

SPECIAL MEETING – January 25th, 2005

BE IT REMEMBERED, that on this 25th day of January, A.D., 2005, 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-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

**Ramon Garcia
County Judge**

**Sylvia S. Handy
Commissioner, Pct. #1**

**Joe M. Flores
Commissioner, Pct. #3**



**Hector "Tito" Palacios
Commissioner, Pct. #2**

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

**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, JANUARY 25, 2005 at 9:00 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

David Chavana – To promote the 23rd annual All American City 10K event.

Fern McClaugherty – Waste of tax payers' money.

Gilbert Garza – On retired employees' insurance premiums.

5. Approval of Consent Agenda

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

6. J.P. Pct. #4, Pl. 2 – Judge Palacios: (SEE EXHIBIT J)

A. Approval to create two (2) new positions for J.P. 4, 2 Court:

- 1. Warrant Secretary - \$ 25,000.00**
- 2. Warrant Officer - \$ 32,000.00**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 1 & 2 and to raise salary for the Warrant Officer to \$34,000.00.

7. Criminal Auxiliary Court – Antonio Urrabazo: (SEE EXHIBIT K)

- A. Approval to increase Bailiff salary slot #041-003 & #041-006 and set salary at \$ 40,000.00**
- B. Approval of line item transfer - \$ 2,961.13**

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

At this time Commissioner Handy steps out of the Court.

8. Discussion, consideration and possible approval regarding Hidalgo County’s membership with Texas Border Infrastructure Coalition (TBIC) – Honorable Richard Garcia (SEE EXHIBIT L)

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

At this time the Court moved to item #10.

9. Elections Department – Teresa Navarro: (SEE EXHIBIT M)

- A. Discussion, approval and possible action on the following, but not limited to:**
 - 1. Obtain quotes and costs to renovate, repair and add to the Elections Department Building to include the addition of office space**

Presentation made by Teresa Navarro.

At this time Commissioner Handy returns to the Court.

10. Sheriff’s Department – Antonio Pena, Jr.: (SEE EXHIBIT N)

- A. Discuss and request permission to apply for Texas Department of Transportation D.W.I. Step Grant**

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

At this time the Court moved back to item #9.

11. Health Department – Eddie Olivarez: (SEE EXHIBIT O)

- A. Update and outcome of recent tuberculosis cases in Hidalgo County**

Presentation made by Eddie Olivarez.

At this time the Court moved to item #20-5.

12. IT Department – Renan Ramirez: (SEE EXHIBIT P)

- A. Permission to disconnect directory assistance (411) on all county telephone lines**

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

At this time Commissioner Palacios leaves the Court.

13. Urban County – Diana Serna: (SEE EXHIBIT Q)

- A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Raba-Kistner Consultants, Inc. in connection with Hidalgo County Precinct #4 for testing services of streets located within Pct. #4.**

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

- B. Precinct #4 is requesting approval to award testing services contract to Raba-Kistner Consultants, Inc. in the amount of \$8,287.95 utilizing Year 17 (2004) funding for Street Improvements of streets within the Work Plans for Fiscal Year 17.**

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

- C. Approval of Sub-recipient Agreement with Women Together (Mujeres Unidas), Battered & Abuse Spouses and the Urban County Program on behalf of Hidalgo County Precinct No. 3 (\$10,000.00), for Urban County Program Yr. 17 (2004).**

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

14. Planning Department – Raul Sesin: (SEE EXHIBIT R)**A. Preliminary approval:**

- 1. Dollar General Subdivision – Pct. #4 (Harold Munal)**
- 2. Villarreal Subdivision – Pct. 2 (Honorio Villarreal)**

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

B. Final Approval with Letter of Credit:

- 1. Tower Trails No. 2 Subdivision – Pct. 4 (Jack McClelland)**

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

15. Risk Management/Workers' Compensation – Valde Guerra: (SEE EXHIBIT S)

- A. Approval of reimbursement to the Hidalgo County's Workers' Compensation claims paying account for: Workers' Comp. Claims paid by Tristar Risk Management in the amount of \$ 66,199.39 for the period ending January 01-15, 2005**

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

At this time Commissioner Garza steps out of the Court.

B. Acceptance of Reimbursement Check in the amount of \$ 33,746.71 from the county's excess workers' compensation insurance, Safety National Casualty Corporation for claim #04109712

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

At this time the Court moved to item #15-D.

