

REGULAR MEETING – March 08, 2005

BE IT REMEMBERED, that on this <sup>08th</sup> day of March, A.D., 2005, there was begun and held a REGULAR 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 08, 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 Commissioner Flores who arrived 5 minutes late.

**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**

Fern McClaugherty – On Government's programs.

Virginia Townsend – Atrium renovation timeline and about the Drainage District Union.

At this time Commissioner Flores joins the Court.

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

**5. Approval of Consent Agenda**

At this time the Court moved to approve the Consent Agenda with the exception of item #4-A&B.

**6. Discussion, consideration and action for resolution and/or letters of support for the Lower Rio Grande Flood Control Project – Richard Hinojosa, LRGVDC (SEE EXHIBIT H)**

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.

**7. County Judge's Office – Oscar Montoya/Lorie Ochoa: (SEE EXHIBIT I)**

- A. Discussion, consideration, and action on initiating Interlocal Agreement process regarding the Pre-2004 Homeland Security- Texas Engineering Extension Service (TEEX) equipment grants (Proposed Interlocal Agreements will be between the cities of McAllen, Pharr, Mission, McAllen, and Weslaco.)**

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

- B. Discussion, consideration, and action on initiating Interlocal Agreement process regarding the 1999-2002 Homeland Security- Texas Engineering Extension Service (TEEX) equipment grants (Proposed Interlocal Agreements will be between the cities of Mission, Alamo, Sullivan City, Pharr, Palmview, McAllen, La Villa, La Joya, Elsa, Edinburg, Edcouch, and Donna)**

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

At this time Commissioner Garza returns to the Court.

**C. Status on the following Emergency Management Homeland Security Grants:**

- 1. 1999-2002 grant**
- 2. Pre-2004 grant**
- 3. 2004 SHSP grant**
- 4. 2004 LETPP grant**

Presentation made by Oscar Montoya on items 1 thru 4.

**D. Discussion, consideration and possible action on appointment of Board Member to the Tropical Texas Center for MH/MR**

NO ACTION taken on this item.

**E. Discussion, consideration, and action regarding a resolution that requests state funds to support of the Irma Rangel school of Pharmacy.**

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

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

**8. Urban County – Diana Serna: (SEE EXHIBIT J)**

- A. Requesting approval to delete a full-time position slot #19 (Housing Rehabilitation Supervisor) for Urban County Program.**

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

**B. Requesting approval to create a full-time position slot #29 (Housing Rehabilitation Specialist) for Urban County Program and set salary.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on the amount of \$27,017.00.

**C. Consider awarding bid for the demolition of existing structures, and the reconstruction of three (3) units in the Countywide Area to De Leon Construction for the total amount of \$97,000.00.**

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

**D. Consider awarding bid for the demolition of existing structure, and the reconstruction of one (1) unit in the City of Mercedes to J. L. Q. Construction for the total amount of \$32,895.00.**

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

**E. Request for approval for Amendment #1 to the original 2003 HOME Community Housing Development Organization (CHDO) Exhibit "A" Performance Statement presented by South Texas Economic Development Corporation, Inc. (STEDC).**

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

**F. The Urban County Program is requesting authorization for the County Judge to sign the Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds and Certification for the 2003 HOME Funds for South Texas Economic Development Corporation, Inc., a Community Housing Development Organization (CHDO) in the amount of \$200,000.00.**

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

**G. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Millennium Engineers Group, Inc. in connection with Hidalgo County Precinct #4 for testing services for a Parks, Recreational Facility within Precinct #4.**

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

**H. Precinct #4 is requesting approval to award a testing services contract to Millennium Engineers Group, Inc. in the amount of \$2,838.00 utilizing Year 17 (2004) funding for Parks, Recreational Facility Project for a Geotechnical Study with Foundation Recommendations for the JR Milo Ponce Park Project.**

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

9. **WIC – Norma Longoria: (SEE EXHIBIT K)**

**A. Requesting approval to declare the attached list of equipment/items surplus**

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

10. **Pct. #1 – Comm. Handy: (SEE EXHIBIT L)**

**A. Approval of Interlocal Agreements with Mercedes, Weslaco, Progreso and Pharr-San Juan-Alamo Independent School Districts in support of the GED Program**

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

**B. Approval of amendment to the Interlocal Cooperation Agreement between Hidalgo County and the Lower Rio Grande Workforce Development Board**

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

At this time Commissioner Palacios steps out of the Court.

