

REGULAR MEETING – July 12, 2005

BE IT REMEMBERED, that on this 12th day of July, 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, JULY 12, 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

No presentations made under Open Forum.

5. Approval of Consent Agenda

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

At this time the Court moved to item #8-B.

6. TXDOT – Mario Jorge: (SEE EXHIBIT F)

A. Discussion, consideration and possible action regarding:

1. Utilization of Surface Transportation Earmarks, \$ 500,000 for development of Hidalgo County Loop

Presentation made by Mario Jorge.

2. RMA: petition, appointments, public hearing

Discussion made.

At this time Commissioner Handy leaves the Court.

At this time Judge Garcia opened the Public Hearing to the Public.

The Public Hearing will be held July 13, 2005 at 6:00 P.M. in Commissioners' Courtroom.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to recess the Public Hearing until 6:00 PM July 13, 2005.

No Quorum at the Public Hearing July 13, 2005.

7. Elections Department – Teresa Navarro: (SEE EXHIBIT G)**A. Discussion, approval and possible action on the following, but not limited to:****1. Appointment of Presiding and Alternate Election Judges for term August 1, 2005 to July 31, 2006 as submitted by the Republican and Democratic Parties (Exhibit B & C)**

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.

2. 2005 Election Legislative Summary (Exhibit D)

Presentation made.

8. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT H)**A. Discussion on preliminary tax appraisal assessment roll for 2005**

Presentation made by Alonso Vega.

At this time Commissioner Palacios returns to the Court.

At this time the Court moved to item #8-C.

B. Status of Military Active Duty County Employee differential pay

Presentation made by Valde Guerra.

At this time the Court moved to item #18.

C. Discussion on the opening of the scoping process used to gather input from the public and interested agencies on the environmental impacts of Sonora Pipeline, LLC's (Sonora) planned Burgos Hub Export/Import Project

Presentation made.

D. Discussion and possible action on the status of the Rio Grande Valley Health Services District and the allocation of 2004-2005 tobacco money

NO ACTION taken on this item.

9. Sheriff's Department – Lupe Treviño: (SEE EXHIBIT I)

A. Approval to appropriate monies received on a seizure award in the Sheriff's Inv. Fund 1227

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

10. Fire Marshal – Art Gaytan: (SEE EXHIBIT J)

A. Discussion and action on the approval of an order to inspect fireworks stands for safety and fire prevention

B. Discussion and action on the set fee in question of \$ 50.00 per stand per fireworks season

C. Discussion and action on inspection fess that have already been paid

NO ACTION taken on items A thru C.

11. Juvenile Justice Court – Judge Longoria: (SEE EXHIBIT K)

A. Discussion on status of Juvenile Justice Court Funding

Presentation made.

B. Request to deobligate \$ 130,000 previously set aside from Gen. Fund for anticipated county cash match on grant funding

C. Request for funding for Juvenile Justice Court from 08/01/05 through 12/31/05 for portion of budget currently funded by Grant which will expire 07/31/05

D. Approval to appropriate \$ 79,428.81 from General Fund

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a VOTE of approval on items B thru D.

Commissioner Garza – Abstain.

E. Request for extension of Lease Agreement on copier – current lease expires 07/31/05

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

Commissioner Garza – Abstain.

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

A. Approval of Sub recipient Agreement with Texas A & M Research Foundation (Public Services), and Urban County Program on behalf of the Hidalgo County Precinct #2 (\$55,000.00), for Urban County Program Year 18 (2005).

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

- B. The City of Sullivan City is requesting approval of new construction contract with A.J. Construction in the amount of \$298,726.00, for Fire Station Facility utilizing funding from Years 16 & 17 (2003 & 2004).**

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

At this time Commissioner Garza steps out of the Court.

- C. Approval to award a construction contract to J.M. Construction for the City of Elsa – La Plazita Improvements Project to be funded from Year 17 (2004) in the amount of \$177,000.00.**

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

- D. Approval to request a Budget Amendment for the Salvation Army – 2004 ESG-YR 17 grant.**

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

- E. Approval of Complaint and Grievance Procedures Process for all Office of Rural Community Affairs (ORCA) and Texas Department of Housing and Community Affairs (TDHCA) project**

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

- F. 2003 Colonia Construction TCDP Contract No. 723065 Contract Close-out/Project Completion.**

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.

At this time the Court moved to item #20.

