

SPECIAL MEETING – JUNE 21st, 2005

BE IT REMEMBERED, that on this 21st day of June, 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

HONORABLE JOE M. FLORES

COMMISSIONER, PRECINCT NO. 3

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

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

**HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 21, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. Roll Call

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

2. Pledge of Allegiance

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

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Gilbert Garza – Concerning the Universal Health Systems pulling out.

Fern McClaugherty – Concerning item # 15-J of the Agenda.

Commissioner Palacios – In reference to the annual conference and the court not having a quorum for the next meeting.

Martha Salazar – Concerning the Agenda postings.

5. Approval of Consent Agenda

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

6. Hidalgo County ROW – Godfrey Garza: (SEE EXHIBIT H)

A. Approval of S&B Infrastructure, LTD Work Authorization #3, Regional Mobility Public Involvement, \$49,285.00.

NO ACTION taken on this item.

7. Urban County – Diana Serna: (SEE EXHIBIT I)

**A. Resolution – Office of Rural Community Affairs (ORCA)
2005 Colonia Construction Fund Application.**

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

B. Requesting Approval of an Amendment to the HOME – First Time Home Buyer Policy – Recapture Formula.

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

C. Requesting Approval of an Amendment to the HOME – First Time Home Buyer Policy – Debt to Income Ratios from 30% / 40% to 35% / 45%.

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

D. Requesting Approval of an Amendment to the HOME – First Time Home Buyer Policy – Grant Assistance Amount as follows:

% Median Income	Grant Amount Per Family up to
50% and below	\$10,000.00
51% - 60%	\$ 7,500.00
61% - 80%	\$ 5,000.00

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

G. Requesting authorization for County Judge to sign Notice of Intent to Request for Release of Funds (NOI/RROF) and Request for Release of Funds (RROF) for 2002, 2003 & 2004 for City of Weslaco Public Facility Improvements, in the amount of \$122,909.28

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

E. Public Hearing concerning a proposed Budget and Program Amendment for Precinct No. 1. The proposed amendment will allow for a transfer of funds, decreasing street improvements and increasing youth services funding. The proposed amendment affects funding from Program Year 16.

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

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

F. Approval of Budget/Program Amendment for Hidalgo County Precinct No. 1 transferring funds from Urban County Year 16 (2003) Street Improvements totaling \$30,000.00 into Youth Services for the Boys & Girls Club of Edinburg RGV-Delta Units.

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

8. Planning Department – Raul Sesin: (SEE EXHIBIT J)

A. Final Approval:

- 1. Villicana Elizondo Subdivision – Pct. 2 (Sergio Villicana)**
- 2. Renato Subdivision – Pct.1 (A.C. Cuellar)**

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

B. Final Approval with Cash Deposit:

- 1. AKC Subdivision – Pct. 1 (Jonathon Cohrs)**

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

9. Head Start – Teresa Flores: (SEE EXHIBIT K)

A. Discussion/Approval to Consolidate Two (2) and Three (3) Classroom Centers as an Administrative Unit.

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

B. Discussion/Approval of Bid Awards and Contracts to low Bidders Meeting All Specifications for the Lawn Care, Bid #2005-04-005.

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

C. Discussion/Approval of the Cost of Living Adjustment (COLA) and the One Time Funding Application:

- 1. Cost of Living Adjustment**
- 2. One-Time Funding**

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

D. Discussion/Approval of Program Calendar for Program Year 2005-2006.

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

E. Presentation and Discussion of Language Assessment Program Diagnostic (LAP-D) Assessment of Head Start Children.

Presentation made.

10. Pct. #1 – Comm. Handy: (SEE EXHIBIT L)

A. Appointment of EMS Board Member(s).

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

11. Pct. #2 – Comm. Palacios: (SEE EXHIBIT M)

A. Discussion and possible action for approval to extend the North “I” Road Project limits from .25 miles North of Nolana Road to Owassa Road.