11. **Pct. #3 – Comm. Flores: (SEE EXHIBIT M)**

**A. Discussion, consideration and approval of Interlocal Cooperation Agreement between the City of Alton and the County of Hidalgo**

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

**B. Requesting approval to create new slot # 008-017 Maintenance I and set salary at \$ 16,768.00 under Pct. #3 Parks Department**

NO ACTION taken on this item.

**C. Requesting authorization to name one unnamed county road as Agua Rd.**

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

12. **Human Services – Rudy De La Vina: (SEE EXHIBIT N)**

**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.

At this time Commissioner Palacios returns to the Court.

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

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

Presentations made.

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

**14. Elections Department – Teresa Navarro: (SEE EXHIBIT P)**

- A. Discussion, approval and possible action on the following, but not limited to:**
  - 1. Comp time for Elections Department for upcoming May 2005 Elections, including voter registration activity**

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

- 2. Election Services Agreement between the County of Hidalgo and the City of Palmhurst for their May 7, 2005 Alderman Election**

NO ACTION taken on this item.

- 3. Election Services Agreement between the County of Hidalgo and the City of Alton for their May 7, 2005 Alderman Election**

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

**15. Planning Department – Raul Sestin: (SEE EXHIBIT Q)****A. Preliminary Approval:**

- 1. Las Cumbres Subdivision – Pct. 1 (Kevin Campbell)**

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

**B. Final Approval:**

- 1. Rio Bravo Lateral Meter Station – Pct. 1 (Tennessee Gas Pipeline)**
- 2. Hortencia Subdivision – Pct. 4 (Hortencia Escobedo)**

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

**C. Final approval with a Letter of Credit/Cash Deposit:**

- 1. Evergreen Valley Estates Subdivision Phase II – Pct. 4 (Tillman Welch)**

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

**2. Los Venados Subdivision Phase 5 – Pct. 4 (Garco, Ltd.)**

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

Commissioner Garza – Abstain.

**16. Hidalgo County – Godfrey Garza: (SEE EXHIBIT R)**

**A. Approval of Advance Funding Agreement with TxDOT – Sugar Rd. CSJ#0921-02-133**

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

**17. Risk Mgmt./Workers’ Compensation – Valde Guerra: (SEE EXHIBIT S)**

**A. Approval of reimbursement to the Hidalgo County Workers’ Compensation claims paying account for: Workers’ Compensation claims paid by Tristar Risk Management in the amount of \$46,896.42 for the period ending February 16-28, 2005**

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

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to recess to open the Drainage District Agenda.

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

- 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.**

At this time Judge Garcia returns to the Court.

**A. HIDALGO COUNTY –**

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

**1. New Hidalgo County Jail:**

Total inmate population:	<u>1015</u>	Other Information:	<u>9</u>
Physical Count:	<u>1004</u>	Males (in house)	<u>919</u>
Out of County: La Villa	<u>          </u>	Females (in house)	<u>85</u>
Brook’s	<u>          </u>	Federal Prisoners	<u>12</u>
Adj. /Sentenced to TDC	<u>149</u>	Total Paper Ready TDC	<u>101</u>

At this time Commissioner Palacios steps out of the Court.

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 or 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. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (a) (7) (a) proprietary software in connection with Online Research Services for Hidalgo County with Lexis Nexis.**

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.

