

REGULAR MEETING – May 10 , 2005

BE IT REMEMBERED, that on this 10th day of May, 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
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

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

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, MAY 10, 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 a request from a Union member from Pct. 3 and that was taken care of and on a meeting in Pct. 3 on the colonias requests are not sensible.

Fern McClaugherty – Need a translator for the Court when needed.

At this time Judge Garcia advised the El Morillo Drain representatives to discussed this item and come back on the issue.

At this time the Court moved to item # 14C.

Jim Darling – El Morillo Drain.

Godfrey Garza – Presentation on TxDot Truck Connector and the RMA Application.

At this time the Court moved to item #10.

5. Approval of Consent Agenda

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

6. Approval of Proclamation proclaiming the month of May as “Elder Abuse Prevention Month” in Hidalgo County (SEE EXHIBIT F)

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

At this time the Court moved to item #23-6A&B.

7. Constable Pct. #1 – Celestino Avila: (SEE EXHIBIT G)**A. Approval to apply and accept the Tobacco Compliance Grant if awarded**

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

B. Acceptance of 2004 Racial Profiling Report in accordance with Article 2.132 of the Texas Criminal Code Procedures

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

At this time the Court moved to item #11.

8. Constable Pct. #2 – Chato Alaniz: (SEE EXHIBIT H)**A. Requesting approval of two (2) Deputy Constable positions (for J.P. warrant collections)**

SEE item #10.

B. Approval to set salary at \$ 33,060.00

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to set salary at \$33,060.00

C. Approval of Revised Salary Schedule**FISCAL NOTE ATTACHED**

SEE item #10.

9. J.P. Pct #2, Pl. 1 – Bobby Contreras: (SEE EXHIBIT I)**A. Approval to create one (1) Assistant Court Coordinator (warrants) position**

SEE item #10.

B. Approval of Revised Salary Schedule Setting Salaries**FISCAL NOTE ATTACHED**

SEE item #10.

10. J.P. Pct. #2, Pl. 2 – Rosa Treviño: (SEE EXHIBIT J)

- A. Approval to create one (1) Court Clerk position**
- B. Approval to create one (1) Assistant Court Coordinator (warrants) position**
- C. Approval of Revised Salary Schedule Setting Salaries** **FISCAL NOTE ATTACHED**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on one Deputy Constable on item 8A, one Assistant Court Coordinator on item 9A & one Assistance Court Coordinator on item 10B.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to set salary of \$24,201.00 on item #9B & 10C.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 8C, 9B & 10C.

At this time the Court moved to item #17A.

11. Planning Department – Raul Sesin: (SEE EXHIBIT K)**A. Preliminary Approval:**

- 1. New Monte Cristo Phase 4 Subdivision – Pct. 3 (Federico Garza)**
- 2. Griselda Subdivision – Pct. 4 (Griselda Guerra)**

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

At this time Commissioner Palacios returns to the Court.

B. Final Approval:

- 1. H.M.V. Alamo II Subdivision – Pct. 2 (HVM Alamo II, Ltd.)**

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

- 2. Huisache Acres No. 4 Subdivision – Pct. 2 (Rick Harbison)**

NO ACTION taken on this item.

C. Final Approval with a Letter of Credit:

- 1. Tierra Hermosa Subdivision – Pct. 3 (BDW Properties)**

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

D. Discussion on proposed Senate Bill 684-79(R) as it pertains to Hidalgo County

Presentation made by Raul Sesin.

At this time the Court moved to item #22-A&B.

12. Tax Office – Armando Barrera: (SEE EXHIBIT L)**A. Approval of Interlocal Cooperation Agreement for Tax Assessment and Collections between the County of Hidalgo and Valley View ISD**

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

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

At this time Commissioner Palacios steps out of the Court.