C. Presentation by Jimmy Dyer, Tristar on Hidalgo County's Self-Funded Workers' Compensation 18-month review of program as of December 31, 2004

Presentation made by Jimmy Dyer.

At this time the Court moved to item # 20F-1.

D. Notice of response to Texas Workers' Compensation Commission Workers' Health and Safety Division Progreso Community Building, Progreso, TX

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

At this time Commissioner Garza returns to the Court.

At this time the Court moved back to item #15-C.

At this time Commissioner Flores steps out of the Court.

16. Human Services – Rudy De La Vina: (SEE EXHIBIT T)

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

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

NO ACTION taken on this item.

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

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

Presentation made by Daniel Flores.

At this time Commissioner Flores returns to the Court

18. Pct. #1 – Comm. Handy: (SEE EXHIBIT V)

- A. Request authorization to submit a proposal to the Workforce Development Board dba Workforce Solutions for the Workforce Investment Act, Out of School Youth (GED Connection & Job Readiness Program) PY 2004**

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

19. Pct. #4 – Comm. Garza: (SEE EXHIBIT W)

- A. Request authorization to name an unnamed/private road located within Pct. #4 as follows:**
 - **Chavez Private Drive**

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

20. Purchasing Department – Marty Salazar: (SEE EXHIBIT X)

- 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>1044</u>	Other Information:	<u>11</u>
Physical Count:	<u>1031</u>	Males (in house)	<u>958</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>74</u>
Brook’s	<u> </u>	Federal Prisoners	<u>12</u>
Adj. /Sentenced to TDC	<u>135</u>	Total Paper Ready TDC	<u>89</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 Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

- 5. Presentation by A. B. Flores Insurance Consultants (group health benefits consultant for Hidalgo County) for discussion, consideration and action (if necessary) of the status of the contract negotiations with the second ranked provider (Mutual of Omaha) with approvals necessary including, but not limited to, the following issues:**

- a) HIPPA Options for "New Hires Only"; Opt In _____ Opt Out**

NO ACTION taken on this item.

- b) Banking arrangements; County Depository Bank _____ FNB of Omaha (Providers Bank) _____**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to have First National Bank of Edinburg as the County Depository Bank.

- c) Increasing aggregate coverage from \$1M to \$3M (fee to be provided through consultant)**

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

- 6. Presentation for discussion, consideration and approval (if required) of the following required documents/agreements/applications and/or contracts including authority for County Judge or designated Commissioners Court member to sign and execute same including, but not limited to, the following:**

- a) Administrative Services (only) Agreement;
b) Policy from United Of Omaha Insurance Company
c) Application to Mutual of Omaha Insurance Company/United of Omaha Life Insurance Company for Group Insurance;
d) Mutual of Omaha - Select Risk Questionnaire for Stop Loss Insurance**

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

- 7. Presentation for discussion, consideration, acceptance and approval to provide Mutual of Omaha (as required by company in order to issue a "Policy" number) with authority to issue a manual check for:**

- a) \$10,000.00 binder check; or in the alternative**

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

b) Advance payment amount of \$164,492.27

NO ACTION taken on this item.

8. Authority to cease contract negotiations with the number two ranked provider Mutual of Omaha; and, in the alternative

NO ACTION taken on this item.

9. Presentation by A.B. Flores Insurance Consultants for discussion, consideration of a recommendation to proceed to a fully insured/funded option for Group Health Insurance Plan/Program with authority to commence negotiations with the number one ranked provider (Humana) for Hidalgo County's Group Health Insurance Plan/Program

NO ACTION taken on this item.

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

10. Requesting authority to re-advertise and approval of draft specification for "New Tires and Tire Related Services", on the items where there were "No Bids" received.

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

11. Pursuant to a directive by CC on 1-18-05, presentation of Hidalgo County's "Pool" of Architects for the purpose of ranking a firm for necessary renovations to the newly acquired K-Mart building and property;

NO ACTION taken on this item.

12. Authorization to proceed to negotiate a contract with the number one ranked architectural firm for renovation of the former K-Mart Building.

NO ACTION taken on this item.

13. Presentation by Luis Figueroa, ROF Architects, project architect, of the bids received with recommendation to award to the lowest bidder meeting all specifications and/or requirements for the: "Abatement and Demolition of portions of the structures on site of the former Hidalgo County Sheriff's Dept. & Jail" for the purpose of constructing a New Adult Probation Office Complex Project

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to award R & L Abatement as the low bidder.

