

**SPECIAL MEETING – April 19, 2005**

**BE IT REMEMBERED, that on this 19<sup>th</sup> day of April, 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:**

<b>HONORABLE RAMON GARCIA</b>	<b>HIDALGO COUNTY JUDGE</b>
<b>HONORABLE SYLVIA HANDY</b>	<b>COMMISSIONER, PRECINCT NO. 1</b>
<b>HONORABLE HECTOR (TITO) PALACIOS</b>	<b>COMMISSIONER, PRECINCT NO. 2</b>
<b>HONORALBE JOSE M. FLORES</b>	<b>COMMISSIONER, PRECINCT NO. 3</b>
<b>HONORABLE OSCAR L. GARZA JR.</b>	<b>COMMISSIONER, PRECINCT NO. 4</b>

**and J.D. SALINAS, COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:**

**Ramon Garcia**  
**County Judge**

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

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



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

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

**HIDALGO COUNTY**  
**COMMISSIONERS' COURT**  
**AGENDA**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, APRIL 19, 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 Garza, Commissioner Garza arrived 5 minutes late and Judge Garcia arrived 10 minutes late.

**2. Pledge of Allegiance**

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

**3. Prayer**

At this time the Court and Audience were led in Prayer.

**4. Open Forum**

Virginia Townsend – Concerning the hiring of new constables.

At this time Commissioner Garza joins the Meeting.

**5. Approval of Consent Agenda**

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

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

**A. Final Approval with a Cash Deposit:**

**1. Rivas Subdivision – Pct. 2 (Israel Rivas)**

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

At this time Judge Garcia joins the Meeting.

7. **HIDTA – Task Force – Dora L. Munoz: (SEE EXHIBIT J)**

**A. Authorization and approval to accept the Award Cooperative Agreement between Hidalgo County and the Executive Office of the President – Office of National Drug Control Policy**

1. **Grant Amount: \$692,491.00**
2. **Grant Number: I5PSSP573Z**
3. **Grant period: 01/01/2005 to 12/31/05**

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

**B. Approval of budget appropriation:**

1. **Grant Amount: \$692,491.00**

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

**C. Approval of salary schedule for the denoted grant**

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

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

**A. Discussion, consideration and action regarding financial support for non-destination, non-radioactive hazardous cargo routes**

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

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

**A. Rescind the action taken on March 29, 2005 requesting approval to increase the 2003 HOME Contract between the Urban County Program and South Texas Economic Development Corporation, Inc. (STEDC).**

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

**B. Requesting approval to increase the 2002 HOME Contract between the Urban County Program and South Texas Economic Development Corporation, Inc. (STEDC) in the amount of \$3,500.00.**

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

**C. Approval to award a Construction Contract in the amount of \$499,343.00 to Sascon, Inc. for the Reconstruction and Drainage Improvements to Nebraska Avenue in the City of San Juan using Urban County Program Street Improvements funding from Year 17 (2004) and a contribution from the City of San Juan Economic Development Corporation (EDC) in the amount of \$258,644.50.**

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

At this time Commissioner Handy steps out of the Court.

- D. Hidalgo County Precinct No. 1 is requesting approval to enter into an Interlocal Agreement with the City of Progreso Lakes for Street Improvements using Urban County Funding Year 12 (1999), Year 15 (2002), Year 16 (2003) and Year 17 (2004) in the amount of \$108,625.77.**

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

- E. Approval to amend professional services contract with S & B Infrastructure, LTD with the City of La Joya - Water/Sewer Improvements Yr. 15, 16 & 17 (2002, 2003 & 2004) and increase contract by \$11,250.00 for a total of \$56,750.00.**

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

- F. Approval of a Budget and Program Amendment – City of Granjeno – Urban County Program Year 16 (2003). The proposed amendment for UCP Year 16 (2003) will add the following to the Public Facilities line item: The purchase of furnishings for the Public Facility (Multi Purpose Center) and add a Health Services line item (+\$7,000.00) to purchase a mosquito sprayer.**

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

At this time Commissioner Garza steps out of the Court.

