX # 48 to Boston TX # 2 Manifold. Boston TX # 2 located 2.8 miles west of FM 490 .1 miles north. Boston TX # 48 well located 2.7 miles north of FM 681 3.8 miles west 1.7 miles south .4 miles east .75 north to location.

Shell Exploration and Production Co: Install a 4” gas line; from the intersection of FM 490 and FM 681. From Theiss # 1 Manifold to east McCook CPF. Theiss Manifold located 1.8 Miles south of FM 2058 .5 miles west on County Road. .5 miles south of FM 2058 ¼ mile east o locations east McCook CPF located 1 mile south of FM 2058 ¼ mile east to location.

Shell Exploration and Production Co: Install a 4” gas line; from the intersection of FM 491 and FM 681 from Boston TX 47 to Boston TX # 2 ..Boston TX # 2 is located 2.8 miles west of FM 490. .1 mile north. Boston TX #47 is located 2.7 miles north of FM 681 .3.8 miles west .5 miles south .1 miles west to location.

Deringer Investments Inc. : Install an 8” sewer line approximately 400’ east of Alamo Road along Mile 17 ½ Road. BORE – Leo Rodriguez.

Ventex Operating Corp. Install a 3” gas line approximately 4960’ starting at the east line of Lot 9 Block 76 Capisallo Dist. Sub’d then north on east side of Lot 8 and Lot 1 Block 76 then north on lot 16 block 77, Capisallo Dist. Sub’d to existing Shoreline Gas Co. Pipeline running west to east under Baseline Road.

4. Planning Department: (SEE EXHIBIT D)

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)

5. Monthly Fee Reports - November: (SEE EXHIBIT E)

A. County Clerk \$ 541,903.27

6. Tax Refunds: (SEE EXHIBIT F)

Taxpayer	Payer	Amount
A. Fins Real Estate Tax Service	Fins Real Estate	\$ 5,669.01
B. A C De Anda	Coastal Banc (Hibernia)	\$ 4,929.97
C. South Texas Cancer	Texas Mgmt.	\$ 5,942.34
D. Citifinancial	Citifinancial	\$ 3,222.26
E. Toys “R” Us	Toys “R” Us	\$ 2,920.83

7. Urban County: (SEE EXHIBIT G)

A. Request for Approval of One (1) Applicant under the HOME Homeowner Occupied Housing Rehabilitation Program – Countywide.

8. Purchasing Department: (SEE EXHIBIT H)

A. HIDALGO COUNTY PURCHASING DEPARTMENT –

- 1. Requesting authority to enter into a lease agreement with Xerox, for a CC45 Digital Copier at \$ 265.44 a month, effective upon approval and delivery of machine after January 1, 2005.**

B. HIDALGO COUNTY HUMAN RESOURCE-

- 1. Requesting authority to purchase 60-day advertising services from Monster. Com for Hidalgo County Job posting in the total amount of \$365.00.**

C. HIDALGO COUNTY 93RD DISTRICT COURT-

- 1. Requesting authority to purchase computer hardware and peripherals from CDW a vendor on Texas DIR GODirect Program for Req #61570 in the total amount of \$1,912.02.**

**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 21, 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.

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. Requesting approval of exemption from competitive bidding requirements for professional engineering services with: Civil Systems Engineering, Inc.

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

5. Approval of professional engineering services with Civil Systems Engineering, Inc. for services related to Water Resources Project

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

6. County Clerk – J.D. Salinas, III:

A. Approval of Officials’ Bonds:

1. Armando Barrera – Tax Assessor/Collector

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

7. Purchasing Department – Marty Salazar:

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

1. Presentation for discussion, consideration, acceptance and approval of a final negotiated contract with the number one ranked engineering firm, Rab-Kisnter Consultants, Inc. for Aboveground/Belowground Storage Tanks Compliance Assessment.

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

2. Presentation by A.B. Flores Consultants, Inc. for discussion, consideration and necessary action of the negotiated best and final offers by the number one ranked providers under Fully Insured (Humana) and Self-Funded (HAS) options for the purposes of selecting one plan option and award of contracts/document(s) (subject to legal review) for Hidalgo County – Group Health Insurance Project.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Board made a UNANIMOUS vote of approval on the Self-Funded HAS option.

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 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 21, 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 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. Line item transfer - \$ 25,000.00**
- 3. Discharge Permits:**
 - A. City of McAllen – Shary Landing**

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 21st 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 21, 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, Deputy

(Seal)