

REGULAR MEETING – June 14th, 2005

BE IT REMEMBERED, that on this 14th day of June, 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 JOE 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, JUNE 14, 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 (SEE EXHIBIT I)

Virginia Townsend – Concerning out of County prisoners' count in the summer.

Judge Aida Salinas Flores – Concerning overcrowding and the population growth in the County.

At this time the Court moved to item #16-B1.

Godfrey Garza – Legislative update on transportation projects and the Raymondville Drain.

At this time the Court moved to item #7.

5. Approval of Consent Agenda

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

6. Constable Pct. #3 – Larry Gallardo: (SEE EXHIBIT J)

A. Discussion, consideration and action regarding Appointment of Deputy Constables as per and in compliance with Local Government Code Ch. 86 Section 011 (a) “Appointment of Deputy Constable”

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

At this time the Court moved to item #8.

7. 398th District Court – Judge Aida Salinas Flores: (SEE EXHIBIT K)

A. Approval to increase slot #005 from \$ 38,577.00 to \$ 41,565.00 an upgrade of \$ 2,988.00

B. Approval of revised salary schedule

C. Approval of intradepartmental transfer

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

D. Approval to appropriate the Hidalgo County Indigent Defense Public Defender Grant (212-05-D03) budget in the amount of \$ 494,362.00 for the period 03/01/05 to 02/28/06 – this grant was approved by CC on 02/22/05 – this grant requires a county cash match of \$ 98,872.00

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 #6.

8. County Clerk – J.D. Salinas, III: (SEE EXHIBIT L)

A. Selection of 2005 Grievance Committee

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to select Mauro Reyna P.O 969 Pinetas, Anita Sarmiento 111 Larry St. Donna, and Cristela Cruz 104 N. 10th St. Donna.

At this time the Court moved to item #17B & C.

At this time Judge Garcia steps out of the Court.

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

A. Precinct #4 is requesting approval of a contract with Mission Paving Company in the amount of \$92,151.56 for a Street Improvement Project utilizing Urban County Program Year 14, 15 & 16 (2001, 2002 & 2003) funds.

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

At this time Commissioner Palacios steps out of the Court.

- B. The City of La Joya is requesting approval of a construction contract with Lambda Construction I Ltd. in the amount of \$100,000.00 for Water/Sewer Improvements utilizing funding from Years 15, 16 & 17 (2002, 2003 & 2004).**

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

- C. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization to rescind the action taken on May 24, 2005 on the Plan's custodial trading service agreement with TrustLynx. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization to continue the Plan's custodial trading services through Circle Trust Company.**

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

- D. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization to rescind the action taken on May 24, 2005 on the Plan's Money Market Account with TrustLynx through its parent company FiServ Money Market Account. The Hidalgo County Affiliated Departments Retirement Trustees are requesting authorization to continue the Plan's Money Market Account through MainStay.**

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

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

- A. Requesting authorization and approval of funding increase (\$47,171.00) and funding reallocation to reflect actual expenditures for the Bioterrorism Contract #74600071762005 Change No. 10 total contract amount \$ 917,182.00**

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

- B. Requesting authorization and approval of Salary Schedule which reflect salary increases on BT employees (see attached) which will be paid by the BT Grant as accepted by DSHS institutional prior approval**

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

- C. Requesting authorization and approval to accept the attached budget increase - \$ 47,171.00**

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

D. Requesting authorization to create obj. code 810 (other) and line item transfer - \$ 350.00

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

11. Fire Marshal – Art Gaytan: (SEE EXHIBIT O)**A. Discussion, consideration, action and approval on an Order to inspect fireworks stands for safety and fire prevention**

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

B. Approval to set fee of \$50.00 per stand per fireworks seasons (Fourth of July & New Year's)

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

Commissioner Handy – Oppose

C. Discussion, consideration, action and approval on an Order to prohibit certain fireworks in unincorporated areas of Hidalgo County (restricted fireworks means only skyrockets with sticks and missiles with fins)

NO ACTION taken on this item.

At this time Commissioner Palacios returns to the Court.