- G. The City of Alamo requests authorization to purchase water/sewer materials in the amount of \$79,737.20 from National Waterworks, for the F. M. 495 Water/Sewer Utility Relocation Improvements project line item utilizing Urban County Program funds from Year 16 (2003).**

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

- H. The City of Alamo is requesting approval of a construction contract with Jay's Backhoe Service in the amount of \$45,320.00, for the Water/Sewer Improvements Utility Relocation project on FM 495, in conjunction with it's Urban County Program, utilizing funds from Fiscal Year 16 (2003).**

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

**10. Human Services – Rudy De La Vina: (SEE EXHIBIT M)**

- A. Discussion and/or action, including, but not limited to Indigent Health Care Program and/or Expenditures**

NO ACTION taken on this item.

At this time Commissioner Garza returns to the Court.

11. **Buildings & Grounds – Daniel Flores: (SEE EXHIBIT N)**  
**A. Status of relocation of B&G Dept. to former jail site**  
**B. Landscape and Maintenance of courthouse grounds project**

Presentation made by Martha Salazar on items A & B.

- 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**

Presentation made by Daniel Flores on items C thru E.

At this time Commissioner Handy returns to the Court.

12. **Pct. #1 – Comm. Handy: (SEE EXHIBIT O)**  
**A. Requesting approval of amended Advance Funding Agreement with TXDOT for Off-System Bridge Replacement Project CR 684 (Mile 4 North Rd. @ Drainage Ditch STR #AA06-84-001, CSJ:0921-02-931**

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.

13. **Pct. #2 – Comm. Palacios: (SEE EXHIBIT P)**  
**A. Discussion, consideration and action on appointment of board member to the Hidalgo County Civil Service Commission**

NO ACTION taken on this item.

- B. Discussion, consideration and action on appointment of Mr. Denton “Butch” Vulgamore to the Hidalgo County Emergency Services District #4 Board**

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

14. **Pct. #3 – Comm. Flores: (SEE EXHIBIT Q)**  
**A. Appointment of Mr. Ricardo “Rick” Perez to the Penitas Tax Increment Reinvestment Zone (TIRZ)**

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.

**15. Purchasing Department – Marty Salazar: (SEE EXHIBIT R)**

- 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>1146</u>	Other Information:	<u>8</u>
Physical Count:	<u>1135</u>	Males (in house)	<u>1049</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>86</u>
Brook’s		Federal Prisoners	<u>14</u>
Adj. /Sentenced to TDC	<u>194</u>	Total Paper Ready TDC	<u>141</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.

**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 Garza, the Court made a UNANIMOUS vote of approval.

**5. Requesting approval to surplus numerous vehicles as requested by Hidalgo County Sheriff’s Department, for the purpose of disposition through auction and as set forth under Texas Local Government Code, Section 263.152.(a)(1) as detailed on Exhibit “A” and attached hereto.**

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

- 6. Pursuant to a directive by Commissioner's Court agenda meeting (April 12, 2005) in the connection with GASB 34 compliance issues, presentation for discussion, consideration and approval to cancel authority (as authorized by Commissioner's Court on 10-12-04) to advertise a request for qualifications RFQ or RFQ-P for "Legal Services in the Area of Real Estate Law", project.**

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

- 7. Presentation for discussion, consideration and approval of a final negotiated professional services contract with "Border Visions", for "Professional Consulting Services for a Turnkey HIPAA Compliance Solution for Hidalgo County".**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval for a one year term on a monthly basis and the first month being a \$4,800.00 charge and then there after \$4,200.00 a month.

- 8. Requesting approval to exercise the sixty (60) day grace period under the current contract with The Document Storage Company, for: "Off Premises Storage, Records Management, Pick Up & Delivery Services", so as to have no lapse in service while the bidding process is completed. Effective date is June 18, 2005.**

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

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

Req	Department	Vendor	Amount	Account Number
67848	I.T. Dept	Trillion	\$9,544.32	5-1100-415-00-200-002-0-350
67677	Indigent Defense	Avnet	\$11,289.55	5-1100-412-00-009-003-0-745

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

- 10. Presentation for discussion, consideration, acceptance and approval of "Amendment No. 2" to the current contract with MGT of America, Inc. to reflect the extension of the time for the performance of the services in the current agreement through September 30, 2005 with authority for the County Judge to execute the Amendment document.**