6. **Requesting approval of agreement(s) for “Online Research Services” with Lexis Nexis including but not limited to the following Hidalgo County department(s):**
  - a) **Auditor’s Office**
  - b) **Community Supervision & Corrections Department (Adult Probation)**
  - c) **Criminal District Attorney’s Office**
  - d) **All Judicial Courts**
  - e) **Law Library**
  - f) **Sheriff’s Department**

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

7. **Requesting authority to advertise for “A Facility to Quarantine and Impound Dogs, Cats and other Small Animals in Unincorporated/Rural Areas” for Hidalgo County.**

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

At this time Commissioner Garza returns to the Court.

- 8. Requesting approval to exercise the sixty (60) days grace period extension (as provided in current contract) with Upper Valley Humane Society so as not to have a lapse in services while completing the procurement process.**

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

- 9. Presentation for discussion, consideration and approvals in connection with: Bank Depository and/or Remittance-Processing (Lockbox) Bank including but not limited to, the following;**

- a) Authority to Advertise Bank Depository and/or Remittance-Processing (Lockbox) Bank pursuant to Texas Local Government Code, Chapter 116 (Vernon 1988 and Supp. 1999), "Depositories for County Public Funds" (copies of Chapter 116 and proposed ad copy attached hereto);**

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

At this time Commissioner Palacios returns to the Court.

- b) Approval of the proposed advertising dates for Bank Depository and/or Remittance-Processing (Lockbox Bank Application Specification Packets subject to legal review and therefore the publication dates are proposed as:**

- i. Opt. A: Sunday March 13<sup>th</sup>, 20<sup>th</sup>, and 27<sup>th</sup> with Applications due April 12, 2005 @ 10:00 a.m. as indicated on Ad Copy**

NO ACTION taken on this item.

- ii. Opt. B: Sunday, March 20<sup>th</sup>, 27<sup>th</sup>, and April 3<sup>rd</sup> with Applications due April 12, 2005 @ 10:00 a.m. as indicated on Ad Copy**

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

- c) Appointment or designation of "Evaluation Committee" to score and evaluate Bank Depository & Remittance-Processing (Lockbox) Bank Applications filed with the Court;**

**Notes:**

- i. Historically Hidalgo County Investment Committee (comprised of the County Treasurer, County Auditor and County Judge) including Purchasing Dept. and County Tax Assessor as consultant to Evaluation Committee:**
- ii. In recent past County Judge has chosen not to participate in Evaluation Committee inasmuch as a member of Commissioner's Court which will select and award**

**Evaluation Committee Members:**

- (1) County Treasure
- (2) County Auditor
- (3) County Judge
- (4) Budge Office- Valde Guerra
- (5) Mr. Barrera

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

- 10. Presentation of a “Memorandum on Claims” to be distributed to all Hidalgo County Department, Agency(s) or Programs by the Purchasing Department with discussion, consideration and approvals (if necessary) of directives or measures related to “Claims” with a goal to reduce this “solution” as an “option” for the acquisition of goods and/or services.**

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

- 11. Presentation for discussion, consideration, acceptance and approval of two (2) Agreements (with authority for County Judge to execute documents) between Hidalgo County and Texas Workers’ Compensation Commission (TWCC) for the provision of Safety Consultant Activities and Services for the purpose of compliance with the measure dictated and required by Texas Workers Compensation under Hazardous Administrative Review Notice and Notice of Hazardous Employer Identification Public Employer under (File #:PUB04-3-62) and (File#:PUB04-3-77) in connection with the following Amusement/Parks and Refuse/Sanitation respectively;**

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

**B. HIDALGO COUNTY PRECINCT NO. 1 –**

- 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A)(4) ‘....a Professional Service’ with L&G Engineering for: Various Tasks, i.e. Environmental Assessments, Surveying, Right of Way Mapping, Right of Way Acquisition, GIS and Engineering Services for Hidalgo County Precinct No 1**

