

REGULAR MEETING – October 11, 2005

BE IT REMEMBERED, that on this 11th day of October, 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, OCTOBER 11, 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 Court were counted present with the exception of Judge Garcia whom arrive 05 minutes late.

2. Pledge of Allegiance

Commissioner Handy 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 Tax Rate.

5. Approval of Consent Agenda

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

At this time Judge Garcia arrived.

At this time Court moved to go into Executive Session.

6. Budget Office – Valde Guerra: (SEE EXHIBIT H)**A. Health Insurance:**

- 1. Discussion, consideration and approval to transfer \$ 433,731.45 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**

- **September 13, 2005 thru September 19, 2005 - \$ 201,741.95**
- **September 20, 2005 thru September 26, 2005 - \$ 231,989.50**

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

B. Pct. #2 – Community Resource Center:

- 1. Requesting approval and consideration to create two (2) Community Outreach Worker positions**

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

- 2. Approval to set salary for the aforementioned positions at \$ 17,601.84 each**
- 3. Approval of Revised Salary Schedule**
- 4. Approval of Interdepartmental transfer from Co. Wide Contingency to fund positions (see fiscal note)**

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

C. Constable Pct. #2:

- 1. Requesting approval and consideration to create one (1) Deputy Constable position (warrant officer)**
- 2. Approval to set salary for the aforementioned slot at \$ 33,060.00**
- 3. Approval of Revised Salary Schedule**
- 4. Approval of Interdepartmental transfer from Co. Wide Contingency to fund position (see fiscal note)**

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

D. Interfund transfer:

- 1. Co. Clerk (Gen. Fund) to CC Rec. Mgmt. - \$ 858.99 (fringe benefits)**

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

E. Interdepartmental transfers:

- 1. Co. Wide Adm. Cont. to Health Dept. – Adm. - \$ 2942.41 (overtime for nurses)**

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

2. **Co. Wide Adm. Cont. & Ins. Govt. Bldg. to Public Defense - \$ 150,000.00**
3. **Co. Wide Adm. Cont. to Appraising Fees - \$ 9,944.52**

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

7. **County Treasurer – Norma G. Garcia: (SEE EXHIBIT I)**

- A. **Request approval to close the Hidalgo County Instant Cash Fund Account with First National Bank and have the amount of \$ 5,000.00 plus any interest earned to date transferred into the General Fund**

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

At this time Commissioner Flores steps out of the Court.

8. **County Clerk - J.D. Salinas, III: (SEE EXHIBIT J)**

- A. **Approval to increase slot #001-009 (dept. 180) from \$ 20,223.00 to \$ 30,223.00 (Acct. #5-1100-415-40-180-001-0-113**
- B. **Approval of revised salary schedule**

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

9. **Indigent Defense Public Defender – Jaime E. Gonzalez: (SEE EXHIBIT K)**

- A. **Requesting approval of revised salary schedule (increasing slots 004, 005 & 006)**
- B. **Request approval of line item transfer & create obj. 602**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items A & B for the amount of \$43,000.00

10. **County Judge’s Office – Lorie Ochoa: (SEE EXHIBIT L)**

- A. **Approval of Proclamation proclaiming October 2005 as “Domestic Violence Awareness Month”**

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

- B. **Approval of Proclamation commemorating KMBH-TV’s 20th Anniversary**

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

At this time Commissioner Flores returns to the Court.

- C. **Presentation and update on Rio Grande Valley Health Services District**

Presentation made by Petra Reyna.

At this time Commissioner Palacios steps out of the Court.

D. Approval of appointment to the Health Services District Board

NO ACTION taken on this item.

11. Hidalgo County – Godfrey Garza: (SEE EXHIBIT M)

A. Approval of S & B Infrastructure invoice #U9444.901-06 for Work Authorization #9

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

12. Sheriff's Department – Capt. Gonzalez: (SEE EXHIBIT N)

A. Approval to request \$ 65,000.00 from the Lower Rio Grande Valley Development Council (LRGVDC) 911 department, pursuant to provisions of The Commission on State Emergency Communications (CSEC), Commission Rule 251.3

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

13. Urban County – Diana Serna: (SEE EXHIBIT O)

A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with Javier Hinojosa Engineering in connection with the specifications and plans for sewer improvements at Colonia Casa de Los Vecinos in Alton's ETJ in Precinct No. 3.