B. HIDALGO COUNTY PRECINCT NO. 2 –

1. **Requesting authority to exercise the sixty (60) day grace period extension as provided under the current contract for: “Hauling Services” with Universal Truckers Inc., effective February 11, 2005 through April 12, 2005, so as to have no lapse while bid process is completed.**

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

C. HIDALGO COUNTY PRECINCT NO.3 –

1. **Requesting award (from solicited quotes) and approval of contract for “Solid Waste Collection Services” on an As Needed Basis with sole vendor meeting all specifications and/or requirements. The term of the contract will commence 2/4/2005 to 2/4/2006 but in no event to exceed the \$25,000.00 statutory bid limit.**

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

D. HIDALGO COUNTY ADULT PROBATION-

1. **Requesting authority to purchase computer equipment, service and peripherals from Dell Marketing a vendor on DIR Go Direct Program for Req #63175 in the total amount of \$15,031.80.**

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

E. HIDALGO COUNTY JUSTICE OF THE PEACE PRECINCT NO 3 PLACE 2 –

1. **Presentation for consideration, discussion, and approval of a request by Justice of the Peace Pct. 3 Pl. 2 for Hidalgo County to agree to an immediate termination between Hidalgo County and Ismael “Melo” Ochoa by waiving the sixty (60) days written notice (under Article 1.3) effective January 31, 2005 due to the relocation of office space to the new Precinct No. 3 Multi-Purpose Center.**

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

F. HIDALGO COUNTY I.T. DEPARTMENT –

1. **Pursuant to Hidalgo County Cellular Telephone Policy, presentation for consideration, acceptance and approval of a 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 Court	Rodolfo Delgado	\$82.00	2000	SamsungSPH-600@\$499.99 -(\$150.00credit)=\$499.99

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on the Basic Plan Rate of \$33.75 for 500 minutes.

At this time the Court moved back to item #17.

G. HIDALGO COUNTY TAX OFFICE-

1. **Requesting authority to advertise and approval of specifications as attached hereto for: RFP “Tax Office Hardware and Software Computer System”**

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

H. HIDALGO COUNTY PCT. #1 –

1. **The Hidalgo County Commissioners Court will be meeting Presentation for consideration, discussion, acceptance and approval of Inv. #246408, dated 11-30-04 from TEDSI Infrastructure Group in the amount of \$30,750.00 with authority for Auditor to issue payment in connection with engineering services rendered for Monte Alto Street Improvements Project**

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

I. HIDALGO COUNTY –

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

NO ACTION take on this item.

21. Budget Office – Valde Guerra: (SEE EXHIBIT Y)**A. Intradepartmental transfers – 2004:**

1. **Risk Management - \$ 150.00**
2. **Auxiliary Court - \$ 1,635.10**
3. **Pct. #2 – Sanitation - \$ 150.00**
4. **J.P. Pct. #4, Pl. 2 - \$ 148.90**
5. **Constable Pct. #4 - \$ 100.00**
6. **Sheriff Department - \$ 1,200.00**
7. **District Attorney - \$ 200.00**
8. **Pct. #1 – Parks - \$ 400.00**
9. **Pct. #4 – Parks - \$ 667.04**
10. **R & B – Adm. - \$ 185.62**
11. **P/U Rds. - \$ 9,092.76**
12. **ROW - \$ 7.89**
13. **Pct. #1 - \$ 18,973.79**
14. **Pct. #2 - \$ 1,012.18**
15. **Pct. #3 R&B - \$ 139.83**
16. **Pct. #3 - \$ 2,471.14**
17. **Pct. #4 - \$ 29,564.23**
18. **D.A. - \$ 3,767.52**
19. **County Rec. Mgmt - \$ 66.83**
20. **Courthouse Security - \$ 63,221.13**
21. **Tax Office - \$ 1,198.73**

22. Youth Village - \$ 1,519.63
23. Pct. #2 – Adm. - \$ 33.30
24. Pct. #3 – Adm. - \$ 778.65
25. Parks Countywide - \$ 12,399.07
26. Pct. #1 – Parks - \$ 32,955.83
27. Pct. #2 – Parks - \$ 17,760.20
28. Pct. #3 – Parks - \$ 29,772.98
29. County Clerk Rec. Mgmt. - \$ 403.30
30. Law Library - \$ 13,197.85
31. Pct. #1 - Parks - \$ 400.00
32. Constable Pct. #5 - \$ 25.00
33. Master Court - \$ 20.00
34. Court of Appeals - \$ 70.00
35. 398th District Court - \$ 30.00
36. Tax Office - \$ 3,800.00
37. Pct. #2 – Sanitation - \$ 1,500.00
38. Buildings & Grounds (electricity)

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 1 thru 38 with the exception of items #2 & #31 and item #26 to be corrected to read \$32,287.51.