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

12. Fire Marshal – Arturo Gaytan: (SEE EXHIBIT N)

A. Discussion and approval on rural Fire contract with the local fire departments, within our County:

- | | |
|---------------------------|--------------------------|
| 1. Donna | 7. McAllen |
| 2. Edinburg | 8. Mission |
| 3. Elsa | 9. Palmview |
| 4. La Joya | 10. Pharr |
| 5. Linn San Manuel | 11. Sullivan City |
| 6. La Villa | 12. Weslaco |

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items 1 thru 12.

13. 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.

At this time the Court moved to item #15.

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

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**
- 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**

Presentation made by Daniel Flores on items A thru E.

At this time the Court moved to item #16.

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

- 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>1166</u>	Other Information:	<u>9</u>
Physical Count:	<u>1127</u>	Males (in house)	<u>1053</u>
Out of County: La Villa	<u>28</u>	Females (in house)	<u>74</u>
Brook’s		Federal Prisoners	<u>13</u>
Adj. /Sentenced to TDC	<u>168</u>	Total Paper Ready TDC	<u>107</u>

2. Current inter-local(s) and/or contract(s) for the “Housing of Inmates”

3. New Adult Detention Facility and Law Enforcement Center Project:

- a) Detention Facility Law Enforcement Center Design - Build Contract with including action regarding Landmark final & Application for payment, punch list and release of retainage;**

Nothing to report on items 2 & 3a.

4. Presentation for discussion, consideration 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 the final design and program elements and roster of departments identified for re-location;**
- 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;**

NO ACTION taken on items 4-a thru 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;**
 - 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;**
 - 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 5-a thru d.

6. **Recommending award of bid and approval of contract for “Bio Hazardous Medical Waste Disposal Service” to low bidder meeting all specifications and/or requirements.**

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

7. **Presentation for discussion, consideration and necessary action on Hidalgo County’s RFP: “Property and Causality Public Officials, Law Enforcement, Automobile Liability, Automobile Physical Damage, General Liability, Crime, and/or Inland Marine Insurances Project” including, but not limited to, the following:**
 - a) **Report on responses received;**

Report made by Martha Salazar.

- b) **Report on non-competitive bidding options/resources available to Hidalgo County’s other than competitive proposal process for obtaining insurance coverage’s;**

Report made.

- c) **Report on correspondence forwarded by Hidalgo County’s Pool Coordinator’s on June 16, 2005 to Texas Association of Counties in response to TAC’s notices dated June 1, 2005 received June 6, 2005 in connection with: “accept this as notice of intent not to renew the inter-local agreements...”;**

Report made.

- d) **Report on response received from Texas Political Subdivisions (Joint Self-Insurance Funds) to Purchasing Dept.’s request for quote information**

Report made.

- e) **Award of portion of coverage(s) to sole vendor submitting response to RFP;**

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

8. **Presentation for discussion, consideration and ratification of publication of ad on June 19, 2005 in The Monitor for the re-advertisement of Hidalgo County's RFP: "Property and Casualty, Public Official, Law Enforcement, Automobile Liability, Automobile Physical Damage, General Liability, Crime, and/or Inland Marine Insurances Project" inasmuch as no responses were received.**

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

B. HIDALGO COUNTY and PRECINCT NO. 1 thru 4-

1. **Requesting authority to advertise and approval of draft specifications for: "Pest Control".**

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

C. HIDALGO COUNTY PRECINCT NO. 1-

1. **Presentation for discussion, consideration and approval to reject sole bid received for: RFB- To Provide and Apply Two (2) Seal Coat Applications to Indian Hills Subdivision, East & West (All Roads) – CIP Street Improvement Project, with authority to re-advertise same, due to not enough participation.**

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

2. **Recommending bid award (No: 05-150-06-08-08CGV) to the sole bidder meeting all specifications for: RFB Truck Mounted Spray Injection Road Repair Machine" project.**

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

D. HIDALGO COUNTY PRECINCT NO. 2 –

1. **Requesting authority to advertise and approval of draft specifications for "Hauling of Dirt with an option to Load" – RFB.**

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

2. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024(A) (4) '... a Professional Service' with R. Gutierrez Engineering for: Road & Bridge Projects for Hidalgo Count Precinct No. 2**

SEE ITEM # 3.