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

B. Approval of professional services engineering contract with Javier Hinojosa Engineering with Precinct No. 3 for the specifications and plans for the Colonia Casa de los Vecinos sewer improvements.

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

C. Approval of a Budget / Program Amendment for the City of Progreso using Urban County Year 18 (2005) funding for Parks, Recreational Facilities.

D. Approval to award a Construction Contract to Miracle Recreation Equipment Company for the Purchase and Installation of Playground Equipment for the Progreso Community Park using Urban County Program Parks, Recreational Facilities funding from Year 17 (2004) in the amount of \$66,566.92.

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

E. Approval of Subrecipient Agreement with Easter Seals Rio Grande Valley, Inc. (Handicapped Services) and Urban County Program on behalf of Hidalgo County Precinct No. 2 (\$5,000.00) for Urban County Program Year 18 (2005).

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

F. Urban County Program on behalf of Hidalgo County Precinct #2 requests approval of a Reimbursement Agreement between Vannie E. Cook Jr. Cancer Foundation on behalf of the Children's Cancer and Hematology Clinic and Hidalgo County Urban County Program calling for a contribution in the amount of \$10,000.00 for the construction of a new Chemotherapy and Infusion Area using Urban County Program Year 18 (2005) funds.

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

At this time Commissioner Handy steps out of the Court.

14. WIC – Norma Longoria: (SEE EXHIBIT P)

A. Approval of contract between Department of State Health Services and the County of Hidalgo for the provision of WIC Services for FY 2006 (effective October 1, 2005 to September 30, 2006)

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

15. Head Start – Teresa Flores: (SEE EXHIBIT Q)

A. Discussion/approval of Hidalgo County Head Start Program Area Distribution 2005-2006

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

16. Planning Department – Raul Sesin: (SEE EXHIBIT R)

A. Preliminary approval:

- 1. Pena Bella Subdivision – Pct. 1 (Arcadio Pena)**
- 2. Los Naranjos Gardens – Pct. 4 (Leroy Tapia)**

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

B. Final Approval:

- 1. La Pinata Subdivision – Pct. 1 (Paul Daniec)**

NO ACTION taken on this item.

- 2. Rolando “Chino” Cruz Subdivision – Pct. 4 (Rolando Cruz)**

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

3. Circus Circus Estates 2004 Subdivision – Pct. 4 (Richard Garza)

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

Commissioner Garza – Abstain.

C. Final Approval with Letter of Credit/Cash Deposit:

1. Los Novillos Subdivision – Pct. 4 (Jose Guerra)

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

17. Fire Marshal’s Office: (SEE EXHIBIT S)

A. Discussion, consideration and action on a Grant Application from Homeland Security for Fire Prevention and Safety

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

B. Discussion and approval of the Alton Fire Department Rural Emergency Services Contract

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

At this time Commissioner Palacios returns to the Court.

At this time Commissioner Handy returns to the Court.

18. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT T)

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.

D. Requesting acceptance and approval of invoice to Dannenbaum Engineering Corporation in the amount of \$ 1,344.74 with authority for Auditor to issue payment after review, audit and processing procedures are completed

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

- E. Requesting acceptance and approval of invoice for TEDSI Infrastructure Group in the amount of \$ 3,500.00 with authority for Auditor to issue payment after review, audit and processing procedures are completed**

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

19. Human Services – Rudy De La Viña: (SEE EXHIBIT U)

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

NO ACTION taken on this item.

