

SPECIAL MEETING – May 03rd, 2005

BE IT REMEMBERED, that on this 03rd day of May, A.D., 2005, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA

HIDALGO COUNTY JUDGE

HONORABLE SYLVIA HANDY

COMMISSIONER, PRECINCT NO. 1

HONORABLE HECTOR (TITO) PALACIOS

COMMISSIONER, PRECINCT NO. 2

HONORALBE JOSE M. FLORES

COMMISSIONER, PRECINTC 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 SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MAY 03, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

Judge Garcia led the Court and Audience in the Pledge of Allegiance.

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Virginia Townsend – On the Donna Landfill.

Fern McClaugherty – On the colonias near the Landfill.

Maria Gomez – On the problems facing the colonias in Pct. 3.

Paul Valzadua – Announcing the update the County Park Master Plan and the Recovery Action Plan.

5. Approval of Consent Agenda

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

At this time the Court moved to item #22.

6. **Elections Department – Teresa Navarro: (SEE EXHIBIT G)**

A. Discussion, approval and possible action on the following, but not limited to:

1. **County Drivers from Commissioners Precincts for the delivery and pickup of the lever machines for City/School Elections May 7, 2005 (delivery May 4, 5 & 6) (pickup May 9, 10, 11 & 12)**

Presentation made by Teresa Navarro.

At this time the Court moved to item #16-A.

7. **County Clerk's Office – J.D. Salinas, III: (SEE EXHIBIT H)**

A. Selection of 2005 Grievance Committee

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on selecting Rebecca Regalado, Mike Lopez, Maria G. Sanchez and Eristeo Montano for the Grievance Committee.

B. Requesting approval to create position #001-065 titled Courts Manager

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

C. Requesting approval to set salary for Court Manager at \$ 45,000.00

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

D. Approval of Revised Salary Schedule

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

At this time the Court moved to item #9.

8. **Hidalgo County Library – Letty Leija: (SEE EXHIBIT I)**

- A. Approval to appoint Christine Warren as Lay Representative to the Library System Board for a three year term (per request from Weslaco Public Library)**
- B. Approval to appoint Caridad Murillo as the At-Large Member to the Library System Board for a three year term (per request from San Juan Public Library)**

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

At this time the Court moved to item #19-A2.

9. **Health Department – Eddie Olivarez: (SEE EXHIBIT J)**

- A. Requesting authorization and approval to accept the Border Health Grant, Contract #7460007176-B2005,02 in the amount of \$ 8,000.00 for the period 4/1/05 to 9/30/05**
- B. Requesting authorization and approval of the Border Health Grant Budget**

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

At this time Commissioner Palacios steps out of the Court.

10. **Planning Department – Raul Sesin: (SEE EXHIBIT K)**

A. Final Approval with a Cash Deposit:

1. Valle Rico Subdivision – Pct. 1 (Johnathan Cohrs)

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

B. Reimbursement of a Cash Deposit:

1. Catete Farms Subdivision – Pct. 1 (Miriam Catete)

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

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

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on the reimbursement of \$4,000.00 to Miriam Catete.

2. Sun Meadows Estates Subdivision – Pct. 1 (Larry Rogers)

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

11. **County Judge's Office – Humberto Garza: (SEE EXHIBIT L)**

A. Discussion, consideration and action on re-appointment and/or appointment of member(s) to the Board of Directors for Tropical Texas Center for MH/MR

On motion of Judge Garcia, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to reappoint Sylvia Pena.

B. Discussion, consideration and possible action regarding a request for surplus of computers and appropriate equipment transfer from the Department of State Health Services

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

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

A. Public Hearing regarding the 2005 Hidalgo County Urban County Program Five Year Consolidated Plan 2005-2009 and the One Year Action Plan.

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

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

B. Approval of a Resolution authorizing submittal of the 2005-2009 Consolidated Plan Strategy (CPS) and Annual Action Plan for Year 2005, to the Department of Housing and Urban Development (HUD).

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

C. Urban County Program on behalf of Hidalgo County Precinct No. 4 requests approval to amend Subrecipient Agreement with Boys & Girls Club of Edinburg-RGV to reduce the amount allocated for Salaries and include an Equipment & Supplies line item in the amount of \$7,264.09 utilizing Urban County Program Year 17 (2004) funding.

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.

At this time Commissioner Garza steps out of the Court.

D. Approval to award a construction contract effective April 26, 2005 to Robles Excavation for the City of La Villa 8th Street Improvements using Urban County Program funding from Year 16 (2003) in the amount of \$24,500.00.