D. Discussion, consideration, action and approval on an Order prohibiting or restricting outdoor burning in unincorporated areas of Hidalgo County (restrictions against outdoor burning such as trash, brush or open campfires)

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval for 90 days.

At this time Commissioner Flores steps out of the Court.

12. Right of Way – Godfrey Garza: (SEE EXHIBIT P)**A. Authorization for title reports, appraisals, review appraisals and acquisition of additional ROW on Jackson Rd. (FM 2061) CSJ 1939-02-021- TXDOT Contractual Agreement for ROW Procurement – from 1.5 Miles south of Ridge Rd. to FM 3072 (Dicker Rd.) approved by Commissioners' Court on July 13, 2004**

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

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

- 1. Saron Subdivision – Pct. 4 (Maricela Guel)**
- 2. Lantana Acres No. 5 Subdivision – Pct. 4 (Richard Ruppert)**
- 3. T. Garcia Estates – Pct. 3 (Arturo Garcia)**
- 4. Dream Acres Subdivision – Pct. 3 (Arturo Garcia)**

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

B. Final Approval:

- 1. Mi Sueno Subdivision – Pct. 3 (Pablo Munoz)**
- 2. Molina Subdivision – Pct. 4 (Jorge Molina)**

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

C. Adoption of amendments to Texas Water Development Board Model Rules

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

D. Discussion and possible action on residential subdivisions located within La Joya Water Supply Corporation CCN Area:

- 1. Pueblo De Palmas Phase 6 Subdivision – Pct. 3 (J. Gary Frisby, Developer)**
- 2. Ellis No. 4 Subdivision – Pct. 3 (Gilbert Ellis, Developer)**

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

14. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT R)

Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:

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

Presentation made by Daniel Flores.

B. Landscape and Maintenance of courthouse grounds project

Presentation made by Daniel Flores.

C. Status of renovations of administration building

Presentation made by Daniel Flores.

At this time Judge Garcia returned to the Court.

D. Status of other ongoing county owned property and/or building construction, renovation repair projects:

1. Small parking lot located on site formally known as “Shady Lawn”;
2. Courthouse “Town Square” Parking Lot Project: Notification through project engineer, Dannenbaum Engineering Corp. of “Utility Permit” sought from TxDOT and additional costs associated with said “Permit”.

Presentation made by Daniel Flores on item #1 and Jessica Gomez on item # 2.

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

NO ACTION taken on this item.

15. Pct. #1 – Comm. Handy: (SEE EXHIBIT S)

- A. Requesting approval for auditor to issue payment to Rodriguez Engineering after review, audit and processing procedures are completed for invoice #504 (covered by PO 544170 & Contract #C-04-359-11-23

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

16. 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.

B. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	<u>1205</u>	Other Information:	<u>10</u>
Physical Count:	<u>1130</u>	Males (in house)	<u>1055</u>
Out of County: La Villa	<u>62</u>	Females (in house)	<u>75</u>
Brook’s	<u>0</u>	Federal Prisoners	<u>11</u>
Adj. /Sentenced to TDC	<u>158</u>	Total Paper Ready TDC	<u>105</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;**

NO ACTION taken on items 2 & 3a.

- b) **Presentation for discussion, consideration, acceptance and approval of Invoice# 5612 (final balance due) from Quintanilla, Headley & Associates, Inc. in the amount of \$20,000.00 for engineering services associated with the design and construction of the shooting Range Facility and as confirmed by project architect, V-A Architecture with authority for Auditor to issue payment after review, audit & processing procedures completed;**

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

At this time Commissioner Handy steps out of the Court.

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;**

Presentation made by Martha Salazar and Mr. Figueroa.

- b) **Report on the final design and program elements and roster of departments identified for re-location;**

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

- c) **Projected time lines for bids of all exterior and/or interior repairs and renovations;**
- d) **Status of identification of funding sources for project, if applicable;**

Discussion made on items c & d.

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;**

Presentation made.

- b) Presentation of final design and program elements as developed through/with Joe Lopez, Director, Adult Probation Dept. for completion of plans and specification with revised estimated projected costs, if any;**

Presentation made by Mr. Figueroa.

