

REGULAR MEETING – April 12th, 2005

BE IT REMEMBERED, that on this 12th day of April, 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 M. FLORES	COMMISSIONER, PRECINCT. NO 3

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, APRIL 12, 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 Garza.

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.

At this time the Court moved to item #18-H-1.

4. Open Forum

Teresa Navarro – HAVA, grant in the amount of 2.6 millions dollars to purchase voting machines.

Tito Palacios – TAC.

Judge Garcia – The new voting machines.

Demsey Lance – Director of Hidalgo County Farm Bureau.

Virginia Townsend – On the new BFI landfill.

5. Approval of Consent Agenda

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

6. **Pct. #3 Landfill Project: (SEE EXHIBIT H)**

A. Presentation by BFI Waste Systems of North America, Inc. and Donna Development Tx. Co., L.P. on proposed landfill in Pct. 3

Presentation made by Keith Eddleblute.

At this time the Court moved to item #18A-14.

B. Consideration and action on Resolution supporting the construction and operation of a landfill in Pct. #3 on property described as 2071.55 acres of land out of Sections 211, 212, 213, 214 & 215 Texas Mexican Railway Company's Survey, Hidalgo County, Texas

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

At this time the Court moved to item 10-B.

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

A. Discussion and update on Health Services District

Presentation made by Dr. Diaz.

B. Discussion, consideration and action on supplementing the salary and/or benefits of county employees on Military Leave

NO ACTION taken on this item.

At this time Commissioner Handy steps out of the Court.

8. **J.P. Pct. #2, Pl. 2 – Judge Trevino: (SEE EXHIBIT J)**

A. Approval to accept Texas Department of Public Safety Grant to electronically report traffic convictions to Austin (for the period of February 01, 2005 – June 30, 2006)

B. Appropriation of funds - \$ 12,569.00

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

9. **Urban County – Diana Serna: (SEE EXHIBIT K)**

A. Resolution authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Texas Community Development Program – Office of Rural Community Affairs, 2004 Colonia EDAP Fund Application.

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

B. City of La Joya is requesting approval of a contract agreement with El-Con Construction & Development for Clearance and Demolition of eight (8) structures utilizing YR 17 (FY 2004) in the amount of \$19,000.00.

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

At this time the Court moved to item #12.

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

A. Requesting authorization to advertise and schedule a hearing to accept the TCEQ OSSF Compliance Rule

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

At this time the Court moved back to item #7-A.

B. Requesting authorization and approval to assign Dr. Oscar Mendez as interim Chief Physician for Hidalgo County Health Department during the period of which Dr. Ivan Melendez' leave to serve our country in Iraq

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

At this time the Court moved to item #18A-3-e.

11. WIC Department – Norma Longoria: (SEE EXHIBIT M)

A. Requesting to amend the budget in the amount of 206,000.00

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

B. Requesting approval of intradepartmental transfer - \$ 94,029.00

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

At this time Commissioner Handy returns to the Court.

At this time Judge Garcia steps out of the Court.

C. Presentation of WIC Audit

Presentation made.

At this time the Court moved to item #13.

12. Human Resources – Esther A. Cortez: (SEE EXHIBIT N)**A. Discussion and approval of Absence Control Policy**

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

B. Discussion and approval of Hidalgo County Drug & Alcohol Policy

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

At this time the Court moved back to item #11.

13. Planning Department – Raul Sesin: (SEE EXHIBIT O)**A. Preliminary Approval:**

- 1. Rolando “Chino” Cruz Subdivision – Pct. 4 (Roland Cruz)**
- 2. La Donna Gardens Subdivision – Pct. 1 (Scott Campbell)**
- 3. Chapin Oaks Subdivision – Pct. 4 (Rodrigo Martinez)**
- 4. Las Anacuas Subdivision – Pct. 4 (Omar Trevino)**
- 5. La Blanca Family Clinic – Pct. 1 (Ariel Guzman)**