3. **Approval of a Professional Engineering Service Contract with R. Gutierrez Engineering for: Road & Bridge Projects for Hidalgo County Precinct No. 2 (subject to legal review)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 2 & 3 effective date of June 30, 2005.

At this time Judge Garcia steps out of the Court.

E. HIDALGO COUNTY –BUILDINGS AND GROUNDS-

- 1. Requesting approval for the B141 AIA Contract for Professional Architect Services with Alcocer Garcia Associates Design Consulting in connection with the design and construction of “Sally Port Compound Project –Courthouse” as selected and approved for negotiations by Commissioners’ Court on (03-24-04).**

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

- 2. Presentation for discussion, consideration, and approval to solicit/request proposal 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, Roofing, Cleaning, Finishes, Plumbing and Electrical work for:**
 - a) Adm. Building Pump Room**
 - b) Adm. Building Parking Lot overlay**
 - c) Commissioners’ Court Renovations Services**
 - d) County Clerk Re-Roof Renovations Services**
 - e) Courthouse façade work (sealed property)**
 - f) Outside cleaning for Adm. and Courthouse Building**
 - g) Courthouse Parking Lot overlay**
 - h) Courthouse ADA Side Walks**
 - i) Courthouse Skylight (leaking)**
 - j) Edinburg Health & WIC Re-Roofing Building**

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

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

- 1. Requesting approval of Change Order No. 3- (Net Decrease) in the amount of \$<2,222.95> in connection with: Contract # C-03-238-09-30- “Road Construction of Lopezville Subdivision” awarded to Jimmy Closner and Sons, Inc. (TX.D.O.T. Approved) (Project Carried by R. Gutierrez Engineering)**

SEE ITEM #2.

- 2. Requesting approval of Change Order No. 2 – (Net Decrease) (Final Change Order) in the amount of \$<34,155.16> in connection with: (Contract No. C-04-004-03-16) - “Road Construction of Primavera Subdivision” awarded to J.M. Construction (TX.D.O.T. Approved) (Project carried by R. Gutierrez Engineering)**

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

- 3. Presentation for discussion, consideration, acceptance and approval of Payment application # 9 (Final Payment) submitted by J.M. Construction in the amount of \$14,218.92 in connection with (contract No. C-04-004-03-16 Road Construction of Primavera Subdivision)**

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

- 4. Presentation for discussion, consideration, acceptance and approval of Payment Application # 1 (Retainage Payment) submitted by J.M. Construction in the amount of \$65,023.61 in connection with (Contract No. C-04-004-03-16 Road Construction of Primavera Subdivision)**

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

- 5. Discussion and action to award or reject bids received for Bid No. CAP-05-008-06-15- Construction of South Tower Estates Subdivision (Carried by R. Gutierrez Engineering)**

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

- 6. Discussion and Action or Reject bids received for: Bid No. CAP- 05-008-06-15- Construction of Tierra Bonita Subdivision W/(ALT. 1 Paving of both streets) & (Alt. 2 Construction of Curb and Gutter and Drainage) – (Carried by R. Gutierrez Engineering)**

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

- 7. Requesting authority to re-advertise for: Construction of South Tower Estates Subdivision- (Carried by R. Gutierrez Engineering)**

NO ACTION taken on this item.

- 8. Requesting authority to re-advertise for: Construction of Tierra Bonita Subdivision w/ (Alt. I Paving of both Streets) & (Alt. 2 Construction of Curb and Gutter and Drainage) – (Carried by R. Gutierrez Engineering)**

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

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

- 1. Recommending bid award and approval of contract for: “Road Construction of Goodwin Heights, Country Corner Estates, Havana & La Palma Subdivisions” to low bidder meeting all specifications and requirements. (BCAP-Project) (contract Subject to legal review)**