- c) Status of Construction documents phase and projected time line for bid advertisement, bid opening, etc.**
d) Status of identification of funding sources for project, if applicable

NO ACTION taken on items c & d.

- e) Requesting approval of Change Order No. 1 (increase) in connection with “ASBESTOS Abatement and Demolition of Portions of the Former Site of the Hidalgo County Co. Sheriff’s Department and Jail on HWY 281” in the amount of \$2,500.00 from R.L. Abatement, Inc., with authority for County Judge to execute document;**

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

- f) Presentation for discussion, consideration, acceptance, and approval of Request for Payment No. 2 in the amount of \$59,084.78 from R.L. Abatement, Inc. contracted vendor for “Asbestos Abatement and Demolition of Portions of the Former Site of The Hidalgo County Sheriff’s Department and Jail on Hwy 281” and certified for payment by project architect, Rike Ogden Figueroa Architects Inc. with authority for Auditor to issue manual check after review, audit and processing procedures completed.**

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

- 6. Presentation for discussion, consideration, acceptance and approval for the purposes of ranking by Hidalgo County Commissioner’s Court as “Qualified Interpreting Services for Hidalgo County”.**

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

- 7. Requesting authority for Purchasing Department to negotiate a contract with “ both ,” as “Qualified” for Qualified Interpreting Services for Hidalgo County.**

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

8. Requesting authority to exercise the additional one (1) year extension as provided in current contracts (Section 3) for “Service & Repair of Chillers & General HVAC Equipment” under the same rates, terms and conditions with the following:

- York International; Corp.
- Trane

Effective date 06/14/05 to 06/14/06

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

9. Requesting approval to exercise the sixty (60) days (as provided in current contract) with Corky’s Fire Extinguisher Sales & Service so as not to have a lapse in services while completing the procurement process.

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

10. Presentation for discussion, consideration, and action, if necessary, of correspondence received from Texas Association of Counties in connection with: a) “accept this as notice of intent not to renew the interlocal agreements...”; and b) notice of intent not to submit response to RFP for Property & Casualty Project including legal counsel’s review (of policies and interlocal (s) and options available to County of Hidalgo; with possible consideration of the following alternative;

NO ACTION taken on this item.

11. Presentation for discussion, consideration, approval to engage (a short term contract not to exceed \$25,000.00) a qualified consultant to review and/or assist (the current evaluation committee) the responses received in connection with Hidalgo County’s Property and Casualty, Public Officials, Law Enforcement, Automobile Liability, Automobile Physical Damage, General Liability, Crime, and/or Inland marine Insurances Project.

NO ACTION taken on this item.

At this time Commissioner Handy and Commissioner Flores returned to the Court.

12. Presentation of a request by S&G Paving, Inc. for discussion, consideration and approval to substitute the current performance and payment bonds from (North American Sureties, LTD) and replace with new (original document) compliant payment and performance bonds (subject to legal review) for new awards and/or unfinished/incompleted portions of contracts including but not limited to, the following contracts;

Project	Contract Number	Dept.	Bond
Company Bond Amount			
1) Rancho Nuevo –Summer Wood	CAP-05-001-02-24	Precinct No. 4	ACSTAR \$228,481.00

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to the bond being approve by legal and the auditor.

2) Reconstruction & widening of McColl Rd.	C-04-299-11-16	Precinct No. 2	_____	\$700,000.00
3) Paving & Curbing of South "I" Road	C-04-300-11-16	Precinct No. 2	_____	\$200,000.00

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 2 & 3 subject to legal approving the bond.

Or in the alternative;

- 13. Consideration, discussion and action necessary in connection with deadlines imposed with consequences for non-compliance by Hidalgo County on S&G Paving through issuance of a certified letter.**

NO ACTION taken on this item.

