

SPECIAL MEETING – OCTOBER 18, 2005

BE IT REMEMBERED, that on this 18th day of October, 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 EDDY TREVINO, COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 18, 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 Judge Garcia requested to recess to proceed with the Emergency Meeting of the Drainage District #1.

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

4. Open Forum

Iris Ortiz – Student with the University of Texas Pan American enroll in the Bachelor Science Program. And on the success of the Health Fair at Lopezville.

Virginia Townsend – Concerning County contracting local contractors and providing bottle water for County Employees.

At this time the Court moved to item #6.

5. Approval of Consent Agenda

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

At this time the Court moved back to Open Forum.

6. Acceptance of resignation of County Clerk (SEE EXHIBIT G)

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

7. Acceptance of resignation of Fire Marshal (SEE EXHIBIT H)

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

At this time the Court moved to item #20-E.

8. District Clerk's Office – Omar Guerrero: (SEE EXHIBIT I)

A. Discussion on Lone Star Shredding and Document Storage

Presentation made by Omar Guerrero.

B. Approval of Amendment One Agreement between Bearingpoint and Hidalgo County, Texas in order to extend the Texas On Line Electronic Court Filing Application to the District Clerk's Office

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

At this time the Judge Garcia swore Eddy Trevino in as County Clerk.

9. Emergency Management – Oscar Montoya: (SEE EXHIBIT J)

A. Discussion, consideration and approval of Interlocal Agreement between City of Mission and Hidalgo County regarding Pre-2004 State Homeland Security Grant

B. Discussion, consideration and approval of Homeland Security Grant equipment transfer from Hidalgo County Sheriff's Department to the City of Mission

C. Discussion, consideration and approval of intradepartmental transfer to obj. 841- \$ 20,462.08

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

At this time Commissioner Flores steps out of the Court.

10. County Judge's Office – Humberto Garza: (SEE EXHIBIT K)

A. Approval to appoint Board Representative and Alternate to the Amigos Del Valle, Inc. Board of Directors

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to appoint Commissioner Tito Palacios as Representative and Commissioner Sylvia Handy as Alternate.

At this time the Court moved to item #12.

11. Right of Way – Godfrey Garza: (SEE EXHIBIT L)

- A. Acceptance of Lucky “I” Street into Hidalgo County Road System, located @ lot 21, New Caledonia Unit No. 3, Vol. 6 Pg. 47, HCMP (subject to legal review)**

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

- B. Approval to create three (3) full-time temporary Landman positions and set salary at \$60,000.00**

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

- C. Godfrey Garza, Jr. – Discussion and/or authorization to negotiate purchase of property consisting of a 10 acre tract of land located on the west side of Tower Rd. approx. 330’ North of Rancho Blanco Rd. in Alamo, Texas (part or portion of Lot 15, Block 29, Alamo Land and Sugar Company’s Subdivision)**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval base on the appraised value of \$66,000.00.

- D. Pct. #2 – Authorization for surveys, title report, appraisals and acquisition of additional right of way for Tower Rd. between Moore Rd. south to Balli Rd.**

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

- E. Proposed approval for FM 2061 from State Highway to FM 1921 as requested by TXDOT**

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

At this time the Court moved to item # 14.

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

- A. Public Hearing concerning a proposed Budget and Program Amendment for Precinct No. 2. The proposed amendment will allow for fund transfers for the development of three (3) parks throughout Pct. 2, for an increase of funds for senior service, youth services and public services. The proposed amendment affects funding from Program Years 16 (2003), 17 (2004) and 18 (2005).**

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

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

- B. Approval of a Budget / Program Amendment for Hidalgo County Precinct No. 2 using Urban County Year 16 (2003), Year 17 (2004) and Year 18 (2005) funding for Parks, Recreational Facilities totaling \$451,093.38, Senior Services totaling \$3,750.00 and Youth Services totaling \$1,750.00.**

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

- C. Public Hearing for proposed budget and program amendment for Hidalgo County Precinct #3 utilizing Urban County Program Year 18 (2005). Precinct #3 will utilize funding from street improvements to appropriate funds for Mission Boys & Girls Club providing services to rural areas within the Precinct #3.**

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

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

- D. Approval of Sub recipient Agreement with the Mission Boys & Girls Club, and Urban County Program on behalf of Hidalgo County Precinct No. 3 (\$25,000.00), for Urban County Program Year 18 (2005).**

NO ACTION taken on this item.

