

SPECIAL MEETING – September 06, 2005

BE IT REMEMBERED, that on this 06th day of September, 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
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

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

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 06, 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.

At this time the Court requested to recess to open the Drainage District Agenda.

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

4. Open Forum

Teresa Flores – Concerning the meeting today on training.

Domingo Hinojosa Jr. – Concerning item #8 to purchase a tractor for the San Manuel area.

Oscar Montoya – Concerning the Hurricane Katrina refugee's assistance.

Eddie Olivarez – Commanding Oscar Montoya on his efforts on planning for emergencies.

5. Approval of Consent Agenda

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

At this time Commissioner Garza steps out of the Court.

6. Juvenile Probation – Buddy Silva: (SEE EXHIBIT I)**A. Request approval of F.Y. 2006 C.J.D. Purchase of Juvenile Justice Alternatives Grant #14716-07 in the amount of \$ 60,400.00 (no local match is required)**

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

B. Request approval to appropriate local cash match requirements for T.J.P.C. – FY 2006 Progressive Sanctions F Grant in the amount of \$ 66,500.00

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

C. Request approval to appropriate local cash match requirements for T.J.P.C. – FY 2006 Progressive Sanctions I.S.P. O Grant in the amount of \$ 31,500.00

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

At this time Commissioner Garza returns to the Court.

D. Request approval to appropriate local cash match requirements for T.J.P.C. – FY 2006 Z Grant in the amount of \$ 24,000.00 (see fiscal note)

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

7. Elections Department – Teresa Navarro: (SEE EXHIBIT J)**A. Discussion, approval and possible action on the following, but not limited to:****1. Revised Early Voting Schedule for the November 8, 2005 Constitutional Amendment Election**

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

8. Urban County – Diana Serna: (SEE EXHIBIT K)**A. Public Hearing concerning a proposed Budget & Program Amendment for Precinct No. 4. The proposed amendment will allow for surplus fund transfers that will increase the Water/Sewer Improvement line items in Years 14, 15, & 16.**

NO ACTION taken on this item.

B. Approval of a Budget & Program Amendment for Hidalgo County Precinct No. 4 using Urban County, Year 14 (2001), Year 15 (2002) and Year 16 (2003) funding for Fire Station Equipment.

NO ACTION taken on this item.

C. Resolution – In support of the Rufino Contreras Affordable Housing, Inc., Texas Housing Trust Fund Grant Application.

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

9. County Judge's Office – Oscar Montoya/Lorie Ochoa: (SEE EXHIBIT L)

A. Discussion and adoption of Resolution regarding the designation of the National Incident Management System (NIMS) as the basis for all incident management in Hidalgo County

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

B. Appointment and/or Re-appointment of Board Members to the Rio Grande Valley Health Services District

NO ACTION taken on this item.

10. County Auditor – Raymundo Eufrazio: (SEE EXHIBIT M)

A. Request approval to transfer \$ 66,913.75 from C.O.'s 1998, \$ 646,832.92 from C.O.'s 2000, and \$ 401,482.50 from C.O.'s 2001 to Refunding Bonds Series 2005 in order to cover the principal and interest payment due 8/15/05

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

B. Request approval to issue payment in the amount of \$ 99,644.09 to the Internal Revenue Service for payment of Arbitrage Rebate for the Certificates of Obligation, Series 2000 due before 9/17/05 (the computation was prepared by Ernst & Young

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

11. Planning Department – Raul Sesin: (SEE EXHIBIT N)

A. Reimbursement of Cash Deposit:

1. Quintanilla Subdivision – Pct. 4 (Irasema Quintanilla)

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

2. Moreno Subdivision – Pct. 4 (Esperanza Moreno)

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

12. Head Start – Teresa Flores: (SEE EXHIBIT O)

- A. Appointment of one (1) community representative by each member of the Commissioners' Court to serve on the Hidalgo County Head Start Program Policy Council, for a one (1) year term according to 45CFR Chapter XIII, § 1304.50 (b)(1)-(b)(7) must be completed by September 30, 2005**

Presentation made.