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

- 11. Presentation for discussion, consideration, acceptance and approval of authorization for Noe Hinojosa from Estrada-Hinojosa to proceed with the services required in connection with, including but not limited to the following possible funding projects: CIP and Road District financing issues.**

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

**B. HIDALGO COUNTY PRECINCT NO 3 –**

1. **Presentation for discussion, consideration, acceptance and approval to execute a “Warranty Deed” to JGF Enterprises, L.P. so as to reconvey the property described as: Lot 84, Pueblo de Palmas Subdivision, Phase II, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 37, Page 70 and 71, Map Records of Hidalgo County, Texas so as to comply with the reversionary clause in the original conveyance of the Warranty Deed accepted by Hidalgo County (Grantee) on December 3, 2002.**

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

**C. HIDALGO COUNTY HEALTH DEPARTMENT –**

1. **Presentation for discussion acceptance and approval document from Centennial Contractors Enterprises, Inc. (Awarded AJOC(area job order contractor) through the County’s participants/members with Region IV Texas Cooperative Purchasing Network Program between Centennial Contractors Enterprises, Inc. for the provision of labor, materials as attached hereto with authority to issue purchase order in the amount not to exceed \$27,326.00 for:**
  - a) **Turnkey replacement for new 7.5 Ton unit.**
  - b) **Replace compressor for unit # 3.**
  - c) **Re-set the retrofitted Roof Top Units (2) to new TPO roofing system**
  - d) **Services all Roof Top Units (RTU) for proper operation.**
  - e) **Install new duct work to tie-in into the retrofitted Roof Top units.**

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

At this time Commissioner Garza steps out of the Court.

**D. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT –**

1. **Requesting approval to purchase two (2) Wireless Connection Cards (at no cost to the County after credits applied to \$179.99-\$150.00 credit and \$30.00 credit) through Sprint’s Contract with the State of Texas DIR TEXAN 2000 Program.**

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

2. **Requesting authority to purchase computer equipment and peripherals from Dell Marketing a vendor on the State of Texas DIR Go-Direct Program for Req #68313 in the total amount of \$5,829.39.**

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

**E. HIDALGO COUNTY TAX OFFICE –**

- 1. Presentation for discussion, consideration, acceptance and approval of a Amendment One {Lease of State of Texas Registration and Title System (RTS) Information Resources and Support) to the current agreement for the use of State of Texas Automation Equipment to reflect the deletion/withdrawal of a subcontractor-Burns Motors, thus bringing the current total to 11 instead of 12 sub-contractors and with authority for County Judge to execute Amendment One documents (pages 2 & 3 of 5 - Attachment 2);**

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

- 2. Presentation for discussion, consideration, acceptance and approval of authority for the Hon. Armando Barrera, Jr., Hidalgo County Tax Assessor-Collector or Agent to execute Attachment 2 (page 5 of 5) - Request for Remote Sticker Printer System (RSPS) and RSPS Dealer Application (DTA) document;**

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, including but not limited to, the following:**
  - a) Twelve (12) Point of Sale Equipment Contracts (Leases) between Hidalgo County and;**
    - i. HEB (at 14 locations as detailed in Exhibit I) at cost plus \$5,000.00 Surety Bond per work station;**
    - ii. Guzman, Inc. at no cost plus \$5,000.00 Surety Bond per work station;**

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

At this time Commissioner Garza returns to the Court.

- b) Twenty-five (25) Point of Sale Computers between Hidalgo County and;**
- i. HEB (at 14 locations as detailed in Exhibit I) at no cost plus \$5,000.00 Surety Bond/work station;**
  - ii. Guzman, Inc. at no cost as detailed in Exhibit I plus \$5,000.00 Surety Bond per work station;**
  - iii. Dalmeida, Inc.-at a cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - iv. Mission Spikes @ a cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - v. McAllen-Charles Clark Chevy \$600.00/Yr.**
  - vi. Edinburg-Bert Ogden Motors @ cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - vii. Mission -Bert Ogden Motors @ cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - viii. McAllen -Bert Ogden Motors @ cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - ix. McAllen -Frank Smith Isuzu @ cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - x. McAllen-Frank Smith Hyundai@cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**
  - xi. McAllen-Frank Smith Toyota @ cost of \$600.00/Year plus \$5,000.00 Surety Bond per work station;**

with authority for County Judge to execute all contract/lease documents including the note that HEB requires the execution of three (3) originals.