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

H. HIDALGO COUNTY JUVENILE DETENTION FACILITY –

- 1. Presentation for discussion, consideration and acceptance and approval of Invoice #5616 in the amount of \$ 41,000.00 as submitted by project engineer, Quintanilla, Headly & Associates and as reviewed and approved by project architect, V-A Architecture in connection with and under the engineering services contract for the construction of a Juvenile Justice Center for Hidalgo County;**

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

- 2. Presentation for discussion, consideration, acceptance and approval of request for Payment No. Nineteen (19) dated June 14, 2005 in the amount of \$ 286,328.22 submitted by project architect, V-A Architecture for a reimbursable expense in connection with the design and construction of a New Juvenile Justice Center for Hidalgo County with authority for Auditor to issue payment.**

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

I. HIDALGO COUNTY WIC PROGRAM-

- 1. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) with Las Milpas Investment Group.**

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

- 2. Recommending to reject all bids received for bid No. 05-190-06-15-JMT and approval to re-advertise project with modifications to the specifications for: “lease space WIC Clinic in the City of Alamo”**

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

J. HIDALGO COUNTY IT DEPARTMENT –

- 1. Requesting approval to purchase two (2) Wireless Connection Cards (at no cost to the County after credits applied to \$ 179.99 - \$150.00 credit and \$ 30.00 credit) for the IT Dept. 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: J.P. Charlie Espinoza (1), County Judge’s Office (1). (Note: Last week’s request of one (1) Wireless Connection Card was inadvertently requested for J.P. Mary Alice Palacios instead of J.P. Charlie Espinoza’s office to be used by warrant officer for access to Hidalgo County’s MIS, i.e. ABLE TERM)**

NO ACTION taken on this item.

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

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.

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

- A. Discussion, consideration and action regarding request for a second thirty(30) day extension on submittal of annual financial audit report to Hidalgo County in accordance with Section 775.082(d) of the Health and Safety Code – Emergency Services District #4.**

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

- B. Discussion, consideration, and action on request for funds from the State Comptroller’s Office as authorized under Section 74.602 of the Texas Property Code.**

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

- C. Discussion, consideration, and acceptance of Monthly Flat Fee Rates of \$300.00 to Mr. Dean Pappas, Attorney for TWCC filings as agreed by Tristar Risk Management**

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

- D. Discussion, consideration and action on offer to repair vehicle damages from Texas Association of Counties – Sheriff Department Claim #05-0259**

SEE ITEM #E.

- E. Acceptance of check #026762 from TAC to settle claim of damages – Sheriff Dept. Claim #05-0259**

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

- F. Claims Servicing – Approval to increase slot #009 from \$ 36,488.00 to \$ 39,746.00 an upgrade of \$ 3,258.00 to adjust salary to the same level as other safety specialist positions (pay equalization)**

NO ACTION taken on this item.

- G. Approval of revised salary schedule**

NO ACTION taken on this item.

At this time the Court moved to Executive Session.

17. Purchasing Department – Marty Salazar: (SEE EXHIBIT Q)

- A. Presentation of the status as well as 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 documents) compliant payment, performance bonds and applicable certificate of insurances (subject to legal review) for new awards and/or unfinished/in completed portions of contracts including but not limited to, the following contracts;**

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

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

2. Reconstruction & Widening of McColl Rd.	C-04-299-11-16	Pct. #2	_____	\$700,000.00
3. Paving & Curbing of South “I” Road	C-04-300-11-16	Pct. #2	_____	\$200,000.00

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

- B. Consideration, discussion and action necessary in connection with deadlines imposed (including extensions discussed by CC on 6-14-05) with consequences for non-compliance by Hidalgo County on S & G Paving through issuance of a certified letter.**

NO ACTION taken on this item.

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

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

18. Closed Session: (SEE EXHIBIT S)

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**

19. Open Session:

- A. Real Estate Acquisition**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to settle on cause # CON-1322-E.

- 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 B & C.