- 14. Presentation for discussion and consideration of the scoring/evaluation grid (for the purposes or ranking by Hidalgo County Commissioner's Court) of the response for the RFQ/P project advertised for: "GIS-Project –Phase I Consulting Services Architectural and system Design requirements";**

1. GEO Analytical 2. S&B 3. Turner Colic

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to rank GEO Analytical as #1, S&B as #2&Turner Colic as #3

- 15. Requesting authorization for Purchasing Department to negotiate a contract with the number one (1) ranked participant GEO Analytical for the Hidalgo County project RFQ/P-GIS-Project Phase I-Consulting Services Architectural and System Design Requirements.**

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

C. HIDALGO COUNTY PRECINCT NO. 1-

- 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024(A)(4)'...a Professional Services' with Rio Delta Engineering for: Road Paving and Drainage through Road and Bridge & C.I.P. Paving projects for Hidalgo County for Hidalgo County Precinct No. 1**

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

- 2. Approval of a Professional Engineering Service Contract for with Rio Delta Engineering for: Road Paving and Drainage through Road and Bridge & C.I.P. Paving projects for Hidalgo County Precinct No. 1 for Hidalgo County Precinct No. 1 (subject to legal review)**

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

D. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for discussion, consideration, and approval to solicit a request for proposal from a Centennial or Jamail, awarded area job order contractors through our participation/memberships with TCPN and TASB respectively to supply all labor and materials in connection with the Construction of Curb, Curb & Gutter, Valley Gutter, and HMAC Pavement at Hidalgo County –North San Juan Park located in Hidalgo County Precinct # 2 with specifications drafted and provided to AJOC through project engineer, R. Gutierrez Engineering Corp.**

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

E. HIDALGO COUNTY PRECINCT NO. 3-

1. **Requesting exemption from competitive bidding requirements under Texas Local Government Code, section 262.024(a)(4) a professional service for surveying services for Hidalgo County Precinct No. 3 Landfill.**

SEE item #2.

2. **Approval of a professional engineering service contract with Hinojosa Engineering, Inc. for Hidalgo County Precinct No. 3 Landfill Surveying Services.**

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

F. HIDALGO COUNTY PRECINCT NO. 4 –

1. **Presentation for discussion, consideration, acceptance and approval of a “Gift Warranty Deed” from Hargill Community Club, Inc. to the County of Hidalgo including authority to: a) obtain a title run along with taxes, if necessary (as recommended by legal counsel); and b) accept and execute applicable documents for the property generally described as:
Being all of lots 2 and 3 n Block 50, of the Townsite of Hargill, Texas according to the map or plat thereof duly recorded in the Deed and Map records of Hidalgo County, Texas to which reference is herewith made for greater certainly of description.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to the title and taxes.

G. HIDALGO COUNTY –ALL FUNDING SOURCES-

1. **Requesting approval to exercise the sixty (60) day grace period under the current contract for “Flexible Base Material (Crushed Caliche)” with the following vendor:**
 - **Frontera Materials-Precinct # 1 & 2**
 - **Valley Caliche Products-Precinct # 3&4****so as to have no lapse in service while the procurement process is complete with effective date of : 06-15-05 thru 08-15-05.**

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

H. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 2-

- 1. Requesting approval of Change Order No. 4 – (Net Decrease) (Final Change Order) in the amount of \$ <765.00> in connection with: Contract # C-04B-302-1-13- “Road Construction Las Palmas Subdivision” awarded to D.M. Roth, Inc. (TX.D.O.T. Approved)(Project carried by R. Gutierrez Engineering)**

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

- 2. Presentation for discussion, consideration, acceptance and approval of Payment Application # 10 (Final Payment) submitted by D.M. Roth, Inc. in the amount of \$50,301.90 in connection with (Contract No. C-04B-302-01-13 Road Construction of Las Palmas Subdivision)**

SEE item #3.

At this time Commissioner Flores steps out of the Court.

- 3. Presentation for discussion, consideration, acceptance and approval of Payment Application # 11 (Retainage Payment) submitted by D.M> Roth, Inc. in the amount of #44,019.88 in connection with (Contract No. C-04B-302-01-13- Road Construction of Las Palmas Subdivision)**

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

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

- 1. Recommending bid award and approval of contract for: “Road Construction of Meadowlands & Tropicana Subdivisions” to low bidder meeting all specifications and requirements. (BCAP-Project) (Contract Subject to Legal Review)**

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

At this time Commissioner Palacios steps out of the Court.