B. Intradepartmental transfers – 2005:

1. Pct. #3 – Sanitation – Approval to create obj. 741 & line item transfer - \$ 75,000.00

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

C. Interdepartmental transfers – 2004:

1. Jail/various accts. (telephone)
2. B.O. Contingency/various accts. - \$ 28,317.66
3. B.O. Contingency/Crippled Childrens' Hosp.Acct. - \$ 200.00
4. Insurance/Pct. #1 – Sanitation - \$ 2,500.00
5. Various Accts./Various Fire Marshal Accts.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items 1 thru 5.

D. Interfund transfers:

1. Jail/Court Reporters Fund - \$ 80,000.00 (2004)
2. County Wide Adm./Co, Records Mgmt. - \$ 20,000.00 (2005)

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

E. Approval of payment of taxes owed regarding Pink Lady Property and Authorize County Auditor to issue payment in the amount of \$ 21.28

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

F. Discussion and approval of Budget Rules and Guidelines for Hidalgo County

NO ACTION taken on this item.

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

22. Closed Session: (SEE EXHIBIT Z)

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 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 litigation William H. Wyttenbach vs. Hidalgo County**
- E. Review of applications for the position of Risk and Safety Component Director**

23. Open Session:

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Pending and/or potential litigation William H. Wyttenbach vs. Hidalgo County**
- E. Review of applications for the position of Risk and Safety Component Director**

NO ACTION taken on items A thru E.

24. Closed Session:

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

25. Open Session:

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

26. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 25, 2005 at 9:00 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. Intradepartmental transfers - 2004: (SEE EXHIBIT B)**
 - A. Human Services**
 - B. General Litigation**
 - C. Sheriff Department**
 - D. County Auditor**
 - E. Adult Detention Center**
 - F. Civil Service**
 - G. Human Resources**
 - H. Auxiliary Court**
 - I. County Court #2**
- 3. Intradepartmental transfers – 2005: (SEE EXHIBIT C)**
 - A. WIC**
 - B. Pct. #1 – Parks**
 - C. Pct. #1 – Adm.**
 - D. Pct. #1 – R & B**
 - E. Pct. #4 – Landfill**
 - F. Pct. #4 – Adm.**
 - G. Pct. #4 – R & B**
 - H. 92nd District Court**
 - I. Elections Department**
 - J. Human Resources**
 - K. Purchasing Department**
 - L. County Court #5**
 - M. County Treasurer**
 - N. Health – Clinics (2)**
 - O. Planning Department**

- 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 – December 2004: (SEE EXHIBIT E)**
 - A. **District Clerk - \$ 248,124.07**
 - B. **District Attorney - \$ 136,323.77**

- 6. **Right of Way – Permits: (SEE EXHIBIT F)**
 - A. **North Alamo Water Supply: Install a 2” waterline approximately ¼ mile north of Mile 10 on Mile 3 ½ - Bore – Omero Garza (Paid \$ 3.75)**
 - B. **North Alamo Water Supply: Install a 2” waterline approximately ¼ mile south of Mile 12 North on Mile 4 – Bore – Victor Valdez. (Paid \$ 3.75)**
 - C. **North Alamo Water Supply: Install an 8” waterline approximately 80’ west of Mile 6 on Mile 11 – Bore – Mile 6 Meadows (Paid \$ 3.75)**
 - D. **Oates Oilfield Construction Co.: Bore and bury a 4” gas line west of McCook on an unnamed county road located 1 ¼ mile west from the intersection of FM 681 and FM 490. Will be boring under a Duke Energy pipeline approximately 12’. DMP # 2 Well. (Paid \$ 3.75)**
 - E. **North Alamo Water Supply: Install an 8” waterline approximately 590’ south of Owassa Road on Cesar Chavez Road – Bore – Seminole Valley # 4 (Paid \$ 3.75)**
 - F. **North Alamo Water Supply: Install an 8” waterline approximately 990’ south of Wisconsin Road on Raul Longoria Road – Bore – Briar Grove (Paid \$ 3.75)**