20. Pct. #1 – Comm. Handy: (SEE EXHIBIT V)

- A. Approval to rescind action taken on August 30, 2005 regarding Interlocal Agreement between the City of Weslaco and Hidalgo County Pct. #1 for improvements to Mooreland Rd.**
- B. Approval to enter into an Interlocal Agreement between the City of Weslaco and Hidalgo County Pct. #1 for improvements to Mooreland Rd.**

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

21. Pct. #3 – Comm. Flores: (SEE EXHIBIT W)

- A. Requesting authorization for appraisals, title reports and acquisition of right of way on outfall channels for FM 1924 Phase II**

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

22. Purchasing Department – Marty Salazar: (SEE EXHIBIT X)

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>1420</u>	Other Information:	<u>23</u>
Physical Count:	<u>1136</u>	Males (in house)	<u>1059</u>
Out of County Facility	<u>260</u>	Females (in house)	<u>77</u>
La Villa.	<u>233</u>		
Brooks Co.	<u>7</u>	Federal Prisoners	<u>11</u>
Frio Co.	<u>20</u>	Total Paper Ready TDC	<u>228</u>
Adj./ Sentenced to TDC	<u>321</u>	Pending Paperwork/Crts	<u>48</u>
		Pending Charges/Courts	<u>48</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 Application for payment, final 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 #2 & 3-a thru c.

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;

NO ACTION taken on this item.

- b) Recommendation by project architect to award bid to vendor submitting the lowest bid meeting all specifications and requirements for: “Asbestos Abatement and Demolition at the property/building, fka, the K-mart Building;

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to reject all bids and re-bid.

At this time Commissioner Flores steps out of the Court.

- c) Projected time lines for bids of all exterior and/or interior repairs and renovations;
- d) Other related items;

NO ACTION taken on items c & d.

5. **Presentation for discussion, consideration and action including, but not limited to, the following items in connection with the construction of a new facility to house the Hidalgo County Adult Probation Dept.:**
 - a) **General status report by project architect (when necessary) or purchasing department;**
 - 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.; with adult probation department complex with authority for Auditor to issue payment;**

NO ACTION taken on items #5-a thru c.

At this time the Court moved to item #22-K1&2.

6. **Requesting authority to advertise and approval of draft specifications for “Locksmith Services” due to no bids received and to include bond requirements, if applicable: a) bid bond b) performance bond c) payment bond**

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. **Presentation for discussion, consideration and approval (as qualified), the sole response (quote) received proposal from Border Visions, L.L.C. for the RFSQ/P Professional Consulting Services for: “Grant Application Submission under the U.S. Dept. Of Education Funding Programs in connection with Talent Search and Educational Opportunity Centers Program for Hidalgo County”, if approved;**

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

8. **Presentation for discussion, consideration and approval of a professional services contract with “Border Visions, L.L.C.”, for the provision of Professional Consulting Services for Grant Application Submission Under the U.S. Dept. of Education Funding Programs in connection with Talent Search and Educational Opportunity Centers Program for Hidalgo County in an amount not to exceed \$ 24,500.00**

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

- 9. Presentation for discussion, consideration and approval to advertise a Request for Qualifications/Proposal for: “Implementation Training, Counseling and related Consulting Services” in anticipation or notification of a grant award on an “As Needed Basis”.**

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

- 10. 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 Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

- 11. Recommending bid award and approval of contract for: “Hidalgo County –Drug Testing Services” to the lowest responsible bidder meeting all specifications and requirements (Bid No. 2005-310-09-14-MSS)**

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

- 12. Presentation for consideration, discussion and approval to exercise the County’s option for Burton, McCumber & Cortez to conduct the independent audit services for fiscal year 2005 as permitted under current engagement including acceptance and approval of estimated fee schedule proposed by firm for fiscal years 2005 & 2006; if approved;**

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

At this time Commissioner Garza steps out of the Court.

- 13. Approval to cancel authority to advertise (previously approved by CC on 5-10-05) for: “Independent Audit Services for Hidalgo County”**

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

- 14. Presentation for discussion, consideration and approval of an Inter-Local Cooperation Agreement (subject to legal review) between the City of Pharr and the County of Hidalgo for the lease of office space to store the new electronic voting system & related equipment and the education and training center for the Hidalgo County Elections Department;**

NO ACTION taken on this item.

