SPECIAL MEETING – November 22, 2005

BE IT REMEMBERED, that on this 22nd day of November, 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-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, NOVEMBER 22, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. **Roll Call**

   All Members of the Court were counted present.

2. **Pledge of Allegiance**

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

3. **Prayer**

   Commissioner Handy led the Court and Audience in Prayer.

4. **Open Forum**

   Monica Badillo – Wishing Valde Guerra a Happy Birthday.

   William Piesen – Concerning former County Employee Pedro Alonzo, Jr. he is representing on a legal case against the County.

   Fern McClaugherty – Concerning the County using good used vehicles.

   Godfrey Garza – Concerning the approval of the RMA.

5. **Approval of Consent Agenda**

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

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

A. Presentation by Jeff McSweeney from By the Numbers Actuarial Consulting, Inc. on the County of Hidalgo Workers' Compensation Self-Insurance Fund

Presentation made by Jeff McSweeney.

B. Discussion, consideration and approval of finalized 2005 Salary Schedule for the Office of the County Judge (approved by Court on 8/2/05)

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

C. Interfund transfers:

1. **Gen. Fund Misc. Revenue to Planning Department - $ 1,645.88 (vehicle repairs)**
2. **Parks Co. Wide to Road & Bridge Co. Wide - $ 21,257.43 (vehicle/equip. insurance)**

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

D. Intradepartmental transfer:

1. **Parks Co. Wide – $ 2,255.19 (vehicle/equip. insurance)**

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

E. Budget Amendments:

1. **Constable Pct. #1 – 5,000.00 (STEP Tobacco Compliance)**

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

F. Interdepartmental transfers:

1. **Co. Wide Adm. to Mailing Services - $ 7,939.24 (mailing services fees through Dec.2005)**
2. **Co. Wide Adm. to County Treasurer - $ 3,000.00 (IDI contractual services)**
3. **CO 2004 Adm. Bldg. to CO 2004 Parking Lot Project - $ 13,000.00 (arch./eng. serv.)**
4. **Constable Pct. #2 to Co. Wide Adm. Cont. - $ 9,600.00 (unused funds)**
5. **Co. Wide Adm. to Constable Pct. #4 - $ 3,360.00 (vehicle repairs)**
6. **Ins. Govt. Bldgs. to General Litigation - $ 40,000.00 (legal fees)**
7. **IT Department from 200-002 to 200-001 - $ 3,000.00 (software)**
8. **Various Accts. to Gen. Govt. Bldg. - $ 75,000.00 (electricity)**
9. **Various Accts. to Public Defense**
10. **Various Accts. for the purchase of real estate/property**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items #1 thru 10.

7. **County Judge's Office – Lorie Ochoa: (**SEE EXHIBIT I)
   A. **Discussion and possible action on granting the Edinburg Lions Club permission to use the Kmart parking lot for a carnival on December 26, 2005 – January 8, 2006**

      On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval subject to the insurance being provided.

8. **Delinquent Tax Attorney – Cynthia Garza-Schammel**: (SEE EXHIBIT J)
   A. **Discussion and consideration of bids received on the resale properties at the November 5, 2005 Tax Resale Auction**

      Presentation made.

   B. **Discussion and possible action on Resolution approving bids received on Tax Resale properties on November 05, 2005**

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

   C. **Discussion and possible action on private bid submitted by Jose Mena, 349 E. Dicker, Pharr, Texas on property struck off to Hidalgo Independent School District as Trustee for itself and other taxing jurisdictions and described as: Lot 54, Block 10, Hidalgo Park Estates**

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

9. **206th District Court – Judge Rose Guerra-Reyna:** (SEE EXHIBIT K)
   A. **Approval to process purchase order after deadline (to purchase furniture) and to be delivered by 12/31/05**

      NO ACTION taken on this item.

10. **398th District Court – Judge Aida Salinas-Flores: (**SEE EXHIBIT L)
    A. **Approval to process purchase order after deadline (to purchase furniture) and to be delivered by 12/31/05**

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

11. **HIDTA – Task Force: (**SEE EXHIBIT M)
    A. **Request for approval to accept a supplement in the amount of $54,826.00 on Award Cooperative Agreement (Award Number I5PSSP573Z) between Hidalgo County and the Executive Office of the President – Office of National Drug Control Policy – H.I.D.T.A**

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

B. Approval of budget amendment in the amount of $ 54,826.00

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

C. Request approval to amend the Cooperative Agreement (Award Number I4PSSP573Z) between Hidalgo County