13. Head Start – Teresa Flores: (SEE EXHIBIT M)**A. Approval of Proclamation proclaiming May 8 – 14 as “National Women’s Health Week”**

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

B. Discussion and approval to purchase computers through the Hidalgo County’s participation with Texas Cooperative Procurement Network (TCPN) with awarded vendor Dell Marketing, L.P. in the amount of \$ 12,600.00

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

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

14. County Judge’s Office – Lorie Ochoa/Humberto Garza: (SEE EXHIBIT N)**A. Update on Tropical Texas Center for MHMR Initiatives (received recent grant award, partnering with UTPA and Hidalgo County Indigent Health Program)**

Presentation made by Terry Crawford.

B. Update on local issues regarding “transportation of mental health consumers to inpatient state mental health facilities”

Presentation made Terry Crawford.

At this time the Court moved to item #15.

C. Discussion, consideration and action on Resolution designating the Rio Grande Water Authority as the responsible local entity for the existing obligations of Hidalgo County to the El Morillo Drain Conveyance Canal

NO ACTION taken on this item.

At this time the Court moved back to item #4.

15. **Hidalgo County – Godfrey Garza: (SEE EXHIBIT O)**

A. Approval of TEDSI Infrastructure Group invoice(s) 256554 & 256610 and authorization for auditor to issue manual check upon audit (FEMA Project)

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

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

A. Requesting exemption from competitive bidding requirements for professional engineering services with TEDSI Infrastructure Group in connection with the 10th St. Extension Project (from SH 107 to FM 1925)

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

B. Approval to enter into a professional engineering services agreement with TEDSI Infrastructure Group for the 10th St. Extension, Phase I, ROW map, parcel acquisition plats, meet & bounds, Phase II, Plans, specification and estimate (PS &E), Phase III, Construction Phase Services (from SH 107 to FM 1925)

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

C. Approval of Work Authorization #1 with TEDSI Infrastructure Group for Phase I services related to 10th St. project from SH 107 to FM 1925 (ROW map, parcel acquisition plats, metes and bounds descriptions)

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

At this time the Court moved to item #18.

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

A. Approval of Resolution honoring South Texas School Nurses in recognition of National School Nurses Day, Wednesday, May 11, 2005

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

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

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

A. Approval of Resolution supporting El Milagro Clinic expansion

NO ACTION taken on this item.

At this time Commissioner Garza steps out of Court.

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

A. Approval to increase slot #005-046 from \$ 20,522.00 to \$ 22,470.00 due to additional duties

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

At this time Judge Garcia steps out of the Court.

B. Approval of Revised Salary Schedule

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

C. Approval of intradepartmental transfer

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

20. Health Department – Eddie Olivarez: (SEE EXHIBIT T)

A. Discussion, consideration and possible approval to increase salaries (see attached salary schedule) for the following positions as a result of additional duties (see attached additional duties list)

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

At this time Commissioner Garza returns to the Court.

B. Discussion, consideration and possible approval to fund the Director of Nurses salary (see attached salary schedule) in full from General Fund monies

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

C. Approval of Revised Salary Schedule

FISCAL NOTE ATTACHED

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

21. Human Services – Rudy De La Vina: (SEE EXHIBIT U)

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 the Court moved to item #22F.

22. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT V)**A. Approval of temporary assignment of office space for Probate Court employees**

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

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

Presentation made by Daniel Flores.

At this time the Court moved back to item #12.

C. Landscape and Maintenance of courthouse grounds project

No presentation made.

D. Status of renovations of administration building

Presentation made.

E. Status of other ongoing county owned building construction, renovation repair projects

No presentations made.

At this time the Court moved to item #23.

F. Report of unanticipated, or emergency situation occurring since last agenda meeting

Presentation made by Daniel Flores.

At this time Judge Garcia returns to the Court.

At this time the Court moved back to item 22D.

23. Purchasing Department – Marty Salazar: (SEE EXHIBIT W)

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

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

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

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

At this time Commissioner Flores steps out of the Court.