- 7. **Urban County: (SEE EXHIBIT G)**
 - A. **Request approval to enter into one (1) “Homebuyer Assistance Program” Contracts under the Home Program. The families will be provided with \$5,000 grant for down-payment/closing cost assistance.**

8. **Tax Refunds: (SEE EXHIBIT H)**

Taxpayer	Payer	Amount
A. Friedl, Henry	Friedl, Henry	\$6,304.06
B. Edwards Abstract	Edwards Abstract	\$2,987.47
C. Marvin P. Davis	Flagstar	\$2,531.64

9. **Purchasing Department: (SEE EXHIBIT I)**

A. **HIDALGO COUNTY –**

- 1. **Requesting authority to purchase computer equipment from CISV vendors through TBPC Catalogue Purchasing Program for the following:**

Req	Department	Vendor	Amount	Account
63779	I. T.	S.J.S. Computers	\$ 125.00	5-1100-415-00-200-002-0-664
63705	Precinct #1	MPC-G, LLC	\$2,371.00	5-1201-431-00-121-004-0-745
63560	Bldgs. & Grounds	S.J.S. Computers	\$ 991.00	5-1100-419-40-220-001-0-745
63743	CDW	Elections	\$ 407.56	5-1100-414-00-130-001-0-661
63745	CDW	Elections	\$ 815.12	5-1100-414-00-130-001-0-661
63749	CDW	Elections	\$ 345.28	5-1100-414-00-130-001-0-661

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

NOTICE

**Oscar L. Garza, Jr.
Board Member**

**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, JANUARY 25, 2005 at 9:00 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:
(SEE EXHIBIT AA)**

1. Roll Call

All Members of the Board were counted present with the exception of Commissioner Palacios.

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. Risk Management/Workers' Compensation – Valde Guerra:

- A. Update on Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 3,325.80 for the period ending January 01-15, 2005**

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

5. 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 by A. B. Flores Insurance Consultants (group health benefits consultant for Hidalgo County) for discussion, consideration and action (if necessary) of the status of the contract negotiations with the second ranked provider (Mutual of Omaha) with approvals necessary including, but not limited to, the following issues:**
- a) HIPPA Options for "New Hires Only"; Opt In _____ Opt Out**

NO ACTION taken on this item.

b) Banking arrangements; County Depository Bank _____ FNB of Omaha (Providers Bank)_____

On motion of Commissioner Handy, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval on First National Bank of Edinburg as County Depository.

c) Increasing aggregate coverage from \$1M to \$3M (fee to be provided through consultant)

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

2. Presentation for discussion, consideration and approval (if required) of the following required documents/agreements/applications and /or contracts including authority for County Judge or designated Commissioners Court member to sign and execute same including, but not limited to, the following:

- a) Administrative Services (only) Agreement;
- b) Policy from United Of Omaha Insurance Company
- c) Application to Mutual of Omaha Insurance Company/United of Omaha Life Insurance Company for Group Insurance;
- d) Mutual of Omaha - Select Risk Questionnaire for Stop Loss Insurance

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

3. Presentation for discussion, consideration, acceptance and approval to provide Mutual of Omaha (as required by company in order to issue a "Policy" number) with authority to issue a manual check for:

- a) \$10,000.00 binder check; or in the alternative
- b) Advance payment amount of \$164,492.27

NO ACTION taken on this item.

4. Authority to cease contract negotiations with the number two ranked provider Mutual of Omaha; and, in the alternative

NO ACTION taken on this item.

5. Presentation by A.B. Flores Insurance Consultants for discussion, consideration of a recommendation to proceed to a fully insured/funded option for Group Health Insurance Plan/Program with authority to commence negotiations with the number one ranked provider (Humana) for Hidalgo County's Group Health Insurance Plan/Program

NO ACTION taken on this item.

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

6. 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

7. Open Session:

A. Real Estate Acquisition

8. Closed Session:

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

9. Open Session:

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

10. Adjourn

On motion of Commissioner Handy, 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, JANUARY 25, 2005 at 9:00 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 Board Member, 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 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. La Joya Water Supply – (east of Scott Lane)**
- 3. Discharge Permits:**
 - A. City of San Juan – Hidalgo County CRC**
 - B. City of Pharr – Sugar Creek Subdivision**
 - C. Rhodes Enterprises – Verde Ranch Subdivision**

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 25th day of January, 2005

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 January 25, 2005.

Signed this ____ day of _____ 2005

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

By: _____
Norma Garza

(Seal)