13. Sheriff's Department – Chief Martinez: (SEE EXHIBIT P)

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

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

- B. Request approval to create and fill ten (10) temporary positions for Detention Officers**

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

- C. Approval to set salaries (at same amount as current – see attached)**

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

- D. Request approval to create obj. code 121 full-time temporary employee**

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

- E. Request approval to transfer funds from obj. code 113 full-time employees to obj. 121 full-time temporary employee to fund the positions**

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

14. Health Department – Eddie Olivarez: (SEE EXHIBIT Q)

- A. Requesting authorization and approval to accept the attached Immunization Grant Contract #7460007176 2006 Change Notice #2 in the amount of \$ 275,677.00 for the period 9/1/2005 to 8/31/2006**

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

- B. Requesting authorization and approval of the attached Immunization Grant Budget and Salary Schedules for the period 9/1/2005 to 8/31/2006 (Acct. #5-1293-441-00-340-012-6)**

SEE item C.

- C. Requesting authorization and approval of the attached Immunization Program Income Budget in the amount of \$ 109,761.48 for the period 9/1/2005 to 8/31/2006 (Acct. #5-1293-441-00-340-012-6)**

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

- D. Requesting authorization and approval to accept the attached TB Control Grant Contract #7460007176 2006 Change Notice #03 in the amount of \$ 68,425.00 for the period 9/1/2005 to 8/31/2006**

SEE item F.

- E. Requesting authorization and approval of the attached TB Control Budget and Salary Schedules for the period 9/1/2005 to 8/31/2006 (Acct. #5-1293-441-00-340-008-6)**

SEE item F.

- F. Requesting authorization and approval of the attached TB Control Program Income Budget in the amount of \$ 12,411.83 for the period 9/1/2005 to 8/31/2006 (Acct. #5-1293-441-00-340-008-6)**

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

15. Human Services – Rudy De La Vina: (SEE EXHIBIT R)

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

NO ACTION taken on this item.

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

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

- A. Status of renovations of administration building**
B. Status of other ongoing county owned building construction, renovation repair projects
C. Report of unanticipated, or emergency situation occurring since last agenda meeting

Presentations made by Daniel Flores on items A thru C.

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

- A. Requesting approval for Auditor to issue payment to TEDSI Infrastructure after review, audit & processing procedures are completed for invoice #256818 (PO 553011) Mile 6 West**

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

18. Pct. #3 – Comm. Flores: (SEE EXHIBIT U)**A. Requesting approval of Interlocal Cooperation Agreement between the City of Penitas and the County of Hidalgo**

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

B. Authorization to submit Nationwide Permit Application to the Department of the Army Corps of Engineers for the Anzalduas Boat Ramp Site Improvement Project

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

C. Approval of Amendment to Agreement between the County of Hidalgo and City of Mission for expansion of Reinvestment Zone No. One, City of Mission, Texas

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

19. Pct. #4 – Comm. Garza: (SEE EXHIBIT V)**A. Presentation for consideration, discussion, acceptance and approval of Application for Payment No. 1 in the amount of \$ 38,071.80 from D.M. & Roth Inc. with authority for County Auditor to issue payment (after review and processing procedures completed) in connection with Contract CAP-05-004-03-09 Imperial, Town East & Murillo Subdivisions, P.O. #554305**

SEE item B.

B. Presentation for consideration, discussion, acceptance and approval of Invoice #256824 in the amount of \$ 24,577.50 from TEDSI Infrastructure Group, Inc. with authority for County Auditor to issue payment (after review and processing procedures completed) in connection with Contract #05-199-05-10 Work Authorization #1, Phase 1 services for the 10th St. Extension Project, P.O. #550782

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items A & B subject to the Auditor's review.