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	<u>1142</u>	Other Information:	<u>11</u>
Physical Count:	<u>1130</u>	Males (in house)	<u>1056</u>
Out of County: La Villa	<u>0</u>	Females (in house)	<u>74</u>
Brook’s		Federal Prisoners	<u>13</u>
Adj. /Sentenced to TDC	<u>149</u>	Total Paper Ready TDC	<u>112</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 and approval to request a proposal from awarded Job Order Contractors, (i.e., Centennial or JAMAIL) for the construction of a “Kennel Facility” at the Hidalgo County Adult Detention Facility inasmuch as Building & Grounds has informed department that, at this time, B&G cannot accommodate that request due to other pending projects;

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

At this time the Court moved to item #23-4&5.

c) Presentation for discussion, consideration, acceptance and approval of Applications and Certificates for Payment Nos. 5&6 from CRC Design Consultants awarded contractor for the construct in of the Shooting Range Facility (bldg.& canopy) in the amounts of \$41,374.89 & \$14,077.63 (Final) respectively for the period ended 04-27-05 and as certified for payment by project architect, V-A Architecture with authority for Auditor to issue payment;

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

d) Presentation for discussion, consideration, acceptance and approval of Payment No. 9 as submitted by project architect, V-A Architecture in the amount of \$400.00 for the payment of reimbursable expense in connection with the inspection of Hidalgo County Law Enforcement Shooting Range & Driving Track EABPRJA3833570 as required for Owner to conduct by the Texas Department of Licensing and Regulation;

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 #23-7.

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

Presentation made by Mr. Figueroa on item 4a thru c.

At this time Commissioner Flores returns to the Court.

- 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 Department and Jail on S. Hwy.281);**

Presentation made by Figueroa on items 5a&b.

At this time the Court moved back to item #3c&d.

- c) Pursuant to Article 2.2.1.3 of the architectural contract between Hidalgo County and Rike Ogden Figueroa, requesting exemption from competitive bidding requirements pursuant to Local Government Code, 262.024 (a) (7), a professional service for the engagement of an engineering firm (recommended by project architect from the "Pool" of Engineers) to conduct soil testing at the site of the demolished structures for the construction of the new Adult Detention Facility with Raba-Kisner.**

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

- d) Requesting approval to engage the firm of Raba-Kisner to conduct soil testing for the new Adult Probation Department Building Project;**

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

- e) Status of Construction documents phase and projected time line for bid advertisement, bid opening, etc.**

Status made by Mr. Figueroa.

At this time the Court moved to item #23-A10.

6. Pursuant to Texas Local Government Code, Chapter 116. Depositories for County Public Funds, § 116.024 Selection of Depositories and Sub depositories:

a) At 10:00 on the first day of each term at which banks are to be selected as county depositories, the commissioners court shall:

- i Enter in the minutes of the court all applicants filed with the county judge; Applications received, filed and made part of the Court's record on Tuesday, April 12, 2005 @ 10:00 a.m. were: Texas Ste Bank –McAllen and First National Bank – Edinburg**

Martha Salazar entered the minutes to the Court.

- ii Consider all the applications; (which includes the Remittance Processing Lockbox Agreement);Presentation for discussion and consideration of the grading and scoring grid tabulated from the evaluation committee to assist the court in the selection process; and**

Presentation made by Martha Salazar.

- iii Select the qualified applications that offer the most favorable terms and conditions for the handling of the county funds (which includes the Remittance Processing Lockbox Agreement) with authority for purchasing and legal counsel to negotiate a final Depository and/or Remittance Processing Lockbox Agreement(s)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval base on the scoring committee, Mr. Eufracio, The County Judge, Norma Garcia, Laura Briones, and Valde Guerra, on their recommendation to approve First National Bank with 95 points.

- b) Pursuant to Texas Local Government Code, Chapter 117.Subchapter B. Establishment of Depository, § 117.021(a) (b) (1) (2). Presentation for discussion, consideration and approval of the term of the depository agreement (which includes the Remittance Processing Lockbox Agreement): a) four (4) years; or (b) two years (2) years;**

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

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

7. Requesting authority to purchase “Janitorial Supplies/Industrial Chemicals” from multiple awarded vendors (CC Distributors; Gulf Coast Paper; and Zep Manufacturing) through the Inter-local with TASB Buyboard for Hidalgo County, effective June 01, 2005 through December 31, 2005.