J. HIDALGO COUNTY CONSTABLE PRECINCTS 1 thru 5 –

- 1. Recommending award of bid and approval of contract for “Uniforms” to sole bidder meeting all specifications and/or requirements.**

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

K. HIDALGO COUNTY BUILDINGS AND GROUNDS –

1. **Presentation (TCPN No. 05-217-JMT) for discussion acceptance and approval of a proposal from Centennial Contractors Enterprises, Inc. awarded area job order contractor (AJOC) through the County’s participation/membership with Region IV Texas Cooperative Purchasing Network Program (TCPN) for the provision of labor, and materials as attached hereto with authority to issue purchase order in an amount not to exceed \$2,558.70 for: “Carpeting Courthouse Corridor outside 139th, and 398th District Courts”**

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

L. HIDALGO COUNTY ELECTIONS DEPARTMENT-

1. **Presentation for discussion, consideration and approval to process an Hidalgo County Purchase Order (as recommended by Ms. Penny Farias, Buyer from TBPC including all terms and conditions as detailed as set forth by Texas Building & Procurement Commission’s non-automated contract #578-N1) for the acquisition of a state certified Electronic Voting System (hardware, software, equipment, peripherals, licenses, maintenance and support) awarded to Election Systems & Software, Inc.(ES&S);**

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

2. **Presentation for discussion, consideration and approval of a Voter Tabulation & Service Agreement (subject to legal review) with stipulation as noted on contract document the TBPC terms and conditions supersede this agreement;**

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

3. **Presentation for discussion, consideration and approval of a request by Elections Dept. to declare surplus for the purpose of disposition the “Shoup Lever” machines detailed in Exhibit “A” pages 1 through 6;**

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

M. HIDALGO COUNTY HEALTH DEPARTMENT –

1. **Presentation for discussion, consideration, and approval to solicit/request proposal (TCPN/TASB No.05-220-JMT) from area job order contractor(s) Centennial and/or Jamail (awarded vendors through our participation/membership with TCPN and TASB including but not limited to Demolition, Removed, Build Walls, Finishes, Electrical, work for: “Renovations for Hidalgo County Health Department Clinics in McAllen, Edinburg Pulmonary, and Weslaco”**

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

At this time Commissioner Palacios returns to the Court.

N. HIDALGO COUNTY NEW JUVENILE DETENTION FACILITY –

- 1. Pursuant to directive and action taken by Commissioners Court ion June 1, 2005, presentation for discussion, consideration and action, if necessary, to identify the budget source(s)in order to complete the funding for the awarded bid (to Descon Construction of CC-6-1-05) for the construction of the New Juvenile Detention Facility for Hidalgo County;**

At this time the Court moved to item # 17-E&F.

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

- 2. Presentation for discussion, consideration and approval to authorize project architect, V-Architecture, to issue and forward “Notice of Award” to contractor, Descon Construction, L.P. in connection with action taken by Commissioners Court on June 1, 2005 of bid award (subject to complete funding);**

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

- 3. Presentation for discussion, consideration and acceptance and approval of Request for Payment No. Eighteen (18) – (Reimbursable) \$975.00 as submitted by project architect, V-A Architecture in connection with and under the architectural services contract for the design and construction of a Juvenile Justice Center for Hidalgo County;**

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

At this time Judge Garcia steps out of the Court.

O. HIDALGO COUNTY IT DEPARTMENT –

- 1. Pursuant to Hidalgo Count Cellular Telephone policy, presentation for consideration, acceptance and approval of Cellular Phone Request Forms for the following elected official(s) , department head(s), program director(s) and employee(s);**

Department Name:	Name of Employee(s)	Basic Rate Plan Per Month	Total Minutes Plan:	Equipment/Cost
Elections	88 Polling	\$33.75	500	SanyoRI4920 (Free phone)

Note: These phones will be used for early voting (Constitution and Nov. election) substations which will have limited incoming/outgoing calls and will be under full responsibility by Ms. Teresa Navarro, Elections Administrator.