- 15. Presentation for discussion, consideration for approval of the negotiated contract for consulting services with the number two ranked firm S& B Infrastructure, (as ranked and approved by Commissioner’s Court on 6/14/05) for: GIS-Phase Architectural and System Design requirements project, in an amount not to exceed \$ 29,000.00**

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

- 16. Requesting authority to reject all bids for (#2005-139-05-04) “Copy Paper and Assorted Color Paper” and utilize through our memberships with cooperative programs.
Corporate Express – BuyBoard
Staples Inc. – BuyBoard
Office Depot – TCPN
Xerox Corporation - Buyboard & TCPN**

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

B. HIDALGO COUNTY PRECINCT NO. 1–

- 1. Presentation for discussion, consideration, acceptance and approval of request for payment invoice # 11321668 totaling \$ 208,477.54 submitted by L&G Consulting engineers Inc. with authority for County Auditor to issue payment (after review, and processing procedures completed) in connection with Contract # C-05-105-03-08 (PO # 554947) fro FM 1015 ROW Acquisition & General Engineering Services.**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Presentation for consideration, discussion, and approval of the “Proposal(s) as submitted by an awarded vendor, Centennial Contractors Enterprises, Inc., through the Interlocal Agreement with TASB Buyboard for a Pavilion for Hidalgo County Precinct No. 2. Total purchase price \$63,990.16.**

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

- 2. 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 picnic shelters for Hidalgo County Precinct No. 2. Total purchase price \$72,524.00.**

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

At this time Commissioner Garza returns to the Court.

3. **Presentation for discussion, consideration, acceptance and approval of request for payment invoice # 1808 in the amount of \$ 23,801.14 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, “West Anaya Road”.**
4. **Presentation for discussion, consideration, acceptance and approval of request for payment Invoice No. 1791 in the amount of \$49,077.32 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2 “Anaya Road”;**
5. **Presentation for discussion, consideration, acceptance and approval of request for payment Invoice No. 1802 in the amount of \$34,870.00 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2 “Nolana Loop”;**
6. **Presentation for discussion, consideration, acceptance and approval of Work Authorization(s) for engineering services with R. Gutierrez Engineering Corporation including, but not limited to, the following:**
 - a) **Work Authorization no. # 1 “Owassa Road Project”**
 - b) **Work Authorization no. # 2 “ Tower Road Project”**
 - c) **Work Authorization no. # 3 “ McColl Road II (from Military Hwy to 0.5 miles South)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items #3 thru 6-a thru c.

D. HIDALGO COUNTY PRECINCT NO. 3-

1. **Presentation for consideration, discussion acceptance and approval of Work Authorization No. 2E (to continue scopes of services initiated under Work Authorization 2A- C-04-089-03-08) with Dannenbaum Environmental Corporation to provide Hidalgo County Precinct No. 3 with engineer services for, “MSW (Municipal Solid Waste) Landfill”**

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

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

1. **Presentation for discussion, consideration, acceptance and approval of payment application(s) including, but not limited to, the following:**
 - a) **P/A # 2 (retainage payment) submitted by D.M. Roth, Inc. in the amount of \$ 138,789.81 in connection with (contract no. C-CAP-05-004-03-29- Road Construction of Imperial, Murillo & Towne East Subdivisions);**
 - b) **P/A # 1 (retainage payment) submitted by SASCON, Inc. in the amount of \$ 120,284.46 in connection with (Contract No. C-CAP -05-002-03-01 Road Construction of El Seco Subdivision)**

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

At this time the Court moved to item #F-2.

F. HIDALGO COUNTY BUILDINGS & GROUNDS DEPARTMENT –

- 1. Presentation for consideration, discussion, acceptance and approval (05-315) of proposal from Jamial Construction through our participation/membership with TASB area job order contractor (AJOC) for the provision of labor and materials (as attached hereto) for: “Removal and Replacement (upgrade) of four (4) Chiller Valves; a) one- 2” Copper Valve; b)one-3” Copper Valve; c)one- 4”Copper Valve; d) one- 8” Steel pneumatic Valve (Actuator) at the Courthouse Basement in an amount not to exceed \$ 10,240.00 with authority to issue purchase order.**

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 #F-4.