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

- 2. Approval of a Professional Engineering Service Contract for with L&G Engineering for: Various Tasks, i.e. Environmental Assessments, Surveying, Right of Way Mapping, Right of Way Acquisition, GIS and Engineering Services for Hidalgo County Precinct No 1 (Subject to Legal Review).**

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

3. **Requesting approval of change Order No. 1 in connection with “Improvements to Facilities-Multi Purpose Building, 1902 Joe Stephens Dr. Weslaco, Texas-Hidalgo County Precinct No 1 to apply the allowances in the construction contract to cover the costs of extra work done by the Contractor under Construction Change Directive 1,2,3,&4 (contract amount will remain unchanged)**

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

4. **Requesting approval of change Order No. 2 (increase) in the amount of \$2,730.00 in connection with “Improvements to Facilities-Multi Purpose Building, 1902 Joe Stephens Dr. Weslaco, Texas-Hidalgo County Precinct No 1 to cover costs of extra work done by the contractor as required by City of Weslaco Fire Marshal.**

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

5. **Presentation for discussion, acceptance and approval of project “Improvements to Facilities-Multi Purpose Building, 1902 Joe Stephens Dr., Weslaco, Texas-Hidalgo County Precinct No 1” as completed, based on project architect’s (AGADC) final inspection and Certificate of Contraction Completion.**

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

6. **Presentation for consideration, discussion, acceptance and approval with authority for Auditor to issue final payment after review, audit and processing procedures completed) of Application and Certificate of Payment No. 9 (final), dated, March 03, 2005, from Spacemaker Construction for “Improvement to Facilities-Multi-Purpose Building-Hidalgo County Precinct No 1-1902 Joe Stephens Dr., Weslaco, Texas” in the amount of \$23,975.00 and as certified by project architect, George A. Garcia, from AGADC.**

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

- a. **Requesting authority to advertise a Request for Proposals for: “Long Distance Service” for Hidalgo County with requirements, specifications and/or scope of services to be developed and drafted with and by the IT Dept.**

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

**C. HIDALGO COUNTY PRECINT NO. 3-**

1. **Requesting authority to purchase through the Inter local Agreement with the Houston-Galveston Area Council (H-GAC) Philpott Motor Co., Port Neches, Texas with specifications attached hereto for:**

**“One (1) New Model 2005 Short Bed ½ Ton V6 Regular Cab Pickup truck” U/Price at ...\$10,981.25**

**\* H-GAC Adm. Fee .....\$ 600.00**  
**Total Cost – FOB Precinct No. 3 ..... \$11,581.25**

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

**D. HIDALGO COUNTY PRECINCT 4-**

1. **Presentaion for discussion, consideration with authority to advertise for a Citizens Recovery (Collection) Station in the Linn/San Manuel area for Hidalgo County Pct 4.**

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

2. **Recommending bid award and approval of contract to sole bidder meeting all requirements and/or specifications for the following two CIP road paving improvements projects:**

- a) **Mile 17 ½ from 23<sup>rd</sup> to Rooth Rd. (Bid No. 2005-034-02-23-MSS)**
- b) **Mile 21 from Drain Ditch to FM 2812 (Bid No. 2005-033-02-23-MSS)**

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

**E. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM-**

1. **Presentation for discussion, consideration, acceptance and approval of negotiated proposal document received from Centennial Contractors Enterprises, Inc., an awarded vendor through The Cooperative Purchasing Network with authority to execute any applicable documents and purchase order to renovate the Indigent Defense Program offices located at 100 N. Closner (Annex 1), in the total amount of \$28,284.92.**

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

At this time Commissioner Garza steps out of the Court.