13. Planning Department – Raul Sesin: (SEE EXHIBIT M)

A. Final Approval:

1. Palos Rojos Subdivision – Pct. 1 (Norberto Salinas)

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

Commissioner Flores – Abstain.

2. JR Subdivision – Pct. 1 (Heberto Garza)

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. Final Approval with a Cash Deposit:

1. Resaca Escondida Subdivision – Pct. 1 (Abel Gonzalez)

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

C. Release of Letter of Credit:

1. Santa Cruz Ranches Phase 2 Subdivision – Pct. 4 (Richard Ruppert)

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

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

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**

Presentations made on items A thru D.

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

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to fix the Court House panels slates.

15. 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.

16. Hidalgo County HIDTA Task Force – Dora Muñoz: (SEE EXHIBIT P)

A. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the McAllen Police Department, as set forth under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property

1. Authorization for the Hidalgo County Auditor to issue a check, after review, audit and processing procedures to the McAllen Police Department in the amount of \$22,087.30 (see attachments)

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

- B. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the City of Edinburg Police Department, as set forth under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and title of a 1994 Ford Explorer (county tag no. 027546) to the City of Edinburg Police Department**

SEE item #D1.

- 2. Authorization for the Hidalgo County Auditor to remove from the HIDTA Task Force Fixed Assets Inventory Reports - ID Tag No. 027546**

SEE item #D1.

- C. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the City of Mission Police Department, as set forth under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and title of a 1990 Toyota Four Runner (county tag no. 026811) to the City of Mission Police Department**

SEE item #D1.

- 2. Authorization for the Hidalgo County Auditor to remove from the HIDTA Task Force Fixed Assets Inventory Reports - ID Tag No. 026811**

SEE item #D1.

- D. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the City of Palmview Police Department, as set forth under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and titles of a 1997 GMC Sierra Pickup (county tag no. 031024) and a 1998 Ford Crown Victoria (county tag no. 032071) to the City of Palmview Police Department**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items B1&2, C1&2 and D1.

- 2. Authorization for the Hidalgo County Auditor to remove from the HIDTA Task Force Fixed Assets Inventory Records - ID Tag No. 031024 and 032071**

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

- E. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the City of San Juan Police Department, as set forth under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and title of a 1996 Dodge Pickup Truck to the City of San Juan Police Department (has no current county tag no.)**

SEE item #H1.

- F. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the Edinburg Consolidate Independent School District Police Department under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and title of a 2000 Chrysler Cirrus to the Edinburg Consolidated Independent School District Police Department (has no current county tag no.)**

SEE item #H1.

- G. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the La Joya Independent School District Police Department under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and title of a 1996 Mercury Mystique (County tag no. 032268) to the La Joya School District Police Department**

SEE item #H1.

- 2. Authorization for the Hidalgo County Auditor to remove from the HIDTA Task Force Fixed Assets Inventory Reports - ID Tag No. 032268**

SEE item #H1.

- H. Authorization and approval of the Agreement between the Hidalgo County HIDTA Task Force and the McAllen Independent School District Police Department under the Texas Code of Criminal Procedure, Chapter 59 - Disposition of Forfeited Property**
- 1. Authorization to transfer vehicle ownership and titles of a 1993 Lincoln Town Car and a 1994 Chevrolet Pickup Truck to the McAllen Independent School District Police Department (has no current county tag nos.)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items E1, F1, G1&2 & H1.

17. Hidalgo County – Godfrey Garza: (SEE EXHIBIT Q)

- A. Approval to accept Federal Emergency Management Agency (FEMA) grant #EMT-2005-CA-0113 United States Map Modernization Program**

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

At this time Commissioner Garza steps out of the Court.

At this time Commissioner Palacios returns to the Court.

- B. Approval of budget amendment to appropriate funds for FEMA grant in the amount of \$ 550,000.00**

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

C. Approval of TEDSI Work Authorization No. 4 FEMA Mapping Activity Statement #2, as per contract dated November 19, 2002

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

D. Approval of FEMA – MAS #2 Work Authorization #3, invoice #548358

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

At this time the Court moved to item #19.

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

A. Requesting approval for Auditor to issue payment to Rodriguez Engineering after review, audit and processing procedures are completed for invoices #510, 511 & 512 (covered by PO 544170 & contract C-04-359-11-23

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

B. 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 \$1.3 million (funding is for projected cost of FM 1015 from Mile 9,N to Mile12 in Hidalgo County)

NO ACTION taken on this item.