13. Human Services – Rudy De La Viña: (SEE EXHIBIT N)

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

NO ACTION taken on this item.

At this time the Court moved back to item #11.

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

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

Presentation made by Daniel Flores.

At this time Commissioner Palacios steps out of the Court.

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

- A. Requesting approval to accept contribution of \$ 13,140.00 from Siesta Village Subdivision residents for road improvements and to be deposited directly into Acct. #5-1334-431-00-121-025-0-731**

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

16. Pct. #4 – Comm. Garza: (SEE EXHIBIT Q)

- A. Presentation for discussion, consideration, acceptance and approval of invoice #05M207-1 from Millennium Engineers Group, Inc. in the amount of \$258.50 with authority for Auditor to issue payment**

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

- B. Approval to charge said payment to acct. #5-1204-431-00-124-007-0-731**

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

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

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.**

At this time Commissioner Palacios returns to the Court.

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:

Total inmate population:	<u>1442</u>	Other Information:	<u>23</u>
Physical Count:	<u>1151</u>	Males (in house)	<u>1073</u>
Out of County Facility	<u>270</u>	Females (in house)	<u>78</u>
La Villa.	<u>242</u>		
Brook’s Co.	<u>7</u>	Federal Prisoners	<u>10</u>
Frio Co.	<u>21</u>	Total Paper Ready TDC	<u>220</u> No.over45days
Adj. / Sentenced to TDC	<u>306</u>	Pending Paperwork/Crts	<u>31</u>
		Pending Charges/Courts	<u>55</u>

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

NO ACTION taken on this item.

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)**

NO ACTION taken on items 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 time.

b) Ratification of:

- i) **Action taken by Commissioners Court on 10-11-05 to reject all bids received for: “Asbestos Abatement and Demolition” ; and,**
- ii) **Authority to re-advertise (with publication commencing Saturday, October 15, 2005) the project with the same specifications and requirements, for the property/building, fka, the K-mart Building;**

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

- 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.;**

NO ACTION taken on items 5-a thru c.

At this time Judge Garcia steps out of the Court.

- 6. 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;**

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

- 7. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) for the Consultant Services with Insurance Advisory Group, Inc**

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

- 8. Presentation for discussion, consideration and approval to cancel bid opening date of October 19, 2005 for: RFQ/P – Financial Advisory Services project, with authority to re-advertise project with acceptance of the date November 16, 2005**

On motion of Commissioner Palacios, seconded by Commissioner Garza, 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 for invoice # 256823 totaling \$ 15,477.54 submitted by TEDSI Infrastructure Group with authority for County Auditor to issue payment (after review, and processing procedures completed) in connection with Mile 2 West Road Project (PO # 548070) Contract # C-05-070-02-08 General Engineering Services contract.**

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

At this time Commissioner Flores returns to the Court.

- 2. Presentation for discussion, consideration, acceptance and approval of request for payment invoice # 256857 totaling \$ 68,250.00 submitted by TEDSI Infrastructure Group with authority for County Auditor to issue payment (after review, and processing procedures completed) in connection with Mile 6 West Road (from Mile 9 North to Mile 11 North) Project (PO # 553011) Contract # C-05-070-02-08 General Engineering Services Contract.**

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

- 3. Requesting authority to advertise and approval of specifications attached hereto for: RFB (#05-313) Hauling Services for Precinct # 1.**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Presentation for discussion, consideration and authority to solicit proposal from Jamail Construction, an awarded vender through The Cooperative Purchasing Network Job Order Contactor Program, for construction of the following:**
 - a) Basketball Courts (2) North San Juan Park**
 - b) Sprinkler/Irrigation System – CRC and Head Start Buildings**
 - c) Water Well (Pod and Shed) – North San Juan Park.**

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

D. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) for hauling of crushed caliche with Roy’s Hauling Services, Inc.**

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

- 2. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) for hauling of Type D Hot Mix Asphalt with Universal Truckers, Inc.**

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

- 3. Requesting authority to purchase through our membership with the Buyboard vendor Rush Truck Center Houston, Texas with specifications attached hereto and as requested by Precinct 3 for:**

“One (1) New Model Crew Truck with flat bed and crane”	\$ 70, 430.00
Fee	\$ 400.00
Total FOB Pct 3	\$ 70, 830.00