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

2. **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 for a monthly service fee of \$60.00 with unlimited usage for the following departments: J.P. Palacios, (1); County Judge's Office (1)**

NO ACTION taken on this item.

3. **Requesting authority to purchase computer equipment from Global Data Systems a vendor on the State of Texas DIR Go-Direct program for Req# 70498 in the total amount of \$23,557.99.**

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

P. HIDALGO COUNTY TAX OFFICE –

1. **Requesting authority to advertise and approval of specifications (Bid No. 05-219-07-06 JMT) attached hereto for : “Printing Tax Rolls, Folding, Inserting, Pre-Sorting and Delivering of Tax Statements for the year of 2005 to the Edinburg post office” RFB**

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

Q. HIDALGO COUNTY SHERIFF'S OFFICE-

1. **Recommending award of bid for “One 1998 or New Motor Home (For use as a Command Center)” to sole bidder (Jim Gooch) meeting all specifications and/or requirements.**

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

R. HIDALGO COUNTY –

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

NO ACTION taken on this item.

At this time Judge Garcia returns to the Court.

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

A. Pct. #1:

1. **Discussion, approval and possible action on the State Infrastructure Bank (SIB) Loan Agreement between the State of Texas and the County of Hidalgo in the amount of \$ 1,380,000.00 (funding is for projected costs associated with the Right of Way acquisition provider services/misc. engineering costs of FM 1015 from Mile 9 to Mile 12 in Hidalgo County)**

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 # D.

- B. Presentation of a Report by Gary Looney, Hidalgo County Group Health Insurance Consultant of Alamo Insurance Group, of the impact to the county's current Group Health Insurance Program in connection with the notice from South Texas Health System Hospitals of their intent to terminate their current agreement(s) with Texas True Choice, Inc. Preferred Provider Organization (PPO) Network Provider effective July 1, 2005; and/or in the alternative;**

Presentation made by Mr. Looney.

- C. Discussion and possible action to terminate our Health Insurance Carrier, Mutual of Omaha, being that South Texas Health System has a cancellation date of July 01, 2005 with Preferred Provider Organization (PPO) Network, Texas True Choice, Inc.**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to not terminate the contract with Mutual of Omaha.

At this time the Court moved back to item #9.

- D. 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 \$53,518.83 for the period ending May 16-31, 2005**

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 # G.

- E. Discussion, consideration and approval to appropriate \$3,550,712.71 from the 2004 C.O. Series Unreserved Fund Balance to fund the construction of the New Juvenile Detention Facility**

SEE item #F.

- F. Discussion, consideration and approval to transfer funds in the amount of \$ 732,287.29 from Buildings & Grounds – new additions & renovations to C.O. 2004 Juvenile Department Buildings to fund the construction of the Juvenile Detention Facility**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items E & F.

At this time the Court moved back to item #16-N1.

G. Approval of budget amendments:

1. C.O. 2001 – Fund 1331 - \$ 510.00
2. C.O. 2001 – Fund 1331 - \$ 23,973.98
3. C.O. 2002 – Fund 1332 - Landfill Pct. #4 - \$ 25,000.00
4. C.O. 2002 – Fund 1332 - \$ 14,000.00
5. C.O. 2002 – Fund 1332 - \$ 11,900.00

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

H. Interdepartmental transfers:

1. Co.Wide Adm. to County Judge - \$ 36,000.00

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

2. B.O. Contingency to Arbitrage Calc. & Co. Wide Adm. - \$ 12,023.56

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

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

18. Closed Session: (SEE EXHIBIT V)

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

- A. Real Estate Acquisition
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project
- C. Pending and/or potential litigation
- D. CL-05-0892-B; Gerald Schuller vs. Hidalgo County et.al

19. Open Session:

- A. Real Estate Acquisition

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to settle on parcel #1 belonging to Baldemar and Pauline Guerra in the amount of \$55,000.00.

- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project
- C. Pending and/or potential litigation
- D. CL-05-0892-B; Gerald Schuller vs. Hidalgo County et.al

NO ACTION taken on items B, C & D.