C. Discussion and action to authorize the County Auditor to process payments for ROW costs as certified by TXDOT and Pct. #1 Project Contract #C-05-105-03-08 (85 parcels for FM 1015 from Mile 9N to Mile 12) (dollar amount not to exceed \$ 300,000.00)

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 #22.

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

A. Discussion and possible action to approve Amendment to Interlocal Cooperation Agreement between the City of Pharr and the County of Hidalgo, Texas

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

At this time the Court moved to item #21.

20. Pct. #4 – Comm. Garza: (SEE EXHIBIT T)

A. Authorization to submit updates to the Urban Park and Recreation Recovery Program and Texas Parks and Wildlife Department for the County of Hidalgo Park Plan

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

B. Approval of Resolution for County of Hidalgo Park Master Plan

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

C. Authorization to submit grant application for Outdoor Recreational Park to Texas Parks and Wildlife Department for the J.R. “Milo” Ponce Memorial Park located in Pct. #4

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

D. Approval of Resolution for County of Hidalgo Outdoor Recreational Park

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

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

21. Purchasing Department – Marty Salazar: (SEE EXHIBIT U)

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	<u>1238</u>	Other Information:	<u>14</u>
Physical Count:	<u>1164</u>	Males (in house)	<u>1074</u>
Out of County: La Villa	<u>58</u>	Females (in house)	<u>91</u>
Brook’s	<u> </u>	Federal Prisoners	<u>13</u>
Adj. /Sentenced to TDC	<u>149</u>	Total Paper Ready TDC	<u>87</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.

At this time Commissioner Garza returns to 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;**
 - 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;**

Presentations made by Mr. Figueroa for items #4a thru 4c.

At this time Commissioner Flores leaves 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) 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.**

Presentations made by Mr. Figueroa on items 5a thru 5c.

- d) Acceptance and approval of Application for Payment No 3 & Final in the amounts of \$35,905.72 & \$6,274.50 respectively submitted by R.L. Abatement, Inc. for Asbestos Abatement & Demolition of Portions of the former Hidalgo County Sheriff's Dept. (located on site of the former Hidalgo Co. Jail) and as certified by project architect Luis A. Figueroa, AIA with authority for Auditor to issue payment.**

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 of Claims/Invoices with authority for Auditor to issue payment for the items detailed in: "Exhibit A" attached hereto.**

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

- 7. Presentation, discussion and consideration on a recommendation to reject all bids received with authority to re-advertise for: "Off Premises Storage, Records Management, Pick Up and Delivery Services" due to modification of specifications. RFB**

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

- 8. Requesting approval to reject bids received for: “Drug Testing Collection Services” (Bid NO. 2005-168-06-22-MSS) due to vendors not meeting all specifications/requirements, and authority to re-advertise with modified specifications.**

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

- 9. Presentation for discussion, consideration, acceptance and approval of an invoice (request for payment for the down payment required) in the amount of \$323,465.55 from Montalvo Insurance Agency on the annual premium(s) in connection with insurance coverage’s for: “Public Officials, Automobile Liability, Automobile Physical Damage, General Liability, Law Enforcement Liability” through Illinois Union and Lexington Insurance Companies with authority for Auditor to issue payment through a manual check if necessary.**

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

- 10. Presentation for discussion, consideration, and approval to select or designate a “Committee” to explore and study the feasibility including, but not limited to the following;**

- a) The creation or establishment of a Medical Examiner for Hidalgo County;**
- b) The renovation of an existing County owned buildings as a morgue or facility at which autopsies are performed including acquisition of equipment and medical instruments;**
- c) The construction of a new facility (morgue including acquisition of equipment and medical instruments) on County owned property;**

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

- 11. Pursuant to a directive and request by Commissioners Court on Tuesday, July 5, 2005, presentation for discussion, consideration and approval to designate the week of;**

- a) July 25, 2005**
- b) August 1, 2005**

with no posting of a Hidalgo County Commissioner’s Court meeting in order to afford department heads, supervisors, directors, and/or staff the opportunity to take annual leave.

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval for July 25, 2005.