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

B. Final Approval:

- 1. Pecan Village Phase I Subdivision – Pct. 4 (Jack Rabe)**
- 2. Oakland Village Phase 2 Subdivision – Pct. 4 (Jack McClelland)**
- 3. El Tigre Food Store No. 22 Subdivision – Pct. 3**
- 4. R. Daniels Subdivision – Pct. 2 (Robert Daniels)**

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

C. Final Approval with a Cash Deposit:

- 1. Margaritas Subdivision – Pct. 3 (Eberardo Elizondo)**

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

D. Partial Release of Letter of Credit:

- 1. Ranchitos Del Progreso Phase I – Pct. 1 (Tony Gray Developer)**

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

14. Human Services – Rudy De La Vina: (SEE EXHIBIT P)**A. Discussion and/or action, including, but not limited to Indigent Health Care Program and/or Expenditures**

NO ACTION taken on this item.

15. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT Q)

- A. Status of relocation of B&G Dept. to former jail site**
- B. Landscape and Maintenance of courthouse grounds project**
- C. Status of renovations of administration building**
- D. Status of other ongoing county owned building construction, renovation repair projects**
- E. Report of unanticipated, or emergency situation occurring since last agenda meeting**

Presentations made by Daniel Flores on items A thru E.

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

- A. Discussion and possible action to approve Advance Funding Agreement for State Off-System Bridge Replacement Project as County Road 790 (Moore Rd.) over drainage ditch**

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

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

- A. Requesting approval to increase slot #123-005-049 from \$ 19,548.82 to \$ 21,399.79 (due to additional duties) – R & B**

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

- B. Requesting approval of revised salary schedule**
- C. Approval of Intradepartmental transfer**

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

- D. Acceptance of a donation of 850 tons of asphalt from Valley Caliche**

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

At this time Judge Garcia returns to the Court.

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.**

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	<u>1124</u>	Other Information:	<u>8</u>
Physical Count:	<u>1114</u>	Males (in house)	<u>1027</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>87</u>
Brook's	<u> </u>	Federal Prisoners	<u>14</u>
Adj. /Sentenced to TDC	<u>116</u>	Total Paper Ready TDC	<u>116</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 with including action regarding Landmark final & Application for payment, punch list and release of retainage;**

Nothing to report on items 2, & 3a.

- b) **Presentation for discussion, consideration, acceptance and approval of Request for Payment # 8 in the amount of \$2,505.92 submitted by project architect, V-A Architecture for architectural rendered in connection with the design and construction of the Hidalgo County Shooting Range Facility on site of the new Adult Detention Facility and Law Enforcement Center Project with authority for the Auditor to issue payment.**

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

- c) **Presentation for discussion, consideration, acceptance and approval of a request by Dr. Ivan G. Melendez, M.D. of a temporary “Assignment” (as provided under Article 7) of the present contract with the County of Hidalgo for the provision of contractual physician services to the inmates at the Hidalgo County Adult Detention Facility to Dr. Oscar Mendez, M.D. until the return of Dr. Melendez from his tour of duty.**

See item # 18K-1.

- 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 for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional; one (1) year term (as provided in contract) with RGV Educational Broadcasting, Inc.**

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

At this time Commissioner Palacios steps out of the Court.

6. **Requesting authority to exercise the additional one (1) year extension as provided in the current contract (Section 1) with Insko Distributing Inc. for “HVAC Equipment repair Parts-Hidalgo County” under the same rates, terms and conditions. Effective date 04/13/05 thru 04/13/06.**

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

7. **Recommending and requesting authority to purchase “Janitorial/Industrial Supplies” through, TASB (The “Buy” board) multiple awarded vendors, Gulf Coast, C.C. Distributing, Zep manufacturing, through May 31, 2005.**

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

8. **Requesting authority to exercise the sixty (60) day grace period extension with Gulf Coast Paper under current contract for: Hidalgo County-“Janitorial/Industrial Supplies”.**

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

9. **Pursuant to a previous directive by Commissioner’s Court agenda meeting (October 12, 2004) in connection with GASB 34 compliance issues, presentation for discussion, consideration and approval of draft qualifications, scope of services and requirements with authority to advertise a request for qualifications RFQ or RFQ/P for “Legal Services in the Area of Real Estate Law” , project**

NO ACTION taken on this item.