- 2. Ratification of request to solicit proposals from two area job order contractors (Centennial and Jamail) through the County’s participation/memberships through TCPN and TASB (Buyboard) for the provision of “Labor Only” for the installation of corrugated storm pipes, corrugated pipes, concrete inlets and concrete storm manholes in connection with the drainage improvements required for the Courthouse/Town Square Parking Lot with the immediate completion of the South portion (Part 1) of the project and North portion (Part II) to follow;**

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

- 3. Presentation for discussion, consideration, acceptance award and approval of proposal from Centennial area job order contractor for the provision of “Labor Only” for the installation of corrugated storm pipes, corrugated pipes, concrete inlets and concrete storm manholes in connection with the “Drainage Improvements” for the Courthouse/Town Square Parking Lot in an amount not to exceed \$ 46,678.68. with authority to process requisition and issue purchase order; and, if approved;**

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

At this time the Court moved back to item #F-1.

- 4. Requesting authority to cancel the publication of a sealed request for bids advertisement for: “Labor Only in connection with Drainage Improvements” for the Courthouse/Town Square Parking Lot previously approved by CC on 10-04-05;**

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

5. **Presentation for consideration, discussion, acceptance and approval of a proposal from Kone, Inc. awarded maintenance contractor for the provision of labor and materials for removal and replacement for: “Replace power units at Administration Building Elevators” as per the following options:**
- a) **Option I: All work described in Options II and III below;\$ 52,350.00 or,**
 - b) **Option II: Replace the power units and oil..... . \$ 26,900.00 or,**
 - c) **Option III Replace the exiting door equipment and door panels. \$ 25,450.00 or,**

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

G. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. **Requesting authority to enter into an Application Service Provider and Ballot Service Agreement with Elections Systems & Software (ES&S) for the already purchased electronic voting system equipment approved in CC on May 24, 2005.**

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

H. HIDALGO COUNTY NEW JUVENILE JUSTICE CENTER –

1. **Presentation fro discussion, consideration and action including, but not limited to, the following items in connection with the construction of the new Hon. Mario E. Ramirez, Jr. Juvenile Detention Facility:**
- a) **General status report by project architect (when necessary) or purchasing department;**

NO ACTION taken on this item.
 - b) **Status of pending payment requests;**
 - i) **Approval of request for payment no. 3 in the amount of \$499,968.00 from Descon Construction, L.P., contracted vendor for “Juvenile Justice Center” and as certified for payment by project architect, V-A Architecture;**
 - ii) **Approval of request for payment invoice No. 22 in the amount of \$ 6,372.60 from V-A Architecture, contracted architect for “Juvenile Justice Center.”**

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

- c) **Other related issues;**

NO ACTION taken on this item.

I. HIDALGO COUNTY JUVENILE BOOT CAMP –

- 1. Presentation for discussion, consideration, acceptance and approval to pay invoices # 11529, 11602, 11698, 11779, 11824, 11867, 11977, 12096, 12426, 12544, 12640, 14198, and 14199 from Pro-Tech Exterminating totaling \$525.00 under contract # C-04-259A-10-12, with authority for auditor to issue payment.**

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

J. HIDALGO COUNTY JUVENILE PROBATION DEPT.-

- 1. Requesting authority to purchase (05-264) through the Interlocal Agreement with the Houston Galveston Area Council (H-GAC) Philpot Motor Co., Port Neches, Texas with specifications attached hereto and as requested by Juvenile Probation Department (bid No. 2005-347-10-11-MSS) for:**

“One (1) New 2006 Model, Ford 15P Club Wagon ...Unit Price.....	\$ 18,784.25
H-GAC Admin Fee	\$ 600.00
Total Amount FOB Juvenile Probation	\$ 19,384.25

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

At this time the Court moved to item L.

K. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Requesting authority to enter into a services agreement for Satellite Phones with Global Information Technologies for Req #77562 in the total amount of \$ 901.19.
Note: These phones are for the use of emergency only, when no other means of communication are available. (Homeland Security Grant)**
- 2. Requesting authority to purchase (05-264) through the Interlocal Agreement with the Houston Galveston Area Council (H-GAC) Philpot Motor Co., Port Neches, Texas with specifications attached hereto and as requested by County Health Department**

“One (1) New Model 2006 Mini Van FreeStar V6	\$18,066.25
H-GAC Adm. Fee	\$ 600.00
Total Amount FOB Edinburg, Texas	\$ 18,666.25

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

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

L. HIDALGO COUNTY SHERIFF'S OFFICE –

1. Presentation for consideration, discussion, acceptance and approval of proposal from Jamail Construction through our participation/membership with TASB area job order contractor (AJOC) for the provision of labor and materials (as attached hereto) for:

- a) “Construction of two (2) Basketball Courts at the County Adult Detention Facility - (05-287)” in an amount not to exceed \$ 51,957.00 with authority to issue purchase order;**

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

- b) “Construction of six (6) Dog Kennels Facility Units at the County Adult Detention Center (05-180)” in an amount not to exceed \$ 34,873.65 with authority to issue purchase order.**

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

M. HIDALGO COUNTY RE: REAL ESTATE ACQUISITIONS –

1. Requesting authority to obtain and approval of (when applicable), 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, commercial contracts (improved property) or option contracts with authority for County Auditor to issue required earnest money payment(s) or option payment(s) and County Judge to execute necessary/required document(s)

NO ACTION taken on this item.

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to go into 2nd Executive Session

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

23. Closed Session: (SEE EXHIBIT Y)

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 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. Cause No.(s); C-640-03-A, C-641-03-B, C-644-03-E, C-645-03-F, C-647-03-H; Hidalgo County vs Texaco, Inc.; Kerr-McGee Oil & Gas Onshore, L.L.C.; Total Elf E & P USA, Inc.; El Paso Production Oil & Gas Co.; SWEPL,L.P.**
- E. Discussion of job duties and evaluation of Hidalgo County Fire Marshal**

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

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to commercial contract improve property for the lots 1,2 &3 of block 208 of the South 50 ft. of Edinburg Original Town side in the amount of \$350,000.00.

B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**C. Pending and/or potential litigation****D. Cause No(s); C-640-03-A, C-641-03-B, C-644-03-E, C-645-03-F, C-647-03-H; Hidalgo County vs Texaco, Inc.; Kerr-McGee Oil & Gas Onshore, L.L.C.; Total Elf E & P USA, Inc.; El Paso Production Oil & Gas Co.; SWEPI,L.P.****E. Discussion of job duties, evaluation and action of Hidalgo County Fire Marshal**

NO ACTION taken on items B thru E.

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

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 Handy, the Court made a UNANIMOUS vote of approval.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 11, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

On motion of Commissioner Palacios, seconded by Commissioner 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. **Elections Department (2)**
 - B. **Adult Probation**
 - C. **Veterans Services**
 - D. **D.A. – Grand Jury & create obj. 661**
 - E. **D.A. – Gen. Fund & create obj. 679**
 - F. **Tax Office & create obj. 608**
 - G. **Human Resources (2)**
 - H. **139th District Court (2)**
 - I. **370th District Court**
 - J. **389th District Court**
 - K. **Jail**
 - L. **Sheriff's – CIP**
 - M. **Fire Marshal**
 - N. **Law Library & create obj. 604**
 - O. **Purchasing Department**
 - P. **Health – Adm.**
 - Q. **Pct. #1 – Adm.**
 - R. **Pct. #1 – Parks**
 - S. **Pct. #1 – CAP (3)**
 - T. **Pct. #1 – R & B**
 - U. **Pct. #2 – Sanitation**
 - V. **Pct. #2 – R & B**
 - W. **Pct. #2 – CRC & create obj. 661**
 - X. **Pct. #3 – CIP**
 - Y. **Pct. #3 – CAP**
 - Z. **Pct. #3 – Parks**