20. Purchasing Department – Marty Salazar: (SEE EXHIBIT W)**NOTES:**

- 1. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY AUDITOR'S OFFICE.**
- 2. ANY/ALL REQUESTS FOR ACCEPTANCE AND APPROVAL OF CLAIMS/INVOICES UNDER THIS AGENDA WILL INCLUDE AUTHORITY FOR AUDITOR TO ISSUE PAYMENT AFTER REVIEW, AUDIT AND PROCESSING PROCEDURES ARE COMPLETED**
 - a) The Purchasing Department does not participate in the acquisition or purchase of the good/services presented under this caption. The Purchasing Department merely facilitates the placement of such items since they deal with procurement related issues.**

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

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population: <u>1381</u>	Other Information: <u>25</u>
Physical Count: <u>1157</u>	Males (in house) <u>1078</u>
Out of County: La Villa <u>198</u>	Females (in house) <u>79</u>
Brook's _____	Federal Prisoners <u>15</u>
Adj. /Sentenced to TDC <u>218</u>	Total Paper Ready TD <u>124</u>
	Pending Paperwork/Crts <u>66</u>
	Pending Charges/Courts <u>28</u>

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

Judge Garcia presented an update on 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;
- b) Construction of additional pod(s)
- c) Selection and engagement of an architect for the construction of additional pod(s)

Nothing to report on items #3a thru c.

At this time Commissioner Flores 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;
- b) Projected time lines for bids of all exterior and/or interior repairs and renovations;

NO ACTION taken on items 4a & b.

- c) Recommendation by project architect to accept and approve the proposal received (and further described and detailed in the Scope of Work) from Raba-Kistner Consultants, Inc. (under current contract #04-345-11-01) in an amount not to exceed \$8,300.00 to provide subsurface environmental assessment in connection with the existence of underground tank around the former automotive service area on site.

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

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 document phase and projected time line for bid advertisement, bid opening, etc.;**

NO ACTION taken on items #5a thru c.

6. **Requesting approval to surplus numerous vehicles and pieces of equipment including Shoup Voting Machines as requested by Hidalgo County Departments, for the purpose of disposition through auction and set forth under Texas Local Government Code, Section 263.152 (a(1)) as detailed on Exhibit "A" attached thereto;**

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

At this time Commissioner Flores returns to the Court.

7. **Requesting authority to advertise and approval of specifications attached hereto for: "Lease of Office Space in the City of McAllen" for the Hidalgo County Community Supervision and Corrections Department for an initial term of one (1) year with County's option to renew for an additional one (1) year term or upon completion and occupancy of the new Adult Probation Department Facility.**

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

8. **Requesting authority to solicit sealed proposals w/qualifications (thru quotes) for the engagement of qualified professional grant writing services (in an amount not to exceed \$25,000.00) in connection with the application to the U.S. Department of Education for Talent Search and Educational Opportunities Centers.**

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

B. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for consideration, discussion, and approval of the "proposal(s)" as submitted by an awarded vendor, Miracle Park Place, through the Interlocal Agreement with TASB Buyboard for playground equipment for Hidalgo County Precinct No. 2 total purchase price \$ 80,829.90 freight charge is included .**

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

2. **Presentation for discussion, consideration, and authority to solicit proposal from Miracle Park Place, an awarded vendor through the Interlocal Agreement with TASB Buyboard for the following:**
 - a) **Picnic Shelters (18 shelters) - All steel mini picnic shelters, size 10”x10” with double benches and table. (Table and benches constructed of treated wood).**
 - b) **Relax Shelters (6 shelters) all mini shelters, size 10”x 10” with double benches. Benches constructed of treated wood.**

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

At this Commissioner Garza steps out of the Court.

3. **Presentation for discussion, consideration, acceptance and approval of request for Payment Invoice No. 4 in the amount of \$63,408.23. From S&G Paving, contracted for road project “South “I” Road” as recommended by project engineer, R. Gutierrez Corporation.**

SEE item #4.

4. **Presentation for discussion, consideration, acceptance and approval of request for payment Invoice No. 6 in the amount of \$20,199.85 from S&G Paving, contracted for road project “Reconstruction & Widening of McColl Rd” as recommended by project engineer, R. Gutierrez Corporation.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #3&4 subject to the Auditor’s review.