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

#### **F. HIDALGO COUNTY SHERIFF'S DEPARTMENT –**

- 1. Requesting authority to advertise and approval of draft specifications as attached hereto for “Communication Officers Uniforms” project.**

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

#### **G. HIDALGO COUNTY WIC PROGRAM -**

- 1. 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 HemoCue, Inc.**

On motion of Commissioner Flores, seconded by Commissioner Handy, 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.

**16. Budget Office – Valde Guerra: (SEE EXHIBIT S)**

- A. Discussion, consideration and action regarding request for thirty (30) day extension on submittal of annual financial audit report to Hidalgo County in accordance with Section 775.082 (d) of the Health and Safety Code**

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

- B. Requesting authorization and approval to transfer lapsed salaries and fringe benefits into the County’s contingency account**

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

- C. Discussion, consideration and action authorizing Mr. Valde Guerra, Budget Officer to process a requisition for issuance of a purchase order in connection with the General Engineering Contract for GASB 34 compliance with Traffic Engineering Design Systems Inc. (TEDSI) Contract #C-03-270-09-02**

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

- D. Approval of budget amendments/appropriations:**

- 1. Parks Pct. #2 - \$ 100,000.00**

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

- E. Interfund transfers:**

- 1. C/O 2002 Fund 1332/TXDOT Fund 1315 – 582,000.00**
- 2. B.O. Contingency/Pct. #2 Roadway System Study - \$ 100,000.00 (GASB 34 Compliance – General Engineering Contract with TEDSI)**
- 3. B.O. Contingency/Pct. #4 Roadway System Study - \$ 100,000.00 (GASB 34 Compliance – General Engineering Contract with TEDSI)**
- 4. General Fund Contingency Acct./Debt Service-Notes Payable (to fund the annual principal and interest payment for the K-Mart Bldg. Loan for 2005)**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items 1 & 4 only, NO ACTION taken on items 2 & 3.

**F. Constable Pct. #1:**

- 1. Discussion, consideration and action create one (1) Deputy Constable position**
- 2. Approval of revised salary schedule and set salary**

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

**G. Constable Pct. #3:**

- 1. Discussion, consideration and action create one (1) Deputy Constable position**
- 2. Approval of revised salary schedule and set salary**

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

**H. Constable Pct. #5:**

- 1. Discussion, consideration and action create one (1) Deputy Constable position**
- 2. Approval of revised salary schedule and set salary**

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

**I. Interdepartmental transfers:**

- 1. General Fund Contingency Acct./Various Accts. (to fund increased health insurance rate 2005)**

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

**J. Pct. #2:**

- 1. Approval to fund the county's share of the TXDOT Advance Funding Agreement for the State Off-System Bridge Replacement Project at County Road 790 over Drainage Ditch - \$ 11,881.80 (Fund 1315) (agreement approved by Comm. Court on 04/12/05)**

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

**K. Pct. #1:**

- 1. Approval to fund the county's share of the TXDOT Advance Funding Agreement for the State Off-System Bridge Replacement Project CR 684 (Mile 4 North Rd. @ Drainage Ditch, STR #AA-06-84-001, CSJ 0921-02-931 - \$ 12,316.50 (Fund 1315)**

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

At this time the Court moved to recess to open the Drainage District Agenda.

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

At this time the Court moved the Addendum.

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

**17. 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**
- D. Cause No. CCD-1403-E; Hidalgo County Texas Department of Right of Way vs. Delicia Espinoza**
- E. Cause No. C-650-05-H; Esteban Ortega Brown, M.D. et.al vs. Eric Schreiber**
- F. CL-05-0892-B; Gerald G. Schuller Jr. vs. Hidalgo County Sheriff's Department**
- G. Pending and/or potential litigation – San Juan CRC Building**

**18. 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. CCD-1403-E; Hidalgo County Texas Department of Right of Way vs. Delicia Espinoza**
- E. Cause No. C-650-05-H; Esteban Ortega Brown, M.D. et.al vs. Eric Schreiber**
- F. CL-05-0892-B; Gerald G. Schuller Jr. vs. Hidalgo County Sheriff's Department**
- G. Pending and/or potential litigation – San Juan CRC Building**

NO ACTION taken on items A thru G.