- AA. Pct. #4 – CAP**
- BB. Constable Pct. #1**
- CC. Constable Pct. #3 & create obj. 890**
- DD. Constable Pct. #5**
- EE. J.P. Pct. #2, Pl. 2 (3) & create obj. 746, 679**
- FF. J.P. Pct. #3, Pl.1**
- GG. J.P. Pct. #3, Pl. 2**
- HH. J.P. Pct. #4, Pl. 1**
- II. J.P. Pct. #4, Pl. 2**
- JJ. Budget Office**

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 (paid \$3.75 each): (SEE EXHIBIT D)

- A. Sharyland Water Supply- Big “5” Rd. and Monte Cristo Rd.**
- B. Sharyland Water Supply – Big “5” Rd. and Monte Cristo Rd.**
- C. Sharyland Water Supply – Buena Vista Rd. & La Homa Rd.**
- D. Ramos Industries Inc. – Los Ebanos Rd. between 2 Mile Line & 3 Mile Line**

5. Urban County: (SEE EXHIBIT E)

- A. Request approval to enter into a “Homebuyer Assistance Program” Contract under the Home Program. (3 Families)**

6. Monthly Fee Reports: (SEE EXHIBIT F)

- A. District Attorney – \$201,252.04 August**
- B. District Attorney – \$242,711.60 September**

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
TBPC CISV Program				
77645	Adult Probation	HP Direct	\$138.00	5-1297-423-00-320-002-6-661
77728	Risk/Loss Mgmt	CDW-G	\$247.98	5-1100-419-50-230-001-0-661
77729	Risk/Loss Mgmt	Dell	\$70.95	5-1100-419-50-230-001-0-661
77733	Risk/Loss Mgmt	CDW-G	\$50.99	5-1100-419-50-230-001-0-661
77765	HIDTA	Dell	\$842.00	5-1291-412-00-270-003-5-432
77739	Risk/Loss Mgmt	Dell	\$200.82	5-1100-419-50-230-001-0-661
State of Texas DIR Go-Direct				
77736	Risk/Loss Mgmt	Dell	\$3,663.55	5-1100-419-50-230-001-0-661

B. HIDALGO COUNTY ADULT PROBATION –

- 1. Requesting authority to enter into a service maintenance agreement for kitchen appliances with Hobart Corporation for Req #76858 in the total amount of \$2,183.00**

C. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Requesting authority to enter into a 36-month lease agreement for a WC65 Copier with Xerox Corp for Req #77810 at \$826.69/month.**

**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, OCTOBER 11, 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 ACTION taken on this item.

3. Approval of Consent Agenda

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

4. Approval of Work Authorization #1 for Penitas Drainage Basin Project (Pct. #3)

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

5. Approval of Change Order #2 for McAllen Construction, Inc. increase in the amount of \$ 5,372.40 (Guardrail – South Inspiration Rd. Crossing, Pct. #3)

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

6. Approval of Pay Request #5 to McAllen Construction, Inc., for South Inspiration Rd. Crossing (Pct. #3)

On motion of Commissioner Flores, seconded by Commissioner Handy, the Board made a UNANIMOUS vote of approval on the amount of \$50,093.46.

7. Approval to advertise for construction of Irrigation Line Adjustment @ US 281 Outfall & Nolana (Pct. #2)

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

8. 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 for discussion, consideration for approval of the negotiated contract for consulting services with the number two ranked firm (S&B Infrastructure, as ranked and approved by Board of Directors’ on 6-14-05) for GIS-Phase I-Architectural and System Design requirements project, in an amount not to exceed \$ 29,000.00**

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

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

9. 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

10. Open Session:

A. Real Estate Acquisition

11. Closed Session:

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

12. Open Session:

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

13. Adjourn

On motion of Commissioner Palacios, seconded by Commissioner Handy, 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, OCTOBER 11, 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. Discharge Permits:**
 - A. Tommy Phillips – Oakwood Glen Subdivision**
 - B. City of Edinburg – Cardinal Estates**
 - C. City of Edinburg – Villa Del Prado Subdivision**
 - D. City of McAllen – Meadow Ridge Subdivision**

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 11th day of October, 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 October 11, 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