C. HIDALGO COUNTY PRECINCT NO. 3-

1. **Presentation for consideration, discussion acceptance and approval of Work Authorization No. 2A (in connection with Commissioners’ Court approval for Work Authorization No. 2B,2C,& 2D on 08-16-05 -C-04-089-03-08) with Dannenbaum Environmental Corporation to provide Hidalgo County Precinct No. 3 with engineer services for a, “MSW (municipal solid waste) Landfill,”**

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

2. **Presentation for consideration, discussion acceptance and approval of Work Authorization No. 6 (to continue scopes of services initiated under Work Authorization 3-C-04-087-03-08) with L&G Engineering to provide Hidalgo County Precinct No. 3 with engineer services for, “SH 495/Abram Rd,”**

SEE item #4.

3. **Presentation for consideration, discussion acceptance and approval of Work Authorization No. 7 (to continue scopes of services initiated under Work Authorization 5-C-04-087-03-08) with L&G Engineering to provide Hidalgo County Precinct No. 3 with engineer services for, “SH 495/Abram Rd,”**

SEE item #4.

4. **Presentation for consideration, discussion acceptance and approval of Work Authorization No. 2 (to continue scopes of services initiated under Work Authorization 1-C-05-102-03-16) with L&G Engineering to provide Hidalgo County Precinct No. 3 with engineer services for, “FM 1924-Phase II,”**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items #2, 3 & 4.

D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 3 –

1. **Recommending award of bid and approval of contract (subject to legal review) for: Bid No. CAP-05-022-08-03- “Road Construction of Carlos Acres and Vales Subdivisions” to the lowest bidder meeting all specification/requirements (project carried by: J. Hinojosa Engineering) (BCAP-Project) –Round I)**

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

At this time Commissioner Garza returns to the Court.

E. HIDALGO COUNTY HEALTH DEPARTMENT –

1. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) ‘ a Professional Service” with Javier Hinojosa Engineering for: The Renovations of the Existing Parking Lot/ Drainage at the Central offices of Hidalgo County Health Department”;**

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

2. **Approval of a Professional Engineering Service Contract (subject to legal review) with Javier Hinojosa Engineering for: “The Renovations of the Existing Parking Lot/Drainage at the Central Offices of Hidalgo County Health Department”**

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

3. **Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application (ORIGINAL) to be forwarded to Arguindegui Oil; Co. II, Ltd. as submitted by Hidalgo County Health Department and detailing the “Holder and user” of fleet fuel card under awarded contract for “Gasoline, On & Off Highway Diesel Fuel”.**

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

F. HIDALGO COUNTY HEADSTART AND BUILDINGS AND GROUNDS -

- 1. 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 the demolition, roof (assessment for repair and/or replacement), cleaning/removal of all debris, finishes plumbing and electrical work to Renovate the Garage and Convert into a “Food Service Area (Kitchen) for the Hidalgo County Head start Program at the County owned facility known as the Longoria Mansion” on Moorefield road in Mission, Texas. Hidalgo County Department Human Services is currently located at this sight.**

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

G. HIDALGO COUNTY IT DEPARTMENT –

- 1. Presentation for discussion, consideration for the purposes of ranking as qualified (by Commissioner’s Court) the sole complete offer received from (C.I.S.V. vendors) in connection with: RFO No. 2005-258-08-31-MSS – “Voice Communications System” for Hidalgo County.**

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

- 2. Requesting award of offer and approval of contract (subject to legal review) with the qualified/ranked (C.I.S.V. vendor) TOTAL TECHOLIGIES for the RFO No. 2005-258-08-31-MSS-“Voice Communications” for Hidalgo County.**

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

H. HIDALGO COUNTY PLANNING DEPARTMENT –

- 1. Requesting authority to purchase computer equipment and peripherals from HP Direct a vendor on the State of Texas DIR Go-Direct Program for Req #75760 in the amount of \$8,154.00.**

