

SPECIAL MEETING – March 01, 2005

BE IT REMEMBERED, that on this ^{01st} day of March, 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 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:

Sylvia S. Handy
Commissioner, Pct. #1

Ramon Garcia
County Judge

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

**HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA**

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

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, MARCH 01, 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 with the exception of Judge Garcia and Commissioner Flores, Judge Garcia arrived 10 minutes late.

2. Pledge of Allegiance

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

3. Prayer

Mona Parras led the Court and Audience in Prayer.

4. Open Forum

Jimmy Stelinger – Drainage problems in the County.

5. Approval of Consent Agenda

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

At this time Judge Garcia joins the Court.

6. District Attorney's Office – Roy Cazares: (SEE EXHIBIT F)

A. Approval to reduce slot #4 by \$ 5,000.00

B. Approval to create slot #19 (Asst. D.A.) in the D.A. Hot Checks Budget

C. Approval of Revised Salary Schedule – D.A. Hot Checks

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

7. Child Protection Court – Judge Flores: (SEE EXHIBIT G)

- A. Renewal of Contract #9901-0424 Amendment #4 between County of Hidalgo and the Texas Department of Family and Protective Services**
- B. Approval to appropriate grant funds**

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

8. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT H)

- A. Approval of Proclamation proclaiming March 2005 as "Colorectal Cancer Awareness Month"**

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

- B. Discussion, consideration and action to apply for the Edward Byrne Memorial Justice Assistance Grant FY 2005 to support the Criminal Auxiliary Court – Hidalgo County is eligible for \$ 155,079.**

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

9. Planning Department – Raul Sesin: (SEE EXHIBIT I)

- A. Reimbursement of a Cash Deposit:**

- 1. Sun Meadows Estates Subdivision – Pct. 1 (Larry Rodgers, Developer)**

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

- B. Discussion and possible action on residential subdivisions located within La Joya Water Supply Corporation CCN Area:**

- 1. Watson Heights Subdivision – Pct. 3 (Paul Daniec, Developer)**

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

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

- A. Approval of TEDSI Infrastructure Group invoice #256503, FEMA Project (Acct. #5-1331-431-00-110-059-0-334)**

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

11. Human Services – Rudy De La Vina: (SEE EXHIBIT K)

- 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.

12. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT L)

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

Presentation made by Daniel Flores on items A, B & C.

D. Presentation for discussion, consideration and possible action concerning Hidalgo County Parking Lot storm drain lines

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

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

- A. Public Hearing concerning a proposed Budget And Program Amendment for Precinct No. 1. The proposed amendment will allow for fund transfers for an increase of the street improvements activity. The proposed amendment affects funding from Program Year 17 (2004).**

At this time Judge Garcia opened the Public Hearing to the Public, no one responded.

At this time Judge Garcia proceeded to close the Public Hearing.

- B. Approval of a Budget/Program Amendment for Hidalgo County Precinct No. 1 using Urban County Year 17 (2004) funding for Street Improvements totaling \$20,000.00.**

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

- C. Approval of a Budget and Program Amendment for the City of Elsa Urban County Program Years 14, 16 & 17 (2001, 2003 & 2004).**

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

- D. Urban County Program on behalf of the City of Weslaco requests approval to terminate Sub-recipient Agreements with Mid-Valley Youth Soccer League in the amount of \$3,350.00, and Weslaco Softball/Baseball League in the amount of \$3,150.00 using Urban County Program Year 16 (2003) funding.**

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

- E. Precinct #4 is requesting approval of a contract with Mission Paving Company in the amount of \$89,510.40 for a Street Improvement Project utilizing Urban County Program Year 17 (2004) funds.**

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

F. Approval of a Resolution opposing the elimination of the Community Development Block Grant Program.

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

14. Pct. #1 – Comm. Handy: (SEE EXHIBIT N)

A. Approval of a collaborative agreement between The Jason Campos Foundation and Hidalgo County for the use of the Progreso Community Center Facility

NO ACTION taken on this item.

15. Pct. #3 – Comm. Flores: (SEE EXHIBIT O)

A. Requesting authorization to name one unnamed county road in Abram as Domingo Trevino Drive

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

16. Pct. #4 – Comm. Garza: (SEE EXHIBIT P)

A. Discussion and possible action to amend Interlocal Cooperation Agreement (as approved by CC on 10/5/04) between the City of Edinburg and County of Hidalgo on El Seco Subdivision

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

17. Purchasing Department – Marty Salazar: (SEE EXHIBIT Q)

NOTES: 1. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY AUDITOR’S OFFICE.