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

E. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with R.E. Garcia in connection with the City of La Villa for the design of Year 17 (2004) Water/Sewer Improvements in the amount of \$14,000.00.

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

F. Approval of professional services engineering contract with R.E. Garcia with the City of La Villa for the design of Year 17 (2004) Water/Sewer Improvements in the amount of \$14,000.00.

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

G. Requesting approval to delete positions #13 (C.D. Coordinator) and #21 (Housing Rehabilitation Assistant).

NO ACTION taken on this item.

H. Requesting approval to create one position slot #31 as Contract/Procurement Manager.

NO ACTION taken on this item.

I. Set salary - \$56,609.28.

NO ACTION taken on this item.

J. Approval to recapture Urban County Program funds from cities with expenditure ratio exceeding their 1.5 allocation on April 30, 2005 and award funds to the Precinct in which the city is located for use by the city for on-going projects

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

13. Hidalgo County – Godfrey Garza: (SEE EXHIBIT N)

A. Approval of Interlocal Cooperation Agreement between the City of Edinburg and Hidalgo County, on the 10th St. Extension Project (SH 107 to FM 1925)

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

At this time Commissioner Garza returns to the Court.

14. Human Services – Rudy De La Vina: (SEE EXHIBIT O)

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

NO ACTION taken on this item.

15. Sheriff's Department – Sgt. Lopez/Emilia Uriegas: (SEE EXHIBIT P)

A. Approval to appropriate budgets for school districts regarding positions currently under the U.S. Department of Justice COPS in School Grant (Number 2001 SHWX0636):

- 1. La Villa - \$ 49,229.35**
- 2. Progreso - \$ 49,229.35**
- 3. South Texas - \$ 49,229.35**
- 4. Valley View - \$ 49,453.00**

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

B. Approval to create one deputy sheriff position in each school district budget and set salary at \$ 34,060.00

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

At this time the Court moved to item #16-B.

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

A. Status of relocation of B&G Dept. to former jail site

Presentation made by Daniel Flores.

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

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 B thru E.

17. Pct. #1 – Comm. Handy: (SEE EXHIBIT R)

A. Authority to start the Pre-Employment Screening Process for the GED Job Readiness Grant

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

18. Pct. #2 – Comm. Palacios: (SEE EXHIBIT S)

A. Discussion, consideration and action on appointment of board member to the Hidalgo County Civil Service Commission

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to appoint Humberto Rodriguez to the Hidalgo County Civil Service Commissioner.

19. 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>1107</u>	Other Information:	<u>12</u>
Physical Count:	<u>1091</u>	Males (in house)	<u>1021</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>73</u>
Brook's		Federal Prisoners	<u>11</u>
Adj. /Sentenced to TDC	<u>154</u>	Total Paper Ready TDC	<u>110</u>

At this time Commissioner Handy steps out of the Court.

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

- 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 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;**
- b) Report on anticipated finalization of design and program elements so as to determine square footage requirements in order to draft a roster of departments that may be relocated;**
- c) Projected time lines for bids of all exterior repairs and renovations;**

Presentation made by Martha Salazar on items 4-a thru c.

- 5. 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;**
- 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);**
- c) Status of construction document phase and projected time line for bid advertisement, bid opening, etc.**

Presentation made by Martha Salazar on items 5-a thru c.

- 6. Requesting approval of specifications for: Hidalgo County –“Rental of Road Paving & Maintenance Heavy Equipment and related Vehicles including Operators (if necessary as an option) on an As Needed Basis”.**

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

- 7. Presentation for discussion, consideration, acceptance and approval of a invoices (1107-05-2001 for \$43,474.00 & 1107-05-101 for \$32,446.00) received from Appriss (qualified and approved vendor through the RFP issued by the Office of Attorney General) for the implementation of services including annual maintenance and interface costs in connection with the County’s participation through the OAG’s Texas Vine Automated Victim Notification Program approved by Hidalgo County Commissioner’s Court on 8-3-04 and 8-10-04.**

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

- 8. Presentation for discussion, consideration and approval of specifications for “Non-OEM Automotive Parts” and authority to advertise (although previously approved in CC on July 13, 2004) including the County would be divided into four areas (1,2,3,&4) using Precinct Lines as boundaries and each area will have primary & secondary vendor awards;**

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

- 9. Presentation for discussion, consideration and approval with authority to execute proper form(s) (application for transfer of service) to transfer personal phone equipment (Sprint RL4920) from (Martha L. Salazar) to replace lost County phone equipment (Sprint RL4920) assigned to Mr. Ricardo Cuellar, Pct 2, thus incurring no replacement cost.**

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

- 10. Presentation for discussion, consideration and approval to rescind action taken by Commissioner’s Court on December 29, 2004 to substitute a Performance Bond in Lieu of a Letter of Credit for Ambulance Services with Med-Care.**

See item #11.