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

- 4. Requesting authority to purchase through the Inter local agreement with Houston-Galveston Area Council (H-GAC) John Deere Co. Lenexa, KS with specifications attached hereto and as requested by Precinct No. 3**

a) “One (1) New Model 6320 JD Tractor”	\$ 37,739.54
b) “One (1) CX15 Rotary Cutter”	\$ 10,555.07
H-GAC Fee	\$ 724.41
Total FOB Pct # 3	\$ 49,019.02

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

E. HIDALGO COUNTY PRECINCT NO. 4-

1. **Requesting approval to reject bids received (but unopened) for: “Material and Installation of a 10ft. high mesh chain link fence at the Linn –San Manuel recovery center” Bid No. 2005-331-10-12-MSS), and authority to re-advertise with modified specifications.**

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

2. **Requesting authority to advertise and approval of specifications for a request for bids for “Materials needed for Morning Estate Outfall improvements project” (Bid No. 2005-322-11-09-MSS)**

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

F. HIDALGO COUNTY BUILDINGS & GROUNDS DEPARTMENT –

1. **Ratification of request to solicit proposal from two area job order contactors (Centennial and Jamail) through the County’s participation/membership through TCPN and TASB (Buyboard) for the provision of labor and materials for the installation of concrete valley gutter 36” wide, reconstruction of 18” curb & gutter and 4” concrete sidewalk in connection with the Drainage Improvements for the Courthouse/Town Square Parking Lot**

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

2. **Presentation for consideration, discussion, acceptance award and approval of proposal from Centennial Contractors area job order contractor for the provision of labor and materials for the installation of concrete valley gutter 36” wide, reconstruction of 18” curb & gutter and 4” concrete side walk in connection with the Drainage Improvements for the Courthouse/Town Square Parking Lot in an amount not to exceed \$ 17,669.24 with authority to process requisition and issue purchase order.**

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

G. HIDALGO COUNTY NEW JUVENILE JUSTICE CENTER –

1. **Presentation for 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;**

Presentation made by Mr. Canul.

- b) **Status of pending payment requests;**
- c) **Other related issues;**

NO ACTION taken on items b & c.

At this time Judge Garcia returns to the Court.

H. HIDALGO COUNTY INDIGENT DEFENSE DEPARTMENT–

1. **Requesting approval to purchase two (2) Wireless Connection Cards (at no cost to the County after credits applied to \$ 179.99 - \$ 150.00 credit and \$ 30.00 credit) through Sprint’s Contract with the State of Texas DIR TEXAN 2000 Program cellular phone awarded vendor (Sprint) for the monthly service charge of \$ 60.00 with unlimited usage.**

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

I. HIDALGO COUNTY HEALTH DEPARTMENT –

1. **Requesting authority to exercise the additional sixty (60) day grace period extension (as provided under current contract) for “Mosquito Control Chemicals” for the Health Department under the same rates, terms and conditions with Adapco Inc. while procurement processed completed. Effective 12/21/05 – 02/18/06.**
2. **Requesting authority to exercise the additional sixty (60) day grace period extension (as provided under current contract) for “Mosquito Control Chemicals” for the Health Department under the same rates, terms and conditions with Univar USA Inc. while procurement processed completed. Effective 12/21/05 – 02/18/06.**

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

3. **Presentation for discussion, consideration and approval with authority advertise and approval of current specifications for “Mosquito Control Chemical”**

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

J. HIDALGO COUNTY HIDTA TASK FORCE –

1. **Presentation for discussion, consideration an approval to rescind award previously approved on (10-04-05) with Angels Maid Janitorial Services for temporary janitorial services, inasmuch, vendor did not meet insurance requirements.**

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

2. **Requesting approval to “Request for Sealed Quotes” for “Janitorial Services” for term of one year instead of temporary services, as requested from HIDTA Task Force.**

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

At this time Commissioner Garza steps out of the Court.

K. HIDALGO ELECTION DEPARTMENT –

- 1. Recommending bid award and approval of contracts for Bid 2005-327-10-05 LRM for “Hidalgo County – Elections Security Mesh Carts/Caddies” to sole bidder received meeting all specifications and requirements as attached here to;**

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

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

L. HIDALGO COUNTY SHERIFF’S DEPARTMENT-

- 1. Requesting authority to purchase through the Interlocal Agreement with Houston – Galveston area Council (H-GAC) South Texas Communication, Inc., McAllen, Texas with specifications attached hereto and as requested by Sheriff’s Office for:
Twenty (20) Motorola HT 750 Handheld Radio w/accessories.....\$ 17,020.80
H-GAC Admin. Fee \$ 255.31
Total Amount \$ 17,276.11**

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

M. HIDALGO COUNTY WIC PROGRAM –

- 1. Recommending of bid award and approval of the lease contract to a sole bidder received meeting all specifications and requirements as attached hereto for: “Lease of Office Space for the WIC Clinic in Las Milpas”**

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

At this time Commissioner Flores steps out of the Court.