20. Closed Session:

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

21. Open Session:

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

22. Adjourn

On motion of Commissioner Handy, seconded by Commissioner Garza, 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, JUNE 14, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve the Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. Risk Management**
 - B. Texas Coop. Extension**
 - C. Right of Way**
 - D. 206th District Court**
 - E. Colonia Access Program (2)**
 - F. J.P. Pct. #4, Pl. 2**
 - G. Elections Department (2)**
 - H. Historical Commission & create obj. 442**
 - I. Sheriff's Department & create obj. 672**
 - J. Visiting Judges**
 - K. IT Department #200-001**
 - L. IT Department #200-002**
 - M. Pct. #1 – Parks (2)**
 - N. Pct. #1 – R & B (2)**
 - O. Pct. #2 – R & B**
 - P. Pct. #2 – CRC**
 - Q. Pct. #3 – Landfill (2) & create obj. 439**
 - R. Pct. #3 – Park (2)**
 - S. Pct. #3 – R & B**
 - T. Pct. #3 – Adm. & create obj. 431**
 - U. Pct. #4 – CAP**
 - V. WIC**
- 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. Monthly Fee Reports – May: (SEE EXHIBIT D)

- A. District Attorney - \$ 251,557.94**
- B. County Clerk - \$ 675,768.17**

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

North Alamo Water Supply: Install a 2” waterline extension of 1020’ going south of the intersection of Rogers Road and Sunflower Road on the west side of Sunflower Road – Patrick Straub.

North Alamo Water Supply: Install an 8” waterline approximately 510’ south of Mile 17 on Terry Road – Bore – Saron Subdivision.

North Alamo Water Supply: Install an 8” waterline approximately 520’ south of Mile 17 on Terry Road – Bore – Saron Subdivision.

South Western Bell: Bore and bury a cable along Mile 22 North and Valde Street.

Westport Oil and Gas L.P.: Install a 4” gas line starting at approximately 1320’ west of the intersection of Trenton Road and FM 1423 – Val Verde Road and continue east on Trenton Road for approximately 4620’.

Westport Oil and Gas L.P.: Install (3) three 3” gas lines along the south ROW of Alberta Road at a point approximately 250’ west of the NE corner of Lot 96 Hill- Halbert Tract thence proceeding west a distance approximately 135’ and crossing Alberta Road, South to North into Lot 85 of said Subdivision.

6. Urban County: (SEE EXHIBIT F)

- A. Request for Approval of one (1) Applicant Classified as an Emergency Case under the HOME Homeowner Occupied Housing Rehabilitation Program – in the County Wide area.**

7. Tax Refunds: (SEE EXHIBIT G)

A. Belisario & Olga Lumbreras	Household	\$ 3,594.92
B. Fidelity National Title	Fidelity National	\$ 3,330.82
C. Video Plus	Video Plus	\$ 4,422.10
D. KRGV TV	KRGV TV	\$ 3,704.93
E. Walgreens	Walgreens	\$ 2,596.12
F. Robert G. Fedor	Robert G. Fedor	\$ 2,903.21

8. Purchasing Department: (SEE EXHIBIT H)

A. HIDALGO COUNTY –

- 1. Requesting authority to purchase computer equipment and peripherals from awarded vendors through Cooperative Programs for the following;**

Req	Department	Vendor	Amount	Account Number
71009	I.T. Department	S.T.E.	\$440.75	5-1100-415-00-200-002-0-432
71123	Health Department	SHI Government	\$3716.00	5-1100-441-00-340-003-0-747
71389	I.T. Dept	CDW-G	\$262.00	5-1100-415-00-200-001-0-664
71066	Treasurer's	CDW-G	\$579.32	5-1100-415-16-150-001-0-672
71248	Purchasing	Dell	\$1,318.93	5-1100-415-18-160-001-0-745
71458	I.T. Dept	CDW-G	\$731.25	5-1100-415-00-200-001-0-661

B. HIDALGO COUNTY WIC PROGRAM –

- 1. Requesting authority to enter into a three (3) month maintenance agreement with Copygraphics for a copier for Req #71395 in the total amount of \$1,368.00**

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

NOTICE

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 14, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

(SEE EXHIBIT W)

1. Roll Call

All Members of the Board were counted present 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. Presentation and approval of Hidalgo County Drainage District's Independent Audit Report for 2004

NO ACTION taken on this item.