- 11. Presentation for discussion, consideration, acceptance & approval of Letter of Credit as requested by awarded vendor Med-Care for Ambulance Services (subject to legal review) and as originally negotiated and approved by Commissioner’s Court 07/21/04.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 10 & 11.

- 12. Presentation for discussion, consideration, acceptance and approval of an Inter-local Agreement between the City of Edinburg and the County of Hidalgo for the “Disposal of Non-Hazardous Solid Waste” on an “AS Needed Basis” for a term commencing upon execution of the agreement and expiring on 12-31-2012 under the same rates, terms and conditions of the current agreement dated 8-17-1999.**

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

- 13. Presentation for discussion, consideration of a request by S&G Paving, Inc. for acceptance & payment of pending invoices (as submitted and certified by respective project engineers) for the following project contracts: a) C-05-050-02-01 Monte Alto Street Improvements for Pct # 1 and approximately 95% complete; b) C-04-300-10-20-South I Road for Pct. 2 and approximately 95%; c) C-04-299-10-20-McColl Road for Pct. # 2 and approximately 40% complete;**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to authorized the auditor to pay S&G Paving whatever percentage the engineers have signed off on completion.

At this time Commissioner Handy returns to the Court.

At this time Commissioner Palacios steps out of the Court.

- 14. Presentation of a request by S&G Paving, Inc. for discussion, consideration and approval to substitute the current bid, performance and payment bonds from (North American Sureties, LTD) and replace with new bid, payment and performance bonds from _____ (subject to legal review), including but not limited to, the following contracts;**

- | | | |
|---------------------------------------|-------------------|--------------|
| a) R.C. BABB Bar # 7 Subdivision | CAP-04-008-09-15 | Precinct # 1 |
| b) Country Living Estates Subdivision | C-04-013-09-28 | Precinct # 2 |
| c) Palm Lake 2 Estates Unit 2 | CAP-03-212-12-09 | Precinct # 3 |
| Alysonders Estates Unit 2 | | |
| d) Rancho Nuevo Summer Wood | CAP -05-001-02-24 | Precinct # 4 |

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO 4 LANDFILL –

- 1. Presentation for discussion, consideration, acceptance and approval of a proposed “Modification” (titled Phase II, Part C) of the current contract with J.E. Saenz and Associates, Inc. in connection with additional services to the Closure Document required by TCEQ and extending the monitoring and reporting to five years (in addition to the current reporting two (2) years of 2005 & 2006)**

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

F. HIDALGO COUNTY ELECTIONS DEPARTMENT –

- 1. Presentation for discussion, consideration, acceptance and approval of a proposal from Centennial Contractors Enterprises, Inc. (area job order contractor through TCPN and Region V) for the abatement of identified asbestos containing material (ACM) in the basement area of the Elections Dept. offices in an amount not to exceed \$ 5,000.00 with authority to issue requisition and authorize purchase order;**

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

- 2. Presentation of an Accessibility Assessment Report conducted by Centennial Contractors Enterprises, Inc. for the Elections Department Building in connection with possible contemplated renovations of the basement area expansion of the Electing Dept.;**

NO ACTION taken on this item.

- 3. Presentation for discussion, consideration, approval of the location, date time and format of a Workshop for the demonstration and presentation of Voting Election Systems to Hidalgo County Commissioner's Court and Hidalgo County Elections Commission with public participation (after the workshop) by certified and state awarded vendors commencing at 9:00 a.m. on Friday, may 20, 2005 at the UT-Pan Am ITT Building located on the corner of University Drive and 4th Street in Edinburg, Texas.**

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

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

G. HIDALGO COUNTY CONSTABLE PRECINCT NO.3-

- 1. Requesting authority to reject proposals received (2004) for "Motivational Speakers", inasmuch as proposals not meeting insurance requirements.**

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.