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

- 8. Presentation for discussion, consideration, acceptance and approval of request for payment for invoice # 3 (Change in Service) totaling \$962.00 submitted by AGADC for Engineering Services rendered in connection with Renovation, Repairs and/or Remodeling of the Hidalgo County Administration Building (Atrium Interior Renovations).**

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

- 9. Presentation for discussion, consideration, acceptance and approval of request for payment for invoice#4 totaling \$2,381.00 submitted by AGADC for Engineering Services rendered and in connection with Renovation, Repairs and/or Remodeling of the Hidalgo County Administration Building (Re-Roofing Building).**

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 the Court moved back to item #5c&d.

- 10. Presentation for discussion of a request by S&G Paving, Inc. for the acceptance & payment of pending invoices (as submitted and certified by respective project engineers including all required / relevant/compliant documentation) with authority for Auditor to issue a manual check, if necessary, for the following project contacts:**
- 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-04299-10-20 McColl Road for Pct.# 2 and approximately 40% complete;
 - d) CAP-04-008-09-15-R.C. BABB & BAR # 7 Subdivisions – 100% complete for Pct. # 1
 - e) CAP-03-212-12-09 Palm Lake 2 Estates –Unit 2 & Alysonders Estates _Unit 2- 100% complete for Pct. 3

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items a thru e subject to the auditor's review.

At this time Commissioner Handy steps out of the Court.

- 11. Presentation, discussion and consideration on a recommendation to reject the sole proposal received (incomplete) with authority to re-advertise for:**
- a) Request for Qualifications with Proposal for “Pathologists to Provide Turnkey Autopsy and Related Services for Hidalgo County”.

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

- 12. Presentation for discussion, consideration and approval of draft requirements, qualifications, scope of services (As attached hereto) as developed and recommended by Mr. William “Bill” Rusteberg, (Hidalgo County Cafeteria Plan Consultant) with authority to advertise a Request for Proposal (project approved on 2-22-05) for “Section 125 Plan Administrator” for Hidalgo County .**

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

- 13. Presentation for discussion, consideration and approval to advertise for a request for qualifications “RFQ/P” for independent audit services.**

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

- 14. Approval of Term of Engagement: Initial term of proposed contract for fiscal year(s) 2005-2006 with the County’s option to extend for an additional fiscal year(s) of 2006-2007.**

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

B. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Recommending of bid No. 05-018-04-13JMT award and approval of contract to the lowest bidder meeting all specifications attached hereto for: “Sub Grade Preparation & Flexible Base for Chihuahua Road”**

NO ACTION taken on this item.

C. HIDALGO COUNTY ADULT DETENTION FACILITY –

- 1. Requesting authority to advertise and approval of draft specifications as attached hereto for “Mobile X-Ray Services” project.**

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

D. HIDALGO COUNTY ELECTIONS DEPARTMENT-

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

NO ACTION taken on this item.

- 2. Presentation for status on Voting Election System Workshop and Vendor Showcase 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.**

Presentation made by Martha Salazar.

E. 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.

24. Budget Office – Valde Guerra: (SEE EXHIBIT X)**A. Interfund transfers:**

- 1. Co. Wide Adm. to Court Reporters Fund - \$ 95,000.00**
- 2. Fund 1334 to Fund 1315 TXDOT (SH495 Abram) - \$ 119,503.71 (Pct. #3)**

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

B. Pct. #3:

- 1. Discussion and action to authorize the County Auditor to process payments through for ROW acquisitions as certified by TxDOT and Pct. #3 Project Contract No. CSJ: 0865-01-092 – (24) parcels for SH 495 Underpass (Abram Rd.) Project (dollar amount not to exceed \$ 500,000.00)**

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

C. Approval of budget amendments/appropriations:

- 1. Mission TIF - \$ 113,791.00**

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

D. Discussion, consideration and action to accept settlement check (for repair of vehicle damages) from Texas Association of Counties – Sheriff Department Claim #04-0289

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

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

25. Closed Session: (SEE EXHIBIT Y)

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. Pending and/or potential litigation; Robert Salinas et.al vs. Hidalgo County**

At this time Commissioner Handy returns to the Court.