5. Risk Mgmt./Workers' Comp. – Valde Guerra:

- A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 24,966.29 for the period ending May 16-31, 2005**

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

6. Purchasing Department – Marty Salazar:

NOTES: A. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY DRAINAGE DISTRICT –CONTRACT’S MANAGER

- 1. Recommending award of sealed quote(s) and approval of contract(s) for Janitorial Supplies/Industrial Chemicals, to multiple bidders (Gulf Coast & CC Distributors) meeting all specifications/requirements.**

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

- 2. Presentation for discussion, consideration, and action, if necessary, of correspondence received from Texas Association of Counties in connection with: a) “accept this as notice of intent not to renew the interlocal agreements...”; and b) notice of intent not to submit response to RFP for Property & Casualty Project including legal counsel’s review (of policies and interlocals) and options available to County of Hidalgo Drainage District # 1 with possible consideration of the following alternative;**

NO ACTION taken on this item.

- 3. Presentation for discussion, consideration, approval to engage (a short term contract not to exceed \$25,000.00) a qualified consultant to review and/or assist (the current evaluation committee) the responses received in connection with Hidalgo County’s Property and Casualty, Public Officials, Law Enforcement, Automobile Liability, Automobile Physical Damage, General Liability, Crime, and/or Inland Marine Insurances Project.**

NO ACTION taken on this item.

- 4. Presentation for discussion, consideration and approval to reject the sole bid received for “RFB #05-001-Sale of Real Property” in connection with “A1.49 acre tract of land out of Lot 168, John Shary Subdivision, located along the Southern Side Colbath Street, just East of Bentson Road, Hidalgo County, Texas an if approved;**

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

- 5. Requesting authority to- re-advertise a “RFB- #05-014 Sale of Recorded Easement” with the same description for property caption above;**

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

- 6. Approval of the minimum bid amount as per the “fair market value” appraisal as required by the “Code” of \$55,875.00.00**

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

- 7. Requesting exemption from competitive bidding requirements (engineering) under the Texas Local Government Code, Section 262.024(A)(4) "...a Professional Service" in connection with assisting Hidalgo County Drainage District No. 1 with remedies on deficiencies for the purpose of Petroleum Storage Tank Regulatory Compliance with Raba-Kistner.**

SEE item #8.

- 8. Requesting authority to negotiate a Professional Engineering Service Contract with Raba-Kisner Consultants, Inc. for: "Petroleum Storage Tank Regulatory Compliance" Project.**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Board made a UNANIMOUS vote of approval on items 7 & 8.

- 9. Presentation for discussion and consideration of the scoring/evaluation grid (for the purposes or ranking by Hidalgo County Drainage District No. 1 Board of Directors) of the response for the RFQ/P project advertised for: "GIS-Project –Phase I Consulting Services Architectural and system Design requirements";1. GEO Analytical
2. S&B 3. Turner Colic**

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

- 10. Requesting authorization for Purchasing Department to negotiate a contract with the number one (1) ranked participant GEO Analytical for the Hidalgo County project RFQ/P-GIS-Project Phase I-Consulting Services Architectural and Stem Design Requirements.**

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.

7. Closed Session:

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

A. Real Estate Acquisition

8. Open Session:

A. Real Estate Acquisition

9. Closed Session:

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

10. Open Session:

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

11. Adjourn

On motion of Commissioner 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 14, 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. Line item transfers – Administration**

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 14th day of June, 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 Jun 14, 2005.

Signed this _____ day of _____ 2005

ATTEST:
JUAN D. SALINAS, III
County Clerk and Ex-Officio Clerk
Of the Commissioners' Court of
Hidalgo County

(Seal)

By: _____
Norma Garza, Deputy