B. HIDALGO COUNTY ADULT DETENTION –

- 1. Requesting approval to enter into a one (1) year service agreement (obtained through sealed quotes) with Hobart Corporation for the kitchen equipment and appliances at the Adult Detention Facility in the amount of \$15,860.00 per year.**

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

C. HIDALGO COUNTY BUDGET OFFICE –

- 1. Presentation for discussion acceptance and approval of proposal document from JAMAIL Construction, Inc. awarded contractor (AJOC) through the County's participation/membership with Texas Association of School Board (TASB) Cooperative Purchasing Buyboard Program for the provision of labor, materials as attached hereto with authority to issue purchase order in the amount not to exceed \$5,802.00 for:**
 - a) Removal and disposal of the existing flooring and cove base.**
 - b) Floor preparation and leveling to install new floor covering & cove base.**
 - c) Install 1,885 sq. ft of 32oz commercial grade carpet, (color 563 Illusion or similar)**
 - d) Install new 4" rubber cove base.**

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

D. HIDALGO COUNTY –BUILDINGS AND GROUNDS-

- 1. Presentation for discussion, consideration, and approval to solicit/request from are 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: "Renovation of the Delta (Old Jail) for Storage Building"**

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

- 2. Presentation for discussion acceptance and approval of proposal document from JAMAIL Construction, Inc. awarded contractor (AJOC) through the County's participation/membership with Texas Association of School Board (TASB) Cooperative Purchasing Buyboard Program for the provision of labor and materials as attached hereto with authority to issue purchase order in the amount not to exceed \$80,638.00 for construction of "Dowel-on-Curbs, Sidewalks, Driveways, Wheel Chair Ramps, Parking Stall Striping, Concrete Paving Header and Installation of Wheel Stops in Place" for the new Parking Lot at Mahl & Stubbs Sts., f.k.a, (Shady Lawn).**

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

- 3. Presentation for discussion, consideration, acceptance, and approval of Request for Payment Invoice No. One in the amount of \$4,068.00 from Alcocer Garcia Associates Design Consulting contracted architect for "Sally Port Hidalgo County Courthouse"**

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

E. HIDALGO COUNTY CLERK'S OFFICE –

- 1. Presentation for discussion, consideration and authority to cancel/suspend RFP No. 2005-162-07-13 for: “The Back Scanning and Indexing of Deed Records” for the County Clerk’s Office, due to modifications of scope of services and requirements.**
- 2. Requesting authority to re-advertise and approval of Requirements/Scope of Services as attached hereto for the Request for Proposals (RFP) for: “The Back Scanning and Indexing of Deed Records” for the County Clerk’s Office, due to modifications of scope of services and requirements. RFP No. 2005-262-08-03**

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

F. HIDALGO COUNTY CONSTABLE PRECINCT NO 5 –

- 1. Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application (ORIGINAL) to be forward to Arguindegui Oil Co. II, Ltd. as submitted by Hidalgo County Constable Precinct No. 5 and detailing the “holder and user” of fleet fuel card under awarded contract for “Gasoline, On & Off Highway Diesel Fuel”. (new employee)**

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

G. HIDALGO COUNTY ELECTIONS DEPARTMENT –

- 1. Presentation for discussion, consideration and action necessary for the acquisition of additional state certified Electronic Voting System (hardware, software, equipment, peripherals, licenses, maintenance and support) awarded to Election Systems & Software, Inc. (ES&S) through TBPC non-automated contract #578 N1 in an amount not to exceed \$113,100.00;**

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

- 2. Presentation by Elections Administrator, Teresa Navarro, of notification of availability of funding through Texas Secretary of State for acquisition of new statewide voter registration system (TEAM);**

Presentation made.

H. HIDALGO COUNTY INDIGENT DEFENSE PROGRAM –

- 1. Presentation for discussion, consideration and acceptance of the sole response received from Hidalgo County for the “RFP for Legal Services for Public Defenders Program” as qualified for the purpose of awarding the RFP.**

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

I. HIDALGO COUNTY IT DEPARTMENT –

- 1. Pursuant to Hidalgo County 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
Precinct #2	Roque Cavazos Inventory Clerk	\$33.75	500	Sanyo RL4920-Free Phone

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

J. 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 the Court moved to item #23.

22. Budget Office – Valde Guerra: (SEE EXHIBIT V)**A. Pct. #3:**

- 1. Approval of budget amendment from fund 1334, 1203 to Fund 1315 TXDOT Projects - \$ 1,196,318.75**

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

B. Interdepartmental transfer:

- 1. 2nd Qtr. Salary Sweep – General Fund**

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

C. Health Self Insurance Fund:

- 1. Approval to transfer funds to the Hidalgo County Health Insurance Claims bank account for Health Insurance Claims paid for the period of 02/01/2005 through 6/30/2005, in the amount of: \$2,903,394.00**

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

- 2. Approval to transfer funds to the Hidalgo County Health Insurance Claims bank account for Estimated Health Insurance Claims to be paid for the month of July 2005, in the amount of: \$800,000.00**

SEE item #3.