10. **Requesting authority to advertise and approval of specifications for a request for bids for the following road paving materials to include all funding sources (i.e. R&B, CIP, and CAP).**
 - a) **“CRS-2 (Cationic Rapid Setting) Emulsified Asphalt” –RFB. (Bid No. 2005-147-05-04-MSS).**
 - b) **“EN-1 Road Stabilizer” –RFB. (Bid No. 2005-149-05-04-MSS).**

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

- 11. Presentation for discussion, consideration, and approval of an “Amendment” to the current agreement with Mutual of Omaha to include payment of CAT Scan at 100% (as was being done under the Humana Program) and as recommended by County’s health benefit consultant, Gary R. Looney, Alamo Insurance Group.**

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

- 12. Presentation for discussion, consideration and action including, but not limited to, the following items in connection with the County-owned building and property, fka, the Kmart Property:**

- a) General status report by project architect (when necessary) or purchasing department;**

Nothing to report on item a.

- b) Requesting authority to advertise exterior and interior repairs and renovations for the Kmart Building with plans and specifications to be drafted by architect including the receiving of bids, tabulation, analyzing and recommendation for award by Commissioners Court;**

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

- 13. Presentation for discussion, consideration and action including, but not limited to, the following items in connection with the construction of a new facility to house the Hidalgo County Adult Probation Dept.:**

- a) General status report by project architect (when necessary) or purchasing department;**

Nothing to report on item a.

- b) Status of abatement and demolition project by contractor, R &L Abatement of portions of the structures(former Hidalgo County Sheriff’s Dept. and Jail on S. Hwy.281);**

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

- 14. Pursuant to Texas Local Government Code, Chapter 116, Section 116.022(a) and 116.024 (a) (1), announcement and recording “all applications filed with the county judge” by 10:00 a.m., April 12, 2005 at Commissioners Court as advertised in a Notice ‘in a newspaper published in the county’**

Announcement and recording made by 1st National Bank at 9:41 A.M. and Texas State Bank at 9:42 A.M.

At this time the Court moved back to item #6-b.

- 15. Pursuant to a previous directive by Commissioner's Court agenda meeting (October 12, 2004) in connection with GASB 34 compliance issues, presentation for discussion, consideration and approval of draft qualifications, scope of services and requirements with authority to advertise a request for qualifications RFQ or RFQ-P for Legal Services in the area of Real Estate Law, project.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO 1 –

- 1. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.024(a) (7) (A), "...existence of patents, copyrights..." for McGraw-Hill, Inc. for the Precinct No. 1**

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

- 2. Requesting authority to purchase a GED software license from McGraw –Hill, Inc., for Req #68068 in the total amount of \$1,500.00**

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

- 3. Presentation for discussion, consideration, acceptance and approval of Invoice #1 submitted by Hidalgo & Cameron Counties Irrigation District #9 "HCCI #9" in the amount of \$161,356.31 (for payment of materials) in connection with requirements set forth under the approved Interlocal Cooperation Agreement between the County of Hidalgo and "HCCID #9" for the relocation of an irrigation line owned by "HCCID #9" with authority for Auditor to issue payment.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to an item coming up through Budget.

C. HIDALGO COUNTY PRECINCT NO. 3 –

- 1. Requesting approval of Change Order No. 3 (increase) in connection with "Contract # C-04-164-07-13 Construction of restroom facility – Anzalduas Park" in the amount of \$1,240.00 with A.J. Construction and as approved by Architect, Alcocer Garcia Associates Design Consulting New contract sum including this change order will be \$85,491.25**

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

- 2. **Requesting authority to purchase through the Interlocal Agreement with the Houston – Galveston Area Council (H-GAC): A-Dallas Mack Sales, L.P. Dallas, Texas B and C – B&C Body Co., Dallas, Texas., with specifications attached hereto and as requested by Precinct for:**