At this time the Court moved back to item K-1 to rescind action.

- 2. Recommending of bid award and approval of the lease contract to the lowest bidder received meeting all specifications and requirements as attached hereto for: “Lease of office space for WIC in the City of Alamo”**

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.

3. **Requesting approval of a correction on the current lease agreement with Laura Salinas to reflect the initial term of expiration December 31, 2006 and not 2005 as shown on agreement pursuant to original specifications and award**

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

N. HIDALGO COUNTY RE: REAL ESTATE ACQUISITIONS –

1. **Requesting authority to obtain and approval of (when applicable), including, but not limited to, the following 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.

18. Budget Office – Valde Guerra: (SEE EXHIBIT S)

A. Interdepartmental transfers:

1. **IT Dept. from 200-001 to 200-002 - \$ 22,344.14**

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

B. Health Insurance:

1. **Discussion, consideration and approval to transfer \$ 608,896.08 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**
 - **September 27, 2005 thru October 03, 2005 - \$ 400,270.70**
 - **October 04, 2005 thru October 10, 2005 - \$ 208,626.08**

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

C. Inter/Intradepartmental transfers for postage – Various Accts.

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

Commissioner Palacios – Abstain.

- D. Appropriation of funds in the amount of \$ 75,000.00 from DD #1 2005 Interlocal Agreement into Co. Wide Contingency Acct.**

NO ACTION taken on this item.

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

19. Closed Session: (SEE EXHIBIT T)

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. Civil Action No. M-05-339; Irasema Lizette Marquez vs. Hidalgo County et.al**
- E. Consideration of appointment of Acting County Clerk**
- F. Appointment of Fire Marshal**
- G. Hidalgo County vs. Alvarado**

At this time Commissioner Flores returns to the Court.

20. Open Session:

- 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. Civil Action No. M-05-339; Irasema Lizette Marquez vs. Hidalgo County et.al**

NO ACTION taken on items A thru D.

E. Consideration of appointment of Acting County Clerk

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to appoint Eddy Trevino as Acting Hidalgo County Clerk.

At this time the Court moved back to item #8.

F. Appointment of Fire Marshal

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to appoint Victor Fonseca, Jr. as Fire Marshal effective 10/18/05.

G. Hidalgo County vs. Alvarado

NO ACTION taken on this item.

21. Closed Session:

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

22. Open Session:

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

23. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 18, 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. Ind. Defense Public Defender's Office (2) & create obj. 534, 611 & 550**
 - B. 139th District Court**
 - C. IT Department**
 - D. Human Services**
 - E. J.P. Pct. #1, Pl. 2**
 - F. J.P. Pct. #5, Pl. 1 & create obj. 631, 442, 608**
 - G. Human Resources**
 - H. Civil Service**
 - I. Texas Cooperative Extension**
 - J. Courthouse Parking Lot**
 - K. D.A. – Checks Acct.**
 - L. D.A. – Gen. Fund**
 - M. Probate Court**
 - N. WIC (2)**
 - O. Elections Department**
 - P. Pct. #1 – Parks (2)**
 - Q. Pct. #1 – R & B**
 - R. Pct. #1 – CAP (5) & create obj. 731**
 - S. Pct. #1 – Sanitation**
 - T. Pct. #1 – Administration**
 - U. Pct. #2 – Parks**
 - V. Pct. #3 – R & B**
 - W. Pct. #3 – CAP (3)**
 - X. Pct. #4 – Adm.**
 - Y. Constable Pct. #1**
 - Z. Constable Pct. #2**

- AA. Adult Detention Center
- BB. Purchasing Department
- CC. Health – Clinics
- DD. Master Court #2
- EE. Courthouse Security & create obj. 890
- FF. 92nd District Court
- GG. Master Court #1 & create obj. 661 & 630

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. County of Hidalgo – Trenton Rd. to Raul Longoria Rd. (FM 1426)
- B. Smith Production/Triple J Oilfield Service – Mile 5 ½ Rd. on Texan Rd.
- C. North Alamo Water Supply – Mile 9 North and Mile 1 East
- D. North Alamo Water Supply – Mile 17 ½ North, east of FM 493
- E. North Alamo Water Supply – Mile 22 ½ Rd. on Filegonia Rd.
- F. North Alamo Water Supply – Mile 22 ½ Rd. on Filegonia Rd.