**19. Closed Session:**

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

**20. Open Session:**

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

**21. Adjourn**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court 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 Commissioners' Court will be held on TUESDAY, APRIL 19, 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 Flores, the Court made a UNANIMOUS vote to approve the Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
  - A. County Wide Adm. & create obj. 339**
  - B. 398<sup>th</sup> District Court**
  - C. J.P. Pct. #3, Pl. 2**
  - D. Health – Bioterrorism**
  - E. Pct. #3 – R & B**
  - F. Pct. #3 – Park & create obj. 890**
  - G. Planning Department**
  - H. IT Department (2)**
  - I. Health – Clinics**
  - J. Pct. #1 – R & B**
  - K. Pct. #1 – Parks**
  - L. Pct. #1 – Sanitation**
  - M. Pct. #1 – CAP & create obj. 731**
  - N. IT Department (Fund 1242) & create obj. 534**
  - O. Health Benefits Acct. & create obj. 601**
  - P. Elections Department & create obj. 123**
  - Q. Pct. #2 – 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. **Right of Way – Permits: (SEE EXHIBIT D)**

- A. **Southwestern Bell – north Tower Rd.**
- B. **Southwestern Bell – north Tower Rd. south of Earling Rd.**
- C. **Southwestern Bell – along Minnesota Rd.**
- D. **Southwestern Bell – along Tom Gill Rd. south of Mile 3 North Rd.**
- E. **Southwestern Bell – along Bryan Rd.**
- F. **Shell Western Exploration – FM 490 & .6 miles south on Caliche Rd. (paid \$ 3.75)**
- G. **North Alamo Water Supply – Mile 17 North on 83<sup>rd</sup> St. (paid \$ 3.75)**
- H. **North Alamo Water Supply – Brushline, north of FM 2812**

5. **Urban County: (SEE EXHIBIT E)**

- A. **Request approval to enter into one (1) “Homebuyer Assistance Program” Contract under the HOME Program – the family will be provided with \$ 5,000 grant for down-payment/closing cost assistance**

6. **Monthly Fee Reports – March: (SEE EXHIBIT F)**

- A. **District Clerk - \$ 380,665.01**
- B. **District Attorney - \$ 236,522.21**

7. **Tax Refunds: (SEE EXHIBIT G)**

Taxpayer	Payer	Amount
A. David E. Bramble	David E. Bramble	\$ 3,495.84
B. US Inter Mex	US Inter Mex	\$ 3,339.08
C. Centex Home Equity	Virginia C Martinez	\$ 6,156.28
D. Garcia Grain Trading Corp.	Garcia Grain	\$ 5,130.47
E. Robert J. & Gilda Bowen	Robert Bowen	\$ 8,320.16
F. Wells Fargo	Wells Fargo	\$ 2,978.79
G. Reddy Ice Group, Inc.	Reddy Ice Group	\$14,000.00
H. Gregorio III & Luciana Pina	Washington Mutual	\$ 3,848.22
I. Southwest Hay & Feed Co.	Southwest Hay & Fee	\$ 4,687.09

8. **Purchasing Department: (SEE EXHIBIT H)**

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
67954	Health Dept	Compusa	\$229.41	5-1100-441-00-340-001-0-432
68284	I.T. Dept	S.J.S. Comp	\$220.00	5-1100-415-00-200-001-0-664
68066	Planning	Compusa	\$585.30	5-1100-419-10-210-001-0-661