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

I. HIDALGO COUNTY SHERIFF’S OFFICE –

- 1. Requesting authority to exercise the additional one year extension as provided in current contract for “Legend and Non-Legend Pharmaceuticals an Infirmary Medical Supplies” for the Hidalgo County Adult Detention Center (Jail Infirmary), under the same rates, terms and conditions with Joe Ochoa; dba, Medical Plaza Pharmacy. Effective 09/14/05-09/14/06**

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

2. **Requesting authority to surplus vehicle as requested by Hidalgo County Sheriff's Department, for the purpose of using parts for fleet repairs and thereafter disposing through salvage.**

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

J. HIDALGO COUNTY RE: REAL ESTATE ACQUISITIONS –

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 services:**

Portions of Lots 1 and/or 2 more particularly described (on the exhibit attached hereto) as:

The North 5.00 Arce Tract of Land Out of the West 10.00 Acres our of Lot Two (2), Block Twelve (12), Steele Pershing Subdivision of Porciones 66 & 67, Hidalgo County, Texas, According to the Map or Plat thereof recorded in Volume 8, Page 115, Deed Records, Hidalgo County, Texas

in connection with the possible conveyance of said property (either site A or B) to the State of Texas or the Valley Health Services District for the construction of a clinic and as requested by Steven Huber from Texas Building & Procurement Commission as part of the required documentation for the project by TBPC and Texas Department of State Health Services.

Note: As yet Commissioner's Court has not taken action to "Surplus" the subjected property in subject. Court has only indicated its desire to offer property to "State" or "District" for Health services as site for clinic.

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

21. Budget Office – Valde Guerra: (SEE EXHIBIT X)

A. Interdepartmental transfers:

1. **Co. Wide Adm. to County Court #1 - \$ 1,525.00 (temp. employee/operational exp.)**
2. **Juvenile Justice Court to Co. Wide Adm. - \$ 2,138.11 (de-obligate cash match)**
3. **IT Department from program 002 to 001 - \$ 3,000.00 (travel)**
4. **Co. Wide Adm. to Gen. Govt. Bldg. - \$ 117,997.05 (repair & maint.)**
5. **CO 2004 Bldgs./Gds. to CO 2004 B&G Sally Port Add./Renov. - \$ 30,000.00 (sally port)**
6. **CO 2004 Bldgs./Gds. to CO 2004 B&G Add./Renov. - \$ 36,712.71 (Moorefield Mansion Proj. for Headstart)**
7. **Co. Wide Adm. to Pct. #4 – Sanitation - \$ 15,000.00 (tire clean-up at Irr. Ditch)**
8. **Co. Wide Adm. to Court Reporters Fund - \$ 9,000.00 (court costs)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items #1 thru 8.

B. Submission of Road & Bridge fees to TXDOT for Calendar Year 2006

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

C. Health Insurance Department:

- 1. Discussion, consideration and approval to transfer \$ 472,119.40 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**

August 16, 2005 thru August 22, 2005	\$ 305,107.18
August 23, 2005 thru August 29, 2005	\$ 167,012.22

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 #E.

At this time Commissioner Garza steps out of the Court.

D. Discussion of 2006 Budget Process, Overview and Status Report

Presentation made by Valde Guerra.

At this time the Court moved to adjourn.

E. Pct. #3 – Comm. Flores:

- 1. Discussion and action to authorize the County Auditor to process payment for ROW Acquisition of Parcel #2 as Certified by TxDOT and Pct. #3 Project Contract No. CSJ:0865-01-092 in the amount of \$ 2,103,316.13
(note: 96.7% will be reimbursed per procurement agreement – the local county match is in the amt. of \$ 69,560.28)**

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

At this time Commissioner Handy steps out of the Court.

F. Interfund transfer:

- 1. Youth Village transfer out to Co. Wide Adm. Cont. - \$ 51,912.46 (unused funds)**

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

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

At this time Commissioner Palacios leaves the Court.

22. Closed Session: (SEE EXHIBIT Y)

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

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

At this time Commissioner Handy and Commissioner Garza return the Court.

23. Open Session:**A. Real Estate Acquisition**

NO ACTION taken on this item.