2. ANY/ALL REQUESTS FOR ACCEPTANCE AND APPROVAL OF CLAIMS/INVOICES UNDER THIS AGENDA WILL INCLUDE AUTHORITY FOR AUDITOR TO ISSUE PAYMENT AFTER REVIEW, AUDIT AND PROCESSING PROCEDURES ARE COMPLETED

a) The Purchasing Department does not participate in the acquisition or purchase of the good/services presented under this caption. The Purchasing Department merely facilitates the placement of such items since they deal with procurement related issues.

b) Departments/Programs and Vendors are all advised that acquisition of goods and/or services must be done in accordance with applicable laws/statutes and Hidalgo County Purchasing Policies & Procedures.

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	<u>1073</u>	Other Information:	<u>8</u>
Physical Count:	<u>1063</u>	Males (in house)	<u>900+</u>
Out of County: La Villa		Females (in house)	<u>74</u>
Brook’s		Federal Prisoners	<u>12</u>
Adj. /Sentenced to TDC	<u>167</u>	Total Paper Ready TDC	<u>136</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 Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

5. **Presentation for discussion consideration and approval of the negotiated professional architectural AIA Document, B141, 1997 Electronic Format, Standard form of Agreement between Owner and Architect (subject to legal review) with Luis Figueroa. AIA, Principal with Rike-Ogden-Figueroa for the assessment, design and supervisions of renovations to the newly acquired County owed building, formerly known as the Kmart Building in connection with relocation (as designated by Commissioners Court) of various County departments and/or programs;**

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

- a) **Presentation for discussion, consideration and action to identify and/or name the newly acquired building with property, formerly known as the Kmart Building as _____;**

NO ACTION taken on this item.

- b) **Presentation for discussion, consideration and action necessary in connection with the determination of the departments that will be relocated from the current areas occupied at the Hidalgo County Administration Building including, but not limited to the following:**

<p>1st Floor: Hidalgo County Tax Office & Auto License Department Hidalgo County Department of Human Resources Hidalgo County Commissioners Court</p>	<p>3rd Floor: Hidalgo County Auditor Hidalgo County Treasurer</p>
<p>2nd Floor: Hidalgo County Judge’s Office Hidalgo County Budget Office Hidalgo County Worker’s Compensation Department Hidalgo County Health Insurance Department Hidalgo County Veterans Services Offices Hidalgo County Buildings & Grounds Department Hidalgo County Fire Marshal Hidalgo County Child Protective Court Hidalgo County Risk Management</p>	<p>4th Floor: Hidalgo County Tax Office Fraud Investigation Hidalgo County Purchasing Department Hidalgo County Adult Probation</p>

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 2 –

- 1. Recommending award of Bid and approval of Contract to low bidder meeting all requirements and specifications for “Hauling Services”, subject to legal review.**

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

- 2. Requesting authority to re-advertise and approval of draft specifications for: “Ready Mix Concrete” due to no bids received.**

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

- 3. Presentation for discussion, consideration, and action on amendment to the construction contract between Hidalgo County and S&G Paving Company in connection with McColl Rd with authority for County Judge to execute document(s). Note: See Commissioners’ Court action on February 22, 2005 authorization of payment request.)**

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

- 4. Presentation for discussion, consideration, and action on amendment to the construction contract between Hidalgo County and S&G Paving Company in connection with South I Rd with authority for County Judge to execute document(s). Note: See Commissioners’ Court action of February 22, 2005; authorization of payment request.)**

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

C. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024(a) (4) a professional service for environmental engineering services for Hidalgo County No. 3 Penitas Landfill.**

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

- 2. Approval of a professional engineering services contract with Cook-Joyce Inc. for Hidalgo County Precinct No. 3 Penitas Landfill.**

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

D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 2-

- 1. Requesting authority to advertise for “Tierra Bonita, South Tower Estates & Campo Alto” (Colonia Access Program Project) (Project carried by: R. Gutierrez Engineering).**

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

E. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINT NO. 4-

- 1. Presentation for discussion and recommendation (by J.E. Saenz, Project Engineer) award of bid No. CAP-05-002-02-16 Road Construction of El Seco Subdivision Project to the lowest bidder meeting all specifications.**