**F. HIDALGO COUNTY BUILDING AND GROUNDS-**

- 1. Presentation for discussion, acceptance and approval of final proposal document from Centennial Contractors Enterprises, Inc. (Awarded AJOC (area job order contractor) through the County's participation/members with Region IV's Texas Cooperative Purchasing Network Program between Centennial Contractors Enterprises, Inc. for the provision of additional labor, materials project attached hereto for: "Removal of two exterior doors, and new electric service weather head installation" in conjunction with the Rainwater Harvesting Project for the Hidalgo County Agriculture Extension Services Building located at 410 N. 13<sup>th</sup> street, Edinburg, Texas with authority to issue purchase order in the amount not to exceed \$ 2,755.00.**

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

- 2. Presentation for discussion, consideration, acceptance and approval of Invoice #2 (change in services), dated 2-28-05, in the amount of \$1,375.00 from Alcoser Garcia Associates Design Consultants (AGADC) for architectural services in connection with the "Atrium Interior Renovations" with authority for the Auditor to issue payment.**

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

At this time Commissioner Garza returns to the Court.

**G. HIDALGO COUNTY I.T. DEPARTMENT-**

- 1. Requesting authority to purchase computer equipment and peripherals from Dell Marketing a vendor on State of Texas DIR Go-Direct Program for Req # 66398 in the total amount of \$5,149.48.**

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

- 2. Requesting authority to reject bids received for "Purchase and Installation of a Generator".**

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

- 3. Presentation for consideration, discussion and approval of the "Proposal" as submitted by Centennial Contracting Enterprises, Inc., awarded JOC (job order contractor) through the County's participation/membership with The Cooperative Purchasing Network's Program (under the Region IV contract) with authority to issue necessary purchase order(s) for the purchase and installation of a generator in the total amount of \$25,494.00 for the I.T. Department.**

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

**H. 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 Executive Session.

At this time the Court moved to reconvene the Regular Agenda.

At this time Judge Garcia steps out of the Court.

**19. Budget Office – Valde Guerra: (SEE EXHIBIT U)**

- A. Transfer of county’s undivided interest in and to Old Airport Property and authorize execution of deed and related closing documents to City of Edinburg – Steve Crain**

NO ACTION taken on this item.

**B. Historical Commission:**

- 1. Requesting approval of payment of \$ 1500.00 and travel request for nine (9) non-county employees to attend the Historic Preservation Conference**

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

**C. Law Library:**

- 1. Consideration and approval to appropriate funds from fund balance into obj. 748 - \$ 3,501.28**

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

**D. Approval of Budget amendments:**

- 1. ADA Project – Fund 1328 - \$ 37,005.42**
- 2. IT Department – Fund 1242 - \$ 100,692.30**
- 3. 2002 C/O – Fund 1332 (for Old Jail Bldg.) - \$ 143,000.00**
- 4. 2000 C/O – Fund 1330 (for Sheriff’s Department Projects)–NO ACTION taken on this item.**
- 5. 2001 C/O – Fund 1331 (for County Parking Lot) - \$ 78,911.22**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 1 thru 5 with the exception of item #4.

- 6. Law Enforcement Training FAC - \$39,000.00**

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

**E. Pct. #1:**

- 1. Approval to appropriate Pct. #1 R & B unreserved funds to various R & B Adm. Accts. - \$ 72,962.98**
- 2. Approval to appropriate Pct. #1 Parks unreserved funds to various Parks Accts. - \$ 41,111.72**

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

**F. Pct. #3:**

- 1. Approval to appropriate Pct. #3 R & B unreserved fund balance into Pct. #3 Adm. - \$ 30,000.00 and Road & Bridge - \$ 225,000.00 (total of \$ 255,000.00)**

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

**G. Juvenile Detention**

- 1. Approval of Interdepartmental transfer from the Co. Wide Adm./Juvenile Detention**
- 2. Approval of Revised Salary Schedule**

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

**H. Intradepartmental transfers:**

- 1. Constable Pct. #3 – approval to create obj.640 & transfer - \$ 837.00**
- 2. Fire Marshal – approval to create obj. 442 & transfer - \$ 115.00**
- 3. Pct. #4 Parks – approval to create obj. 434 & transfer - \$ 300.00**
- 4. IT Department – approval to create obj. 441 & transfer - \$ 1,700.00**
- 5. Pct. #4 – Colonia Access Program - \$ 69,616.06**
- 6. Pct. #4 – Colonia Access Program - \$ 72,824.81**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 1 thru 6.