B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project

NO ACTION taken on this item.

C. Pending and/or potential litigation

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on an issue involving mutual release involving Mr. Huerta.

D. Garcia v. Hidalgo County**E. Cruz v. Hidalgo County**

NO ACTION on items D & E.

At this time the Court moved back to items #20-4c and #21-D.

24. Closed Session:

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

25. Open Session:

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

26. Adjourn

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court 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 Commissioners' Court will be held on TUESDAY, SEPTEMBER 06, 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. **Juvenile Justice Court – CJD JAIB**
 - B. **Sheriff – Fed. Sharing & create obj. 584 & 661**
 - C. **Indigent Defense & create obj. 630**
 - D. **J.P. Pct. #2, Pl. 2 & create obj. 605 & 890**
 - E. **J.P. Pct. #3, Pl. 2 (2) & create obj. 890**
 - F. **Pct. #1 – Parks**
 - G. **Pct. #1 – Sanitation (2) & create obj. 425**
 - H. **Pct. #2 – R & B (3)**
 - I. **Pct. #2 – Parks (3)**
 - J. **Pct. #2 – Co. Wide Shop**
 - K. **Pct. #3 – Adm. & create obj. 742**
 - L. **Pct. #3 – Parks (2)**
 - M. **Planning Department**
 - N. **Constable Pct. #1 & create obj. 671**
 - O. **Constable Pct. #5**
 - P. **370th District Court (2) & create obj. 584**
 - Q. **Buildings & Grounds (2)**
 - R. **Fire Marshal**
 - S. **Human Resources & create obj. 661**
 - T. **Civil Service**
 - U. **Pct. #1 – R & B & create obj. 425 & 810**
 - V. **Pct. #1 – Adm.**
 - W. **Constable Pct. #3**
 - X. **Insurance (Bldg.)**
 - Y. **92nd District Court**
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. Urban County: (SEE EXHIBIT D)

- A. Request for Approval of One (1) Applicant in the City of San Juan under the HOME Homeowner Occupied Housing Rehabilitation Program.**
- B. The Urban County Program requests cancellation of five (5) contracts under the Home Buyer Assistance Program.**

5. Tax Refunds: (SEE EXHIBIT E)

Taxpayer	Payer	Amount
A. B & P Bridge Co.	B & P Bridge	\$26,597.24
B. Victor Baragan	Victor Baragan	\$ 5,000.00

6. Monthly Fee Reports – August: (SEE EXHIBIT F)

- A. District Attorney - \$ 201,252.04**

7. Right of Way – Permits: (SEE EXHIBIT G)

- **SHARYLAND WATER SUPPLY: INSTALL A 6" WATERLINE TO BE ENCASED WITHIN A 12" CASING. CROSSING TO BE LOCATED APPROXIMATELY 92' SOUTH OF THE INTERSECTION OF SILVERADO CIRCLE AND LA HOMA ROAD.**
- **SHARYLAND WATER SUPPLY: INSTALL A 1" WATERLINE TO BE ENCASED WITHIN A 2" PVC CASING. CROSSING TO BE LOCATED APPROXIMATELY 1911' NORTH OF THE INTERSECTION OF TROSPER ROAD AND FM 676.**
- **NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE APPROXIMATELY 1500' EAST OF DOOLITTLE ROAD ON TEXAS ROAD - JUAN G. CAVAZOS.**
- **NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE APPROXIMATELY 500' EAST OF FM 1423 ON ANDERSON ROAD - LEONARD GANDY.**
- **NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE APPROXIMATELY 2 MILES NORTH OF FM 2812 ON FILEGONIA ROAD - PATRICIO ALVAREZ.**
- **NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE EXTENSION GOING SOUTH OF THE EXISTING LINE ON THE EAST SIDE OF MILE 1 ½ EAST, SOUTH OF MILE 9 NORTH - GERARDO GUERRERO.**
- **NORTH ALAMO WATER SUPPLY: INSTALL A 2" WATERLINE APPROXIMATELY 1236' EAST OF FM 493 ON MILE 12 ½ - BORE - TZ MOBILE HOME PARK.**
- **QUINTANILLA, HEADLEY & ASSOCIATES: INSTALL A 24" STORM SEWER LINE STARTING AT AN EXISTING DRAIN DITCH THAT IS LOCATED 100' EAST OF KENYON ROAD. THE LINE WILL THEN RUN EAST 5000' TO THE PROPOSED SUBDIVISION 5' SOUTH OF THE NORTH ROW OF INGLE ROAD.**
- **SHARYLAND WATER SUPPLY: INSTALL A 1" WATERLINE TO BE ENCASED WITHIN A 2" CASING. CROSSING TO BE LOCATED APPROXIMATELY 18,485' SOUTH OF THE INTERSECTION OF BIG 5 ROAD AND MONTE CRISTO ROAD.**
- **SHARYLAND WATER SUPPLY: INSTALL A 1" WATERLINE TO BE ENCASED WITHIN A 2" CASING. CROSSING TO BE LOCATED APPROXIMATELY 1129' SOUTH OF THE INTERSECTION OF ROUTH ROAD AND MILE 17 ½ ROAD.**
- **L & B OIL AND GAS EQUIPMENT, LLC: INSTALL A 2" GAS LINE ON PUERTO RICO ROAD-OPEN CUT.**