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

<b>Req</b>	<b>Department</b>	<b>Vendor</b>	<b>Amount</b>	<b>Account Number</b>
68054	Tax Assessor	Dell Marketing	\$283.19	5-1100-415-15-140-001-0-745
68171	Budget Office	Dell Marketing	\$2,548.92	5-1100-415-14-115-001-0-745
68263	I.T. Dept	Dell Marketing	\$555.63	5-1100-415-00-200-001-0-601
68283	I.T. Dept	Dell Marketing	\$667.48	5-1100-415-00-200-001-0-601
68348	I.T. Dept	CDW-G	\$83.00	5-1100-415-00-200-002-0-747
68366	Pct No 1	CDW-G	\$159.98	5-1201-431-00-121-005-0-664
68365	I.T. Dept	Dell Marketing	\$1,286.49	5-1242-412-00-060-001-0-745
68540	I.T. Dept	CDW-G	\$1,933.00	5-1242-412-00-060-001-0-661
68538	I.T. Dept	CDW-G	\$139.00	5-1100-415-00-200-002-0-664
68535	Human Resource	Dell Marketing	\$2,486.74	5-1100-415-50-190-002-0-745
68534	I.T. Dept	Dell Marketing	\$192.20	5-1242-412-00-060-001-0-661
68531	I.T. Dept	Dell Marketing	\$192.20	5-1242-412-00-060-001-0-661
68528	I.T. Dept	CDW-G	\$486.00	5-1242-412-00-060-001-0-661
68525	I.T. Dept	CDW-G	\$486.00	5-1242-412-00-060-001-0-661
68612	Budget Office	CDW-G	\$97.99	5-1100-415-14-115-001-0-661

**B. HIDALGO COUNTY TAX OFFICE –**

1. Requesting authority to enter into a one year maintenance agreement for a register machine and printer with Jones & Cook Stationers on Req #68527 in the total amount of \$205.00. Effective April 17, 2005 through April 17, 2006.
2. Requesting authority to enter into a maintenance agreement for Digitech Software Maintenance with Quality Data Imaging to expire on March 9, 2006 on Req #68206 in the total amount of \$410.00.
3. Requesting authority to enter into a renewal maintenance agreement for Digitech Software with Quality Data Imaging to expire February 23, 2006 on Req #68192 in the total amount of \$840.00.
4. Requesting authority to enter into a maintenance agreement for Digitech Software Maintenance with Quality Data Imaging to expire on March 9, 2006 on Req #68189 in the total amount of \$1,140.00.

**DRAINAGE DISTRICT BOARD OF DIRECTORS  
AGENDA**

**Ramon Garcia  
Chairman**

**Sylvia S. Handy  
Board Member**

**Joe M. Flores  
Board Member**



**Hector "Tito" Palacios  
Board Member**

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

**NOTICE**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 19, 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.

**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. 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 award of bid and approval of contract to bidder meeting all required specifications for: "Hauling Services for Gravel/Sand and/or Crushed Caliche".**

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

**2. Requesting approval to execute “Order Confirming Sale” document for the following property:**

**“A 1.49 acre tract of land, situated in Hidalgo County, Texas and also being a part or portion of Lot 168, John H. Shary Subdivision, map reference Volume 1, Page 17, H.C.M.R.”, in response to the RFB “Sale of Real Property” project.**

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.

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

At this time the Board moved to go back to the Regular Agenda.

**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, APRIL 19, 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 Palacios, seconded by Commissioner Flores, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Discharge Permits:**
  - A. Rick Harbison – Huisache Acres #4**
  - B. City of McAllen – La Cantera Estates (Amended)**

**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, APRIL 19, 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 R)**

- A. Presentation for consideration, discussion, and approval to cease contract negotiations with the Number 1 ranking firm, Turner Collie & Braden Inc. for professional engineering services in connection with the "GASB-34 Road Survey Projects" under Precinct No. 2.**

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

- B. Requesting authority to commence negotiations with the Number 2 ranking firm, R. Gutierrez Engineering Corporation, for professional engineering services in connection with the "GASB-34 Road Survey Projects" under Precinct No. 2.**

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

**2. County Auditor – Ray Eufrazio: (SEE EXHIBIT V)**

- A. Approval of Revised Salary Schedule and setting salaries reflecting the following:**
  - 1. Deletion of vacant slot #014, 015, 017, 028 & 033 respectively**
  - 2. Creation of Senior Accountant, Accountant Clerk & Receptionist positions**
  - 3. Adjustment of slot #005 and 038 due to additional job duties and responsibilities**

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

At this time the Court moved to Executive Session.

*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 19<sup>th</sup> 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 19, 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)