**I. Interdepartmental Transfer –**

- 1. Parking Facility/Parking Lot – 2001 C/O (Fund 1331)**

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

- 2. Co. Wide Adm./Sanitation Pct. 3**

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 #18-A1.

**J. Request from the City of Edinburg to utilize the parking lot owned by Hidalgo County formally known as the old K-Mart building for the period of Monday, March 14<sup>th</sup> – Sunday, March 27, 2005**

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

At this time the Court moved back to item #13.

**K. Discussion, consideration, and action to apply for The Bulletproof Vest Partnership (BVP) Program.**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to appoint Dr. Lori Ochoa as contact person and to apply for the BVP Program.

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

**L. Discussion, consideration, and approval to create one Assistant Court Coordinator and one Deputy Sheriff for J.P. Pct. #1 Pl. 1, J.P. Pct. #1 Pl. 2, J.P. Pct. #5, and approval of revised salary schedule for same.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to create the Assistant Court Coordinator only and set salary for \$24,201.00

At this time the Court moved back to item #5.

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

**20. Closed Session: (SEE EXHIBIT V)**

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

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

**21. Open Session:****A. Real Estate Acquisition**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on parcel #121 belonging to Profirio Ramirez Jr. and Felicia C. Ramirez for the settlement amount of \$3,689.00.

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on the project known as New Jersey St. in Pct. #3 to except 6 parcels of land.

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

NO ACTION taken on this item.

**C. Pending and/or potential litigation**

NO ACTION taken on this item.

**22. Closed Session:**

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

**23. Open Session:**

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

**24. Adjourn**

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

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 08, 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 Garza, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of items #4-A&B.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
  - A. Constable Pct. #3**
  - B. Health – Clinics**
  - C. IT Department (2)**
  - D. District Clerk**
  - E. Planning Department**
  - F. Pct. #2 – CRC**
  - G. Pct. #2 – Sanitation**
  - H. Pct. #2 – Parks**
  - I. Pct. #2 – R & B**
  - J. Pct. #3 – Parks**
- 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. Tax Refunds: (SEE EXHIBIT D)**

<b>A. Sparks, Helen Mae</b>	<b>Ginger D. Freeman</b>	<b>\$ 4,424.50</b>
<b>B. LC Castillo Corp.</b>	<b>LC Castillo Corp.</b>	<b>\$12,297.45</b>
- 5. Urban County: (SEE EXHIBIT E)**
  - A. Request for Approval of Two (2) Applicants under the HOME-Homeowner Occupied Housing Rehabilitation Program – One (1) Applicant Classified as a Hardship Case in the Countywide Area and One (1) Applicant in the City of Palmview.**

6. **Right of Way – Permits: (SEE EXHIBIT F)**

**Melden & Hunt: Install a 1” waterline on Val Verde Road approximately 3700’ south of the centerline of Bus. Hwy. 83 – Bore – Paid 3.75**

**Melden & Hunt: Install a 1” waterline on Val Verde Road approximately 3770’ south of the centerline of Bus. Hwy. 83 – Bore – Paid 3.75**

**Melden & Hunt: Install a 1” waterline on Val Verde Road approximately 4170’ south of the centerline of Bus. Hwy. 83 – Bore – Paid 3.75**

**North Alamo Water Supply: Install a 2” waterline approximately ¼ mile west of FM 1015 on Mile 10 ½ - Adam Garza – Paid 3.75**

**North Alamo Water Supply: Install a 2” waterline approximately 200’ west of Cesar Chavez Road on Earling Road – Bore – Cenizo Corp. Paid 3.75**