A. - “One (1) New Model 2006 CV713 w/Air Brake CAB & Chassis	\$ 81,750.00
B. - “One (1) New Model 2005 hydraulic w/Pintle Hitch Roll- Off Hoist”...\$	32,678.00
C.-“Four (4) Heavy Duty 30yd Roll-Off Containers U/Price \$ 4,241.00....	\$ 16,964.00
H-GAC Adm. Fee	\$ 1,400.00
Containers Freight Charge	\$ 396.00
Total Amount FOB Pct 3	\$133,188.00

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

D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 3-

- 1. **Requesting authority to advertise for Road Construction for the following subdivisions: (Project Carried By: Javier Hinojosa Engineering, Inc.)**
 - a) Group I
 - b) Grovewood Estates
 - c) Perlas De Naranja
 - d) Group II
 - e) Los Ebanos
 - f) Group III
 - g) Carlos Acres
 - h) Vales Subdivision

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

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

- 1. **Requesting authority to advertise for: “Road Construction of Meadowlands & Tropicana Subdivision & HillCrest Terrace (as an alternate bid)” (Project Carried By: J.E. Saenz & Associates, Inc.)**

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

F. HIDALGO COUNTY BUILDING AND GROUNDS DEPARTMENT –

- 1. **Recommending of bid No. 05-020-04-06JMT award and approval of contact to the lowest bidder meeting all requirements attached hereto for: “Landscaping with Maintenance of County Courthouse Grounds”**

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

At this time Commissioner Palacios returns to the Court.

2. **Presentation for discussion, consideration, acceptance and approval of a proposal from Centennial Contractors Enterprises, Inc. (area job order contractor through TCPN and Region V) in the amount of \$13,432.62 for the materials, labor, etc. to install a 600 amp, 480 volt overhead electrical service to power electrical panel in old (former) jail pod building for the relocation of the Building & Grounds Department with authority to issue requisition and authorize purchase purchase order**

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

G. HIDALGO COUNTY CONSTABLE PRECINCT NO.3-

1. **Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application) (Original)to be forwarded to Arguindegui Oil Co. II, Ld as submitted by Hidalgo County Constable Precinct No. 3 and detailing the “holder and user” of fleet fuel card under awarded contract for “Gasoline, On & Off Highway Diesel Fuel”. (New Employee)**

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

At this time the Court moved to item I.

H. HIDALGO COUNTY DISTRICT ATTORNEY’S OFFICE –

1. **Requesting authority to advertise and approval of draft specifications for: “Renovations to a Portable Building (located at old jail facility)”.**
2. **Requesting approval of draft construction contract form between Hidalgo County (District Attorney’s Office) and Contractor for: “Renovations to a portable building (located at old jail facility)”.**

Note: Purchasing has recommended the following to D.A.’s Office.

- a) **engaging an Architect to draft plans & specifications for sealed bids**
- b) **suggesting Job Order Contractor (JOC) in order to ensure Architect & Engineering Services**
- c) **D.A. declines suggestions/recommendations based on proposed dollar amount and scope specifications for the project; or in the alternative;**
3. **Requesting exemption from competitive bidding requirements pursuant to Texas Local Government Code, Section 262.024 (a) (4), ‘a professional service’, for the engagement of a architect to draft plans and specifications for the purposes of bidding renovations of a portable building on site of the former Hidalgo County Jail;**
4. **Requesting authority to negotiate an AIA professional architectural services contract (subject to legal review) with the firm of _____ (evaluated by D.A. Office from County’s “Pool” of Architects) for the provision of architectural services for renovations of a portable building on site of the former Hidalgo County Jail;**

NO ACTION taken on items 1, 2-abc, 3a & 4.

I. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT –

- 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
Sheriff's Dept.	Rotating 26 employees	\$ 65.00	1400	SanyoR14920 (Free phone)

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

At this time Commissioner Flores steps out of the Court.

- 2. Requesting authority to purchase computer equipment and peripherals from vendors on State of Texas DIR GO-Direct Purchasing Program for the following;**

Req	Vendor	Amount	Account Number
67880	Dell Marketing	\$ 11,320.18	5-1100-415-00-200-002-0-745
67669	Compucom	\$35,520.00	5-1100-415-00-200-002-0-747(Pending line item transfer)

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

J. HIDALGO COUNTY JUVENILE PROBATION DEPT.-

- 1. Presentation for discussion, consideration, acceptance and approval of finalized plans, specifications, and contract documents as presented by project architect, V-A Architecture so as to commence the advertisements of sealed bids (as previously approved for publication by CC on 11-30-04)**

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

At this time Commissioner Flores returns to the Court.