- 2. Requesting consideration, discussion and action to award sealed quote to sole proposer (Atrevete) meeting all required scope requirements for: "Motivational Speakers" but in no event to exceed \$25,000.00.**

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

- 3. Requesting approval of a contract for "Motivational Speakers" to sole proposer Atrevete meeting all specifications and requirements, subject to legal review and not to exceed \$25,000.00**

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

H. HIDALGO COUNTY HEALTH DEPARTMENT-

- 1. Requesting authority to purchase “Five (5) New 2005 Ford F150 Regular Cab Trucks” through the Interlocal Agreement with Houston Galveston Area Council (H-GAC) – Philpott Motors Inc., Port Neches, Texas. The Total amount price of the vehicle is \$55,471.25, H-GAC Administration fees included**

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

I. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT-

- 1. Requesting authority to purchase computer equipment and peripherals from Future Com, LTD a vendor on the State of Texas DIR Go-Direct Program for Req #69279 in the amount of \$ 10,575.46.**

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

- 2. Requesting authority to purchase computer equipment and peripherals from Anitixter, Inc. a CISV vendor through TBPC Catalogue Purchasing Program for Req # 69260 the total amount of \$32,533.00.**

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

J. HIDALGO COUNTY RESTITUTION CENTER-

- 1. Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application (ORIGINAL) to be forwarded to Arguindegui Oil Co. II, Ltd. as submitted by Hidalgo County Restitution Centered 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 Commissioner Garza returns to the Court.

K. 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.

20. Colonia Access Program – Jaime Ortiz: (SEE EXHIBIT U)

A. Discussion & possible action regarding approval of Resolution entering into a Funding Agreement for Border Colonia Access Program with the Texas Department of Transportation Proposition 2 (Round II) funding

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

At this time the Court moved to Executive Session.

21. Risk Management/Workers' Comp. – Valde Guerra: (SEE EXHIBIT V)

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 \$ 62,997.84 for the period ending April 1-15, 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 #6.

22. Budget Office – Valde Guerra: (SEE EXHIBIT W)

A. Discussion, consideration and action regarding settlement offer (for a total loss vehicle) from the Texas Association of Counties – Claim #A-002009 – Sheriff's Department

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

B. Interdepartmental transfers:

- 1. B.O. Contingency to Auxiliary Court - \$ 2,180.00 (life ins./ w/c)**
- 2. C.O. 2001 - various to C.O. 2001 Pct. #3 (to purchase heavy equipment & one (1) Peterbilt truck) -\$217,786.71**
- 3. B.O. Contingency to Sheriff's Department - \$ 256,121.79**
- 4. B.O. Contingency to Juvenile Detention - \$ 73,015.00**

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

At this time the Court moved to the Addendum.

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

23. Closed Session: (SEE EXHIBIT X)

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. C-212-04-E; Jose Luis Ramirez et. al vs. John Deere Company, et. al**

24. Open Session:

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

NO ACTION taken on items A, B & C.

- D. Cause No. C-212-04-E; Jose Luis Ramirez et. al vs. John Deere Company, et. al**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to settle in the amount of \$15,000.00 payable to the County Of Hidalgo Self Insured Workers Compensation Fund.

25. Closed Session:

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

26. Open Session:

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

27. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MAY 03, 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 Palacios, seconded by Commissioner Handy, 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. Buildings & Grounds C/O 2004**
 - B. Criminal Auxiliary Court**
 - C. IT Department 200-001**
 - D. IT Department 200-002**
 - E. Constable Pct. #3**
 - F. Constable Pct. #3 – Proj. STOP & create obj. 434, 810, 602, 682 & 532**
 - G. Constable Pct. #3 – Proj. SWEEP & create obj. 434 & 682**
 - H. Pct. #1 – Parks**
 - I. Pct. #1 – R & B**
 - J. Pct. #1 – Lateral Rds.**
 - K. Pct. #1 – Sanitation (2) & create obj. 421**
 - L. Pct. #1 – Colonia Access Program (2)**
 - M. Pct. #2 – CRC & create obj. 609 & 711**
 - N. Pct. #2 – Parks (2) & create obj. 346**
 - O. Pct. #2 – Landfill & create obj. 890**
 - P. Pct. #3 – Landfill**
 - Q. Pct. #3 – R & B**
 - R. Pct. #3 – CIP & create obj. 739**
 - S. Pct. #4 – Landfill (2) & create obj. 441**
 - T. Pct. #4 – Colonia Access Program**
 - U. Pct. #4 – R & B**
 - V. WIC**
 - W. District Clerk**
 - X. Sheriff's Office (2)**
 - Y. Tax Office (3) & create obj. 336**
 - Z. Constable Pct. #1**
 - AA. Elections Department**
 - BB. County Auditor**
 - CC. J.P. Pct. 2, Pl. 2 & create obj. 350**