**North Alamo Water Supply: Install a 2” waterline extension 325’ going north of 11<sup>th</sup> Street on the east side of Bucy Road – Pablo Barron – Paid 3.75**

**North Alamo Water Supply: Install a 3” waterline approximately 3563’ and 3963’ south of FM 1423 on Val Verde Road – Haro Subdivision – 2 Dual Bores – Paid 3.75**

7. **Purchasing Department: (SEE EXHIBIT G)**

**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
66460	Law Library	Dell Marketing	\$2,485.00	5-1247-412-50-100-001-0-745
66325	Tax Office	Dell Marketing	\$1,135.50	5-1100-415-15-140-001-0-745
66379	I.T. Dept	HP	\$2,569.00	5-1100-415-00-200-002-0-745
66186	I.T. Dept	CDW-G	\$ 288.89	5-1100-415-00-200-002-0-664
66228	I.T. Dept	CDW-G	\$ 883.60	5-1100-415-00-200-002-0-664

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
66458	I.T. Dept	PC MALL	\$ 219.92	5-1100-415-00-200-001-0-601
66458	I.T. Dept	PC MALL	\$ 411.99	5-1100-415-00-200-002-0-664
66458	I.T. Dept	PC MALL	\$1,169.27	5-1100-415-00-200-002-0-745

**B. HIDALGO COUNTY TAX OFFICE –**

1. **Requesting authority to enter into a one year maintenance agreement with ABA Moriah Corporation for a printer for Req # 66319 in the total amount of \$1,845.00. Effective March 10, 2005 through March 9, 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**

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

**NOTICE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 08, 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 W)

**1. Roll Call**

All Members of the Board were counted present.

**2. Open Forum**

Godfrey Garza – Defending the Drainage District.

**3. Approval of Consent Agenda**

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

**4. Discussion and possible action to approve United Farm Workers Meet & Confer Committee with Hidalgo County Drainage District #1**

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

**5. Approval of Change Order #2 from R. Gutierrez Engineering for decrease (\$7,392.00) on South "I" Rd. Bridge Replacement**

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

**6. Risk Mgmt./Workers' Comp. – Valde Guerra:**

- A. Update on Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 3,013.00 for the period ending February 16-28, 2005**

On motion of Commissioner Palacios, seconded by Commissioner Handy, 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. Requesting approval to advertise and approval of draft specifications as attached hereto for: "Hauling Services-Gravel/Sand and /or Crushed Caliche"**

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

- 2. Requesting approval to exercise the sixty (60) day grace period extension of term for the "Gasoline, On/Off Highway Diesel Fuel" Project, so as to have no lapse in service while bid process is on going.**

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

- 3. Requesting authority to advertise for "Gasoline, On/Off Highway Diesel Fuel" Project.**

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

- 4. Requesting authority to advertise a Request for Proposals for: "Long Distance Service" for Hidalgo County with requirements, specifications and/or scope of services to be developed and drafted with and by the IT Dept.**

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

- 5. Presentation for discussion and approval for Hidalgo County Drainage District No. 1 to participate and include the following language in Hidalgo County's project for the selection of Bank Depository and/or Remittance-Processing (Lockbox) Bank:**

**The Hidalgo County Drainage District Number One Board of Directors may, at their option, utilize the depository selected by Hidalgo County as the depository for Hidalgo County Drainage District Number One. Should the Board of Directors of Hidalgo County Drainage District Number One decide the bank selected as its depository is the same as the one selected by Hidalgo County, the bank selected shall offer Hidalgo County Drainage District No One the same terms and provisions as it offers Hidalgo County under the depository agreement.**

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

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

**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 Closed 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.

At this time the Board moved back to the Regular Agenda item #19-A.

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 08, 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 Handy, seconded by Commissioner Garza, 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. Abel Gonzalez – Abel Gonzales Subdivision**
  - B. Sharyland ISD – Sharyland ISD Jr. High 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 08<sup>th</sup> 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 08, 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,