At this time the Court moved to item #L.

K. HIDALGO COUNTY HEALTH DEPARTMENT-

- 1. Presentation for discussion, consideration, acceptance and approval of a request by Dr. Ivan G. Melendez, M.D. of a temporary "Assignment" of the present contract with the County of Hidalgo for the provision of services of as "Chief of Physician" for the Hidalgo County Health Department to Dr. Oscar Mendez, M.D. until the return of Dr. Melendez from his tour of duty.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 18A-3c & 18K.

At this time the Court moved back to item #10-A.

L. HIDALGO COUNTY –

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

NO ACTION taken on this item.

19. Risk Management/Workers' Compensation: (SEE EXHIBIT U)

- 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 \$ 82,417.63 for the period ending March 16-31, 2005**

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

20. Budget Office – Valde Guerra: (SEE EXHIBIT V)**A. Interfund transfer:**

- 1. Adm./Pct. #3 Fund 1315 – (TXDOT US 83 Illumination) - \$ 6,500.00**

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

B. Pct. #1:

- 1. Discussion, consideration and action regarding interim funding source for the Mile 2 West Irrigation Line Relocation Project – Pct. #1**
- 2. Approval of budget amendment - \$ 1.2 M**

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

At this time Commissioner Flores steps out of the Court.

C. Approval of budget amendments/appropriations:

- 1. Fund 1334 (K-Mart Bldg. Renovations) - \$ 900,000.00**

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

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

21. Closed Session: (SEE EXHIBIT W)

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

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. Cause No. M-04-130; Minerva Zamora vs. Hidalgo County et.al**
- E. Pending and/or potential litigation – San Juan CRC Building**

22. 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. Cause No. M-04-130; Minerva Zamora vs. Hidalgo County et.al**
- E. Pending and/or potential litigation – San Juan CRC Building**

NO ACTION taken on items A thru E.

At this time Commissioner Flores returns to the Court.

23. Closed Session:

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

24. Open Session:

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

25. 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, APRIL 12, 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.

1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)

2. Intradepartmental transfers: (SEE EXHIBIT B)

- A. Information Technology 200-001**
- B. Information Technology 200-002**
- C. Information Technology Fund 1242**
- D. Human Resources**
- E. 370th District Court**
- F. Planning Department**
- G. J.P. Pct. #2, Pl. 2**
- H. Pct. #3 – Landfill (2)**
- I. Pct. #3 – Park**
- J. Pct. #3 – R & B (create obj. 671)**
- K. Adult Detention Center (create obj. 421)**
- L. Right of Way (create obj. 890)**
- M. Health – Imm. Grant (create obj. 661)**
- N. Pct. #1 – R & B (create obj. 607)**
- O. Pct. #1 – Sanitation**
- P. Pct. #1 – GED**

3. Monthly Reports – February: (SEE EXHIBIT C)

A. J.P. Ochoa	\$ 38,012.67
B. J.P. Saenz	\$ 24,842.50
C. J.P. Trevino	\$ 52,177.75
D. J.P. Garza	\$ 58,185.22
E. J.P. Contreras	\$ 29,556.94
F. J.P. Jackson	\$ 19,485.03
G. J.P. Morales	\$ 41,248.29
H. J.P. Espinoza	\$ 65,629.07
I. J.P. Palacios	\$ 65,994.27
J. Law Library	\$ 1,201.25
K. Sheriff Trevino	\$ 57,602.39
L. Anzalduas Park	\$ 1,728.21
M. Delta Lake	\$ 1,138.23
N. Constable Avila	\$ 1,261.00
O. Constable Alaniz	\$ 510.00