- DD. Child Welfare & create obj. 583**
- EE. 398th District Court & create obj. 431**
- FF. Purchasing Department & create obj. 745**
- GG. Adult Detention Center & create obj. 661**
- HH. Pct. #3 – Parks & create obj. 339**

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)

A. Adalberto Perez	Chase Manhattan	\$ 3,203.27
B. Illusions Drapery & Floor	Illusions Drapery	\$ 3,992.85
C. Rash & Associates, LP	Rash & Associates	\$34,818.37
D. Aziz Convenience Store, LLC	Aziz	\$ 8,562.65

5. Right of Way – Permits: (SEE EXHIBIT E)

Rigoberto De La Cruz: Install a 10” waterline crossing Trenton Road approximately 1500’ east of “I” Road, said waterline will belong to North Alamo Water Supply – Bore. Paid \$3.75

North Alamo Water Supply: Install a 2” waterline approximately ½ mile north of FM 2812, on Filegonia Road- Miriam Jimenez– Bore. Paid \$3.75

Shell Exploration and Production Co.: Install a 3” gas line; All distances taken from the intersection of FM 490 and FM 681. From Theiss # 9 (located 1.6 miles south of FM 2058 west 1.1 miles south .5 miles then east .2 miles) will flow to the Theiss # 1 manifold located 1.8 miles south of FM 2058 1.1 miles west of County Road .4 miles south. Theiss # 1 Manifold is located 1.8 miles south of FM 2058 .5 miles west on County Road .5 miles north ¼ mile east to location site.

Shell Western: Install a 3” gas line; all distances taken from the intersection of FM 490 & FM 681 at McCook, Texas. From Boston TX # 49 located 2.8 miles west on FM 490 2.6 miles south on Caliche County Road east .2 miles on Lease Road then north 350’ to location. Boston # 49 will flow to Boston # 33 manifold, located 1.8 miles on FM 2058 1.6 Miles west on County Road .4 miles south.

6. Purchasing Department: (SEE EXHIBIT F)

A. HIDALGO COUNTY –

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

Req	Department	Vendor	Amount	Account Number
68954	I.T.DEPT	Dell Marketing	\$311.40	5-1242-412-00-060-001-0-664
68954	I.T. DEPT.	Dell Marketing	\$1,286.49	5-1242-412-00-060-001-0-745
68963	I.T. DEPT	Dell Marketing	\$1,286.49	5-1100-415-00-200-002-0-745
69109	District Attorney	CDW-G	\$ 977.54	5-1222-412-00-080-006-0-661
69109	District Attorney	CDW-G	\$1,394.08	5-1223-412-00-080-007-0-745
69278	I.T. DEPT	CDW-G	\$1,536.00	5-1242-412-00-060-001-0-743
68920	I.T. DEPT	Dell Marketing	\$2,531.07	5-1100-415-00-200-001-0-745
69229	Tax Assessor/Coll	CDW-G	\$ 524.00	5-1100-415-15-140-001-0-745

B. HIDALGO COUNTY PRECINCT NO. 4 –

1. Requesting authority to purchase hand equipment from Rio Radio a CISV vendors through TBPC Catalogue Purchasing Program for Req # 69156 in the total amount of \$514.00

**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, MAY 03, 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 Y)

1. Roll Call

All Members of the Board were counted presented with the exception of Judge Garcia.

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' Comp. – Valde Guerra:

A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 10,316.39 for the period ending April 1-15, 2005

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

At this time Commissioner Flores steps out of the Court.

5. Purchasing Department:

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 authority to advertise and approval of draft specifications for “Hauling of Dirt with Option to Load”.**

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

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

6. Closed Session:

Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.072 to discuss the following:

- A. Real Estate Acquisition**

7. Open Session:

- A. Real Estate Acquisition**

8. Closed Session:

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

9. Open Session:

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

10. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MAY 03, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

DRAINAGE DISTRICT

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

1. Approval of check register and payment of claims and bills – County Treasurer

2. Utility Permit:

A. City of Mission – Perezville Drain at Schuerbach Rd.

**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, MAY 03, 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 Z)

A. Hidalgo County –

Presentation for discussion, consideration, acceptance and approval of Third Amendment to Administrative Services Agreement with United of Omaha Life Ins. Co. with authority to execute documents (if necessary)

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

At this time the Court moved back to item #21 of the Regular Agenda.

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 03rd day of May, 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 May 03, 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)