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

F. HIDALGO COUNTY INFORMATION TECHNOLOGY-

- 1. 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
Fire Marshal	Wesley D. Bradley, Deputy	\$ 33.75	500	SanyoRL4920-Free Phone
Fire Marshal	Juan G. Martinez, Deputy	\$ 33.75	500	SanyoRL4920- Free Phone
Fire Marshal	Marco Romero, Deputy	\$ 33.75	500	SanyoRL4920-Free Phone
Fire Marshal	Javier Garcia, Deputy	\$ 33.75	500	SanyoRL4920-Free Phone

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

- 2. Presentation for discussion, consideration and action (if necessary) of a recommendation that a “ Brand Name Only” be published on the specifications and/or requirements for: “Request for Offers/Proposals” because of the existence of such brand name equipment as part of the standardization of Hidalgo County’s Voice Communication Systems Project. (approved by CC to advertise on 02-01-05.)**

NO ACTION taken on this item.

G. 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.

At this time the Court moved to Addendum 1 & 2

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

- A. Discussion, consideration and action on transferring funds from Youth Village Fund to Juvenile Probation**

NO ACTION taken on this item.

- B. Discussion, consideration and action to appropriate funds for Texas Victim Information and Notification Everyday (VINE) Grant Project**

NO ACTION taken on this item.

- C. Discussion, consideration and action on application of appointment of Deputy Constables in compliance with Local Government Code Ch. 86.011 (appointment of deputy constable) for:**
- 1. Pct. #3 – Deputy Constable**
 - 2. Pct. #4 – Deputy Constable**

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

- D. Approval of the 2005 Estimated Revenues for the Hidalgo County Health Self Insurance Program – Benefits Administration**

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

- E. Approval to appropriate and set up the 2005 budget for the Hidalgo County Health Self Insurance Program-Benefits Administration**

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

At this time Commissioner Palacios returns to the Court.

- F. Interdepartmental transfers:**

- 1. J.P. Pct #3, Pl. 2/B.O. Contingency - \$ 8,800.00**
- 2. IT Computer Equip./IT Department - \$ 31,000.00**
- 3. Co. Wide Adm./J.P. Pct. 3, Pl. 1 /Pct. 3, Pl.2, J.P. 4, Pl. 1, J.P. Pct. 4, Pl.2, Constable Pct. #3 & Constable Pct. #4**

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

At this time Commissioner Handy steps out of the Court.

- G. Intradepartmental transfers:**

- 1. IT Department – approval to create obj. 540 & transfer - \$ 450.00**
- 2. DPS – H/P – approval to create obj. 529 & transfer - \$ 240.00**
- 3. County Clerk – approval to create obj. 611 & transfer - \$ 1000.00**
- 4. Purchasing Department – approval to create obj. 630 & transfer - \$ 300.00**
- 5. Fire Marshal – approval to create obj. 747 & transfer - \$ 600.0**
- 6. Constable Pct. #3 – Proj. SWEEP – approval to create obj. 684 & transfer \$ 3,021.97**
- 7. Constable Pct. #3 – approval to create obj. 681 & transfer - \$ 98.00**

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

19. Elections Department – Teresa Navarro: (SEE EXHIBIT S)**A. Approval of Elections Service Agreement between the County of Hidalgo and Sharyland ISD for their May 7, 2005 Trustee Election**

See item C.

At this time Commissioner Handy returns to the Court.

B. Approval of the Order to Call the Election for the Incorporation of the Community of Abram for May 7, 2005

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

C. Approval of Election Service Agreement between the County of Hidalgo and the City of Mercedes for their May 7, 2005 City Commission

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

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

20. Closed Session: (SEE EXHIBIT T)

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****B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project****C. Pending and/or potential litigation**

NO ACTION taken on items A, B & C.

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 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, MARCH 01, 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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of item #5A-2 req. #65414.