8. Purchasing Department: (SEE EXHIBIT H)

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
State of Texas DIR				
75569	Jail	CDW-G	\$3,366.00	5-1100-423-21-280-002-0-745
TBPC CISV Program				
75485	Judge's Office	S.J.S.	\$ 225.00	5-1100-413-00-110-006-0-661
75519	Jail	CDW-G	\$ 759.00	5-1100-423-21-280-002-0-672
75520	Jail	CDW-G	\$ 330.42	5-1100-423-21-280-002-0-664
75542	I.T. Dept	CDW-G	\$ 199.99	5-1100-415-00-200-002-0-661
75568	Jail	CDW-G	\$ 340.57	5-1100-423-21-280-002-0-661
75583	Law Library	CDW-G	\$ 944.81	5-1247-412-50-100-001-0-661
75668	I.T. Dept	S.J.S.	\$ 799.00	5-1100-415-00-200-001-0-664
75668	I.T. Dept	S.J.S.	\$ 596.00	5-1100-415-00-200-002-0-661
75680	I.T. Dept	CDW-G	\$ 419.89	5-1242-412-00-060-001-0-664

B. HIDALGO COUNTY DISTRICT CLERK DEPARTMENT –

- 1. Requesting authority to enter into a 48-month lease with Xerox for a CC65 Copier through TBPC State Contract 985-A3 for Req #75736 in the amount of \$480.91/month. Effective upon approval.**

**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, SEPTEMBER 06, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

(SEE EXHIBIT Z)

1. Roll Call

All Members of the Board were counted present.

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. Clarification to Morningside Outfall and Authorization for the District to pay for "Labor Only" and Pct. #4 to pay for "Material Only"

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

5. Approval of Construction and Maintenance Agreement with TXDOT for Business 83 Drainage Outfall Improvements to Perezville Drain

On motion of Commissioner Handy, seconded by Commissioner Flores, 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. Presentation fro discussion, consideration and approval to execute the “Transfer of Easement” document regarding the RFB-“Sale of Recorded Easement” (D05-014-07-06) project, for the following property described as:**
 - a. 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 Handy, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval.

- 2. Recommending award of bid and approval of Contract for: “Los Ebanos Drainage Outfall” to low bidder meeting al required specifications.**

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

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

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, SEPTEMBER 06, 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 Handy, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Utility Permits:**
 - A. Texas Eastern – Owassa to Tower Rd.**
 - B. Texas Eastern – FM 3072 and “I” Rd.**
- 3. Discharge Permits:**
 - A. City of Alamo – AD6 Subdivision**
 - B. Hidalgo County – Seminary Estates**

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 06th day of September, 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 September 06, 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