26. 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. Pending and/or potential litigation; Robert Salinas et.al vs. Hidalgo County**

NO ACTION taken on items A thru D.

27. Closed Session:

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

28. Open Session:

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

29. Adjourn

On motion of Commissioner Garza, seconded by Commissioner Palacios, 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, MAY 10, 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. J.P. Pct. #2, Pl. 1**
 - B. Elections Department (2) & create obj. 747**
 - C. Fire Marshal (2) & create obj. 608**
 - D. County Auditor**
 - E. 92nd District Court**
 - F. WIC**
 - G. J.P. Pct. #2, Pl. 2**
 - H. Health – Adm.**
 - I. 139th District Court**
 - J. Constable Pct. #3 – SWEEP**
 - K. Constable Pct. #3**
 - L. IT Department & create obj. 890 & 748**
 - M. IT Department**
 - N. Pct. #1 – Sanitation**
 - O. Pct. #4 – Parks & create obj. 350**
 - P. Pct. #4 – R&B**
 - Q. HIDTA – Task Force Program Income & create obj. 608, 630, 605 & 679**
 - R. Buildings & Grounds Fund 1334 & create obj. 663**
 - S. Civil Service & create obj. 603**
- 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. North Alamo Water Supply – FM 493 & Mile 22 ½ Rd. (paid \$ 3.75)
- B. North Alamo Water Supply – SH 107 on west side of 4th St.

5. **Purchasing Department: (SEE EXHIBIT E)**

A. HIDALGO COUNTY –

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

Req	Department	Vendor	Amount	Account Number
69360	Juvenile Probation	CDW-G	\$3,072.00	5-1294-423-00-330-014-0-745
69392	Precinct No. 1	CDW-G	\$1,287.84	5-1201-431-00-121-004-0-661
69549	I.T. Dept	Dell	\$1,286.49	5-1100-415-00-200-001-0-745
69573	Elections	Dell	\$4,399.00	5-1100-414-00-130-001-0-745

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

Req	Department	Vendor	Amount	Account Number
68622	District Clerk	the Software Group	\$1,264.00	5-1100-412-00-090-001-0-661
68621	District Clerk	the software group	\$ 952.00	5-1100-412-00-090-001-0-661
69343	Precinct No. 4	Rio Radio Supply	\$1,386.90	5-1204-431-00-124-007-0-679

B. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. Requesting authority to enter into a maintenance agreement with Ikon for support on Cannon NP6551 Copier for one year for Req # 69516 in the total amount of \$2,604.88.

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

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

NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MAY 10, 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 Z)

1. Roll Call

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

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 authority to advertise for: "One (1) New 2005 -1/2 Ton 4X4 Regular Truck and One (1) new 2005 3/4 Ton Crew Cab Truck".**

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

- 2. Pursuant to State of Texas Water Code, Chapter 49.156 (a) (b) (c). Depository, regarding consideration, discussion and action (by order or resolution) on the designation of a bank (s) or saving associations (s) within the state to serve as the depository for the funds of the district.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote of approval to assign 1st National Bank as the depository for the District.

- 3. Authority for purchasing and legal counsel to negotiate a final depository bank agreement with the selected bank FNB.**

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

- 4. Term of the agreement will be for: a) four (4) year; or b) two (2) year term**

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

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

5. Closed Session:

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

A. Real Estate Acquisition

6. Open Session:

A. Real Estate Acquisition

7. Closed Session:

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

8. Open Session:

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

9. Adjourn

On motion of Commissioner Garza, seconded by Commissioner Palacios, 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MAY 10, 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 Garza, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Discharge Permits:**
 - A. City of Pharr – PEDC #1 Subdivision**
 - B. City of Alton – Taurus #13 Subdivision**
- 3. Utility Permit:**
 - A. City of McAllen – Rado Drain**

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 10th 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 10, 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)