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

- A. County Clerk - \$ 537,275.90

6. **Purchasing Department: (SEE EXHIBIT F)**

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				
77760	Pct #1	CDW-G	\$137.19	5-1201-431-00-121-004-0-661
77976	Sheriff's Law	Dell	\$169.00	5-1100-421-00-280-001-0-432
77912	Health Dept	Compusa	\$546.99	5-1100-441-00-340-001-0-661
77912	Health Dept	Compusa	\$1,443.99	5-1100-441-00-340-001-0-746
77991	I.T. Dept	S.J.S.	\$270.00	5-1100-415-00-200-001-0-664
77793	Pct #2	Rio Radio	\$500.00	5-1100-432-00-122-001-0-434
77793	Pct #2	Rio Radio	\$4,203.00	5-1100-432-00-122-001-0-664
78105	Human Resource	Dell	\$1,151.00	5-1100-415-50-190-002-0-745
State of Texas DIR				
77787	332 nd Dist Crt	Dell	\$1,693.35	5-1100-412-00-006-001-0-745
78097	Human Resource	Dell	\$2,557.74	5-1100-415-50-190-002-0-745

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

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

NOTICE

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, OCTOBER 18, 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 U)

1. Roll Call

All Members of 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. Approval to accept request from HESCO Utility Co. to access road, parallel to HCDD #1 right of way; NE of Lot 15 and NW corner of Lot 16, block 237 Tex-Mex S/D

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

5. Proposed approval for FM 2061 from State Highway to FM 1921 as requested by TXDOT

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 for discussion, consideration and approval to rescind bid award previously approved on 06-21-05 with Columbus Country Ford fro “One (1) New 2005-3/4 Ton 4X4 Crew Cab Truck, inasmuch vendor did not meet the delivery requirements of 60 to 90 days. As stated on his bid packet.**

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

- 2. Requesting approval to re-advertise and approval of draft specifications as attached hereto for “One (1) 2005-or New ¾ Ton 4X4 Crew Cab truck.**

On motion of Commissioner Flores, seconded by Commissioner Handy, 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 Handy, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to adjourn today’s meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, OCTOBER 18, 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 Handy, 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 Permit:**
 - A. City of Donna – E & A Subdivision**
- 3. Line item transfer:**
 - A. Administration**
 - B. M & O**

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**

**Hector "Tito" Palacios
Board Member**

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

**NOTICE
REVISED**

NOTICE is hereby given in accordance with Chapter 551, Subchapter 551.045 & 551.047 of the Texas Government Code, that an EMERGENCY MEETING of the Drainage District #1 of Board of Directors will be held DUE TO AN IMMINENT THREAT TO PUBLIC HEALTH & SAFETY AND A REASONABLE UNFORESEEABLE SITUATION: the collapse of the weir control structure on TUESDAY, OCTOBER 18, 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 U)

1. Roll Call

All Members of the Board were counted present.

2. Purchasing Department – Marty Salazar

A. Pursuant to Water Code, Chapter 49.274 Emergency Approval of District Projects, Presentation for discussion, consideration and action (if applicable or necessary)

Including, but not limited to, the following:

Contracting for the a) Repair, b) Reconstruction or c) New Construction of the Weir Control Structure on the Main Flood Water Channel of Hidalgo County Drainage District No. 1 due to the collapse of structure

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote of approval to allow Godfrey Garza as District Manager to proceed to fix the Weir and start engineering and procurement as necessary.

3. Adjourn

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

At this time the Board moved back to item #5 of the Regular Agenda.

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 18th day of October, 2005

EDDY TREVINO, County Clerk
Hidalgo County, Texas

By: _____
Norma Garza, Deputy

I, EDDY TREVINO, County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on October 18, 2005.

Signed this ____ day of _____ 2005

ATTEST:
EDDY TREVINO
County Clerk and Ex-Officio Clerk
Of the Commissioners' Court of
Hidalgo County

(Seal) By: _____
Norma Garza, Deputy