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 21, 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 Palacios, 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. Building & Grounds**
 - B. County Clerk**
 - C. Library System & create obj. 602**
 - D. Fire Marshal (2) & create obj. 320**
 - E. Human Services**
 - F. IT Department (2)**
 - G. IT – Justice CRT Tech**
 - H. Pct. #1 – Road & Bridge**
 - I. Pct. #1 – Administration**
 - J. Pct. #1 (2) – Sanitation & create obj. 529**
 - K. Pct. #1 (2) – Parks & create obj. 746**
 - L. Pct. #2 – Parks**
 - M. Pct. #4 – Colonia Access Program**
 - N. Pct. #4 – Paved/Unpaved**
 - O. Pct. #4 – Parks & create obj. 339**
 - P. Planning Department**
 - Q. Safety Division Risk Management (S.D.R.M.)**
 - R. County Treasurer**
 - S. WIC**
- 3. Interdepartmental transfers: (SEE EXHIBIT C)**
 - A. 2000 C/O – Jail/Adult Det. Facility/Sheriff's Adm. Bldg. to Law Enf. Training Fac. - \$19,552.52**
- 4. Planning Department: (SEE EXHIBIT D)**
 - 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)**

5. **Monthly Fee Reports: (SEE EXHIBIT E)**

A. May 2005

District Clerk \$ 266,987.96

B. April 2005

J.P. Jose Ismael Ochoa \$ 34,211.16

Continuation – Monthly Fee Reports

B. April 2005

J.P. Gilberto Saenz \$ 17,896.25

J.P. Rosa Treviño \$ 63,235.45

J.P. Luis J. Garza \$ 59,269.44

J.P. "Bobby" Contreras \$ 37,434.86

J.P. Espiridion Jackson \$ 10,216.43

J.P. Jesus Morales \$ 27,483.01

J.P. Charlie Espinoza \$ 55,070.12

J.P. Mary Alice Palacios \$ 68,047.94

Law Library \$ 1,532.75

Sheriff Lupe Treviño \$ 64,921.14

Anzalduas Park \$ 4,088.34

Delta Lake \$ 1,672.25

Constable Celestino Avila Jr., Pct. 1 \$ 1,610.00

Constable Gilberto Alaniz, Pct. 2 \$ 360.00

Constable Lazaro Gallardo Jr., Pct. 3 \$ 1,585.00

Constable Andy Rios, Pct. 4 \$ 1,860.00

Constable Eduardo Bazan, Pct. 5 \$ 380.00

Tax Assessor/Collector \$3,109,059.22

C. March 2005

Fire Marshal \$ 8,847.35

D. February 2005

Fire Marshal \$ 3,410.75

E. January 2005

Fire Marshal \$ 5,027.50

F. December 2004

Fire Marshal \$ 4,065.00

G. November 2004

Fire Marshal \$ 4,345.00

H. October 2004

Fire Marshal \$ 4,460.00

6. **Right of Way – Permits (SEE EXHIBIT F)**

A. La Joya Water Supply: Install a 2" waterline on Scott Lane south of Bus. 83.

B. Delta Lake Irrigation District: Install a 21" irrigation line on 11th street in Hargill.

C. Delta Lake Irrigation District: Install a 21" irrigation line on 12th street in Hargill.

7. Purchasing Department: (SEE EXHIBIT G)

A. HIDALGO COUNTY –

1. Requesting authority to purchase computer equipment and peripherals from State Awarded through our participation of Cooperative Programs for the following;

Req	Department	Vendor	Amount	Account Number
71701	Elections Dept	CDW-G	\$2,196.00	5-1100-414-00-130-001-0-661
71760	Pct #2	S.T.E.	\$85.00	5-1202-431-00-122-005-0-431
71759	I.T. Dept	S.T.E.	\$60.00	5-1100-415-00-200-002-0-432
71754	I.T. Dept	S.T.E.	\$170.00	5-1100-415-00-200-002-0-432
71752	I.T. Dept	S.J.S.	\$149.00	5-1100-415-00-200-001-0-661
71752	I.T. Dept	S.J.S.	\$793.00	5-1100-415-00-200-001-0-664
71744	I.T. Dept	S.J.S.	\$990.00	5-1100-415-00-200-001-0-664
71742	I.T. Dept	S.J.S.	\$390.00	5-1100-415-00-200-001-0-661
71730	Pct #3	Rio Radio	\$605.50	5-1213-452-00-123-008-0-664
71686	Health Dept	CompUSA	\$224.10	5-1100-441-00-340-001-0-661
71657	Health Dept	CompUSA	\$49.99	5-1293-441-00-340-013-5-664
71657	Health Dept	CompUSA	\$343.64	5-1293-441-00-340-013-5-747
71021	Pct #3	Rio Radio	\$605.50	5-1100-432-00-123-001-0-664