P. Constable Gallardo	\$ 905.00
Q. Constable Rios	\$ 1,000.00
R. Constable Bazan	\$ 380.00

4. Right of Way – Permits: (SEE EXHIBIT D)

- A. The Pablo Munoz Living Trust – Ridge Rd. & Border Rd.**
- B. North Alamo Water Supply – Mile 20 North on Engleman Rd.**
- C. North Alamo Water Supply – Midway Rd. on Mile 8 ½**

5. Planning Department: (SEE EXHIBIT E)

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)**

6. Tax Refunds: (SEE EXHIBIT F)

A. Helen Mae Sparks	Ginger Freeman	\$ 4,424.50
B. LC Castillo Corp.	LC Castillo Corp.	\$12,297.45

7. Purchasing Department: (SEE EXHIBIT G)

A. HIDALGO COUNTY –

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

Req	Department	Vendors	Amount	Account
67950	Health Dept.	Compusa	\$ 229.41	5-1100-441-00-340-001-0-432
67944	Health Dept.	Milesteck, Inc.	\$ 212.65	5-1100-441-00-340-001-0-664
67942	Sheriff's Dept	CDW-G	\$ 200.67	5-1100-421-00-280-001-0-664
67940	Health Dept.	Compusa	\$ 173.45	5-1293-441-00-340-013-5-664
67921	Precinct No. 1	CDW-G	\$ 177.98	5-1201-431-00-121-004-0-661
67692	Precinct No. 4	Rio Radio Supply	\$1,078.00	5-1204-431-00-124-007-0-664
67499	Precinct No. 1	CDW-G	\$ 134.94	5-1211-452-00-121-013-0-661
68091	TX Coop Ext	CDW-G	\$ 355.09	5-1100-461-00-380-001-0-601
68284	I.T. Dept	S.J.S. Computers	\$220.00	5-1100-415-00-200-001-0-664
68161	I.T. Dept	CDW Government	\$144.21	5-1100-415-00-200-002-0-664

- 2. Requesting authority to purchase computer equipment and peripherals from vendors on State of Texas DIR Go- Direct Purchasing Program for Req # 67707, Global Data in total amount of \$328.50 and on Req #68278, Dell Marketing in the total amount of \$264.57.**

B. HIDALGO COUNTY SHERIFF'S DEPARTMENT–

- 1. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.024 (a) (7) (C), “by a political subdivision of the state, a state agency of this state,” for Texas Department of Criminal Justice for the Sheriff's Department.**
- 2. Requesting authority to purchase chairs from Texas Department of Criminal Justice on Req # 67610 n the total amount of \$4,455.00.**

C. HIDALGO COUNTY 206TH DISTRICT COURT –

- 1. Requesting authority to enter into a one year maintenance agreement for Canon IR2105 Copier with Ikon on Req #67701 in the total amount of \$255.64. Effective April 18, 2005 through April 17, 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 12, 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 X)

1. Roll Call

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

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

4. Risk Management/Workers' Compensation:

A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 4,721.16 for the period ending March 16-31, 2005

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

5. Human Resources – Esther A. Cortez:

- a. Discussion and approval of Absence Control Policy**
- b. Discussion and approval of Hidalgo County Drug & Alcohol Policy**

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

6. 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 Pursuant to Texas Local Government Code, Chapter 116, Section 116.024(a)(1), announcement and recording all applications filed with the county judge:” by 10:00 a.m., April 12, 2005 at Commissioners Court as advertised in a Notice ‘in a newspaper published in the county’ inasmuch as Hidalgo County Board of Directors approved the “District’s” participation in the “County’s” Depository Project with specific disclosure language at meeting of 03-01-2005:**

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

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

7. 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**8. Open Session:****A. Real Estate Acquisition****9. Closed Session:**

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

10. Open Session:

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

11. Adjourn

On motion of Commissioner Handy, seconded by Commissioner Flores, the Board made a UNANIMOUS of approval to adjourn today’s meeting.

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, APRIL 12, 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 Flores, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Discharge Permits:**
 - A. City of Donna – Donna Memorial Cemetary**
 - B. City of Pharr – Los Pinos 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 12th day of April, 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 April 12, 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, Deputy

(Seal)