1. **Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
2. **Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. **Pct. #1 – Sanitation**
 - B. **Constable Pct. #5**
 - C. **Sheriff Department**
 - D. **WIC**
3. **Planning Department: (SEE EXHIBIT C)**
 - A. **Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - **Certificates of Residence Construction under Local Government Code Section 232.029(c)(1)**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**
4. **Right of Way – Permits: (SEE EXHIBIT D)**
 - A. **Capital Star Oil & Gas – Goodwin Rd. up to Bus. 83 (\$3.75 paid)**
 - B. **Shell Exploration & Production Co. – FM 490 in McCook (\$ 3.75 paid)**
5. **Purchasing Department: (SEE EXHIBIT E)**
 - A. **HIDALGO COUNTY –**
 1. **Requesting authority to purchase computer equipment and peripherals from vendors on the State of Texas Department of Information (DIR) Go Direct Program for the following:**

Req	Department	Vendors	Amount	Account
66012	I.T. Dept	Dell Marketing	\$ 206.28	5-1100-415-00-200-002-0-664
66010	I.T. Dept	Dell Marketing	\$3,698.52	5-1100-415-00-200-002-0-745
65834	Tax Office	CDW-G	\$ 427.07	5-1100-415-15-140-001-0-747
65791	I.T. Dept	CDW-G	\$2,664.69	5-1100-415-00-200-002-0-745
63577	I.T. Dept	Dell Marketing	\$1,012.15	pending line item transfer

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

Req	Department	Vendors	Amount	Account
66024	I.T. Dept	S.J.S. Computers	\$375.00	5-1100-415-00-200-002-0-664
66015	I.T. Dept	S.J.S. Computers	\$500.00	5-1100-415-00-200-002-0-664
65958	Health Department	CompUSA	\$588.58	5-1100-441-00-340-001-0-661
65923	I.T. Dept	S.J.S. Computers	\$1,940.00	5-1100-415-00-200-002-0-747
65922	I.T. Dept	S.J.S. Computers	\$196.00	5-1100-415-00-200-002-0-664
65922	I.T. Dept	S.J.S. Computers	\$1,800.00	5-1100-415-00-200-002-0-747
65916	I.T. Dept	Dell Marketing	\$449.10	5-1100-415-00-200-002-0-664
65874	TX Coop Ext	SHI Gov	\$225.20	5-1100-461-00-380-001-0-747
65422	I.T. Dept	S.T.E.	\$1,650.08	pending line item transfer
65421	I.T. Dept	STE	\$1,000.00	pending line item transfer
65415	I.T. Dept	STE	\$1,150.80	pending line item transfer
65414	I.T. Dept	STE	\$6670.00	pending line item transfer

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to correct the amount to \$670.00.

65412	I.T. Dept	STE	\$515.00	pending line item transfer
65411	I.T. Dept	STE	\$425.00	pending line item transfer
65373	I.T. Dept	S.J.S. Computers	\$464.00	5-1100-415-00-200-002-0-664

B. HIDALGO COUNTY TAX OFFICE –

1. Requesting authority to enter into a 36 month lease with Xerox a vendor on TBPC State Contract 985-A3 for a 420C2 Digital Copier for \$139.25 a month. Req #66070 Effective upon approval.

C. HIDALGO COUNTY WIC PROGRAM –

1. Requesting authority to enter into one year maintenance agreements with Copygraphics for 24 copiers at \$19.00 each/year. For Req #64787. Effective December 31, 2004 through December 30, 2005.

2. Requesting authority to enter into one year maintenance agreements with Digital Office for 16 copiers at \$24.99 each/year. For Req #64783. Effective January 31, 2005 through January 30, 2006.

**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, MARCH 01, 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 U)

1. Roll Call

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

2. Open Forum

Juan Angle Garcia – Employee with the Drainage District on the concerns that they have been unjustly treated by their supervisors.

Rebecca Flores – On union issues.

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. Presentation for discussion, consideration, acceptance and action to the sole bid received to the RFB-"Sale of Real Property" project, property described as:

 - a. A 1.49 acre tract of land out of Lot 168, John H. Shary Subdivision, located along the Southern Side of Colbath Street, just East of Bentsen Road, Hidalgo County, Texas****

On motion of Commissioner Handy, seconded by Commissioner Garza, 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 Closed Session for the discussion regarding the agenda items listed

9. Adjourn

On motion of Commissioner Garza, seconded by Commissioner Handy, 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, MARCH 01, 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. Discharge Permits:**
 - A. City of McAllen – Sharyland ISD Junior High School Subdivision**
 - B. RHRW Properties – Maiz Subdivision**

**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, MARCH 01, 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:

ADDENDUM

1. Purchasing Department – Marty Salazar: (SEE EXHIBIT Q)

A. HIDALGO COUNTY –

- 1. Presentation for discussion, consideration and approval of an Earnest Money (Unimproved Property) Contract with authority for County Judge to execute contract and related documents including the acceptance of a check in the amount of \$ 1,000.00 pursuant to Paragraph 1 of the Interlocal Cooperative Agreement between the City of Edinburg and the County of Hidalgo.**

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

B. HIDALGO COUNTY WORKERS COMPENSATION PROGRAM –

- 1. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.024 (a) (C) ‘ By a political subdivision of this state, a state agency of this state,...’through TWCC for the provision of consulting services/loss control services to conduct all services required and dictated by Texas Workers Compensation Commission under Hazardous Administrative Review Notice (File #: PUB04-3-65) and Notice of Hazardous Employer Identification Public Employer (File #: PUB04-3-77) issued on 2-9-05 and received by Hidalgo County on 2-14-05 and as facilitated through Mr. Gary Looney, Alamo Insurance;**

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

2. **Requesting approval of an engagement/contract for the provision of the consulting service/loss control services with and through Texas Workers Compensation Commission for the purposes of compliance with the measures dictated and required by Texas Workers Compensation Commission under Hazardous Administrative Review Notice (File # PUB04-3-62) and Notice of Hazardous Employer Identification Public Employer (File #: PUB04-3-77);**

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

At this time Commissioner Garza steps out of the Court.

C. HIDALGO COUNTY JUVENILE JUSTICE CENTER –

1. **Presentation for discussion, consideration and acceptance and approval of Request for Payment A (Inv. #012246-dated 12-29-04 for \$4,983.75 & # 012436 dated 2-09-05 for \$6,091.25 from Raba-Kistner Consultants, Inc. and submitted by project architect, V-A Architecture in the amount of \$11,075.00 in connection with Geotechnical Engineering Study services rendered for the design and construction of Juvenile Justice Center for Hidalgo County with authority for Auditor Office to issue payment;**

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

At this time Commissioner Garza returns to the Court.

D.HIDALGO COUNTY PUBLIC DEFENDER PROGRAM –

1. **Requesting authority to advertise for the lease of office space within a two (2) or three (3) block radius of the Hidalgo County Courthouse for the Public Defenders Program with and initial term of one (1) year with the option of County to extend for additional one (1) year**

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

E. HIDALGO COUNTY PRECINCT NO. 2–

1. **Presentation for discussion, consideration and approval of a “Resolution” in support of transportation projects within Hidalgo County to be submitted to the office of Senator Kay Bailey Hutchison in connection with the Transportation Reauthorization Bill of 2005;**

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

2. **Presentation for discussion, consideration, acceptance and approval of payment request#2 submitted by S&G Paving dated 2-6-05 in the amount of \$145,963.00 and as recommended by project engineer, R. Gutierrez Engineering Corp. in connection with the contract for the McColl Road Project with authority to issue a manual check after review, audit and processing procedures completed**

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

At this time Commissioner Palacios steps out of the Court.

F. HIDALGO COUNTY PRECINCT NO. 3-

1. Presentation for discussion, consideration and approval to advertise the list of the Colonias North of Expressway 83 within the La Joya Water Supply area as requested through project engineer, Javier Hinojosa:

- a) Country Corner Estates
- b) Goodwin Heights
- c) Basham Subdivision # 12
- d) Basham Subdivision # 13
- e) Basham Subdivision # 16
- f) La Palma Subdivision
- g) Havana

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

At this time Valde Guerra introduce Capt. Rolando Garcia from the Sheriff Dept. providing to the Court a report on racial profiling.

At this time the Court moved back to item # 18.

2. Closed Session: (SEE EXHIBIT T)

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

A. Rx America Class Action Lawsuits

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

3. Open Session:

A. Rx America Class Action Lawsuits

4. Closed Session:

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

5. Open Session:

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

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, MARCH 01, 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:

ADDENDUM #2

- 1. Budget Office – Valde Guerra: (SEE EXHIBIT R)**
 - A. Discussion, consideration and action for the County Auditor to issue a manual check payable to Atlas & Hall, LLP trustee in the amount of \$ 200,020.00 as it relates to February 22, 2005 action item #29A.12 regarding the Special Warranty Deed, Texas Gardens Subdivision**

NO ACTION taken on this item.

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 01st day of March, 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 March 01, 2005.

Signed this _____ day of _____ 2005

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

(Seal)

By: _____
Norma Garza,