- 3. Approval to transfer funds to the Hidalgo County Health Insurance Claims bank account, in the amount of \$400,000.00, to establish a reserve for unanticipated fluctuations of claims to be paid**

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

At this time the Court moved back to item #6.

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

23. Closed Session: (SEE EXHIBIT W)

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**

24. Open Session:

- A. Real Estate Acquisition**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on parcel off of Sunflower Rd to settle in the amount \$1,600.00.

- 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.

25. Closed Session:

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

26. Open Session:

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

27. Adjourn

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to recess until 6:00 P.M. July 13, 2005 at the Public Hearing.

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, JULY 12, 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. Sheriff Inv. Fund 1226 & create obj. 532**
 - B. Human Services & create obj. 890**
 - C. Budget Office**
 - D. Pct. #1 – R & B (2)**
 - E. Pct. #1 – Parks**
 - F. Safety Department – R.M.**
 - G. Fire Marshal**
 - H. Health – Adm.**
 - I. Buildings & Grounds**
 - J. Auxiliary Court**
 - K. Elections Department (2)**
 - L. Human Resources**
 - M. Pct. #2 – TXDOT ROW “I” Rd.**
 - N. Pct. #2 – R & B (2)**
 - O. Pct. #2 – Landfill**
 - P. Pct. #2 – Parks**
 - Q. Pct. #3 – Adm.**
 - R. Pct. #3 – CIP & create obj. 739**
 - S. Pct. #4 – Adm.**
 - T. IT Department**
 - U. IT – Fund 1334 & create obj. 431**
 - V. IT – Fund 1242**
 - W. IT – Fund 1100 (200-001)**
 - X. IT – Fund 1100 (200-002)**

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)

Dewbre Petroleum Corp.: Install a 2” gas line beginning at a point in the southwest corner of the intersection of Fm 681 and Guajalote Road thence in a westerly direction along the south line of Guajalote Road a distance approximately 8800’ to the point of beginning for the pipeline easement. Thence boring under Guajalote Road and continuing parallel to the south line of the road easement a distance approximately 5000’.

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

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

1. **Requesting authority to enter into a one-year service for an ultrium tape drive with IBM in the total amount of \$1,313.18. Effective June 22, 2005 through June 22, 2006.**

B. **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
71418	I.T. Dept	DIR	\$54.00	5-1100-415-00-200-001-0-663
71418	I.T. Dept	DIR	\$1,206.25	5-1100-415-00-200-001-0-672
72670	I.T. Dept	CDW-G	\$277.00	5-1100-415-00-200-002-0-664
72674	Risk/Loss Mgmt	Dell	\$333.74	5-1100-419-50-230-001-0-745

**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, JULY 12, 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 X)

1. Roll Call

All Members of the Board were counted present with the exception of Commissioner Handy 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. Approval of pay request #2, to McAllen Construction in the amount of \$ 116,068.35 (south Inspiration Rd. Crossing, Pct. 3)

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

5. Approval of Dannenbaum Engineering Corporation Work Authorization #10, Alamo Drain (Pct. 2, contract dated 03-23-04)

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

6. Approval of budget amendment and transfer out of District's general fund to capital project and appropriate \$ 173,265.35 to fund Lateral project in Pct. #2

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

7. Discussion and action regarding proposed outfall by the City of Mission, located approximately on 3 ½ Mile north Trospen Rd.

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

Judge Garcia – Abstain.

8. Request approval to release partial easement, Mission Inlet Floodway at Bentsen Lake

NO ACTION taken on this item.

9. 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

A. Presentation for discussion, consideration, acceptance and action to the sole bid received to the RFB – “Sale of Recorded Easement” project, property described as:

- 1. A 1.49 acre tract of land out of Lot 168, John H. Shary Subdivision, located along the Southern Side of Colbath Street, just East of Bentsen Road, Hidalgo County, Texas.**

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

B. Requesting approval to execute “Order Confirming Sale” document for the following property describe in item above.

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

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

10. 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

11. Open Session:

A. Real Estate Acquisition

12. Closed Session:

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

13. Open Session:

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

14. 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, JULY 12, 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. Discharge Permits:**
 - A. City of Edinburg – Lomas Del Valle Subdivision**
- 3. Utility Permit:**
 - A. City of McAllen – @ 29th adjacent McAllen Palmview Golf Course**

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 12th day of July, 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 July 12, 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