**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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 21, 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 T)

1. Roll Call

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

2. Open Forum

No presentation made under Open Forum.

3. Approval of Consent Agenda

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

At this time the Board moved to item # 8.

4. Approval of Payment Request #1 to McAllen Construction for the amount of \$5,370.06. (South Inspiration Road crossing)

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

5. Approval of Payment Request #8 to McAllen Construction in the amount of \$11,124.00 and Payment Request #9 in the amount of \$37,059.80 (Retainage Release). Pharr-McAllen Drain South "I" Road Bridge Replacement Project.

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

6. Approval of license amendment with International Boundary & Water Commission (IBWC) number LSF/G-1648 and approval permit for:

- A. Installation of 15” pvc pipeline, approx 1200’ with outlet valve at irrigation line located at South 10th street Outfall.**

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

7. Approval to accept and deposit Unemployment Compensation fund, reserve balance check, in the amount of \$9,850.59 form Texas Association of Counties.

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

At this time the Board moved to item #9.

8. Presentation and Approval of Hidalgo County Drainage District #1 Independent Audit Report for 2004.

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

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

9. Approval to create Junior Accountant position and set salary from \$31,000.00 up to \$35,000.00.

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

10. Approval of budget amendment from District’s fund balance to fund new Junior Accountant position in the amount \$25,125.39. (remaining of the year)

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

11. Approval to reduce capitalized infrastructure value from \$100,000.00 to \$50,000.00.

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

Revised Page

12. Discussion, consideration and action to create one Right of Way Agent position

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

13. Approval of salary adjustments to slot # 007, 009 & 010 due to additional job duty responsibilities

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

14. Approval of revised salary schedule, setting salaries

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote of approval in the amount of \$55,000.00.

15. Approval of budget amendment from District's fund balance to fund Right of Way Agent position and salary adjustments

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

16. 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 approval to award to bidder meeting all required specifications for: "One New 2005 Or Newer -1/2 Ton 4X4 Regular Truck and One New 2005 or Newer ¾ Ton – 4X4 Crew Cab Truck".**

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

- 2. Presentation for discussion, consideration and necessary action on Hidalgo County DD #1's RFP: "Property and Causality, Public Officials, Automobile Liability, Automobile Physical Damage, General Liability, Crime, and/or Inland Marine Insurances Project" including, but not limited to, the following:**

- a. Report on responses received with review, analysis and evaluation conducted by "Committee";**

Report made by Martha Salazar.

- b. Award of coverage(s) to sole participant submitting response to DD # 1's RFP "Property and Casualty, Public Official, Automobile Liability, Automobile Physical Damage, general Liability, Crime , and/or Inland Marine Insurances Project"**

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

- c. **Report on non-competitive bidding options/resources available to Hidalgo County other than competitive proposal process for obtaining insurance coverage's;**
- d. **Report on correspondence received from Texas Association of Counties dated June 1, 2005 and received by "Pool Coordinator" on June 6, 2005 in connection with: "... accept this as notice of intent not to renew the inter-local agreements..."**
- e. **Proceed to direct " Pool Coordinator" to issue request to TAC to re-consider notice of termination of inter-local agreements with DD # 1;**
- f. **Proceed to seek quote information from other "Insurance Pools", if applicable;**

NO ACTION taken on items c thru f.

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

17. 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

18. Open Session:

A. Real Estate Acquisition

19. Closed Session:

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

20. Open Session:

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

21. Adjourn

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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, JUNE 21, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

DRAINAGE DISTRICT

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

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

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 21st 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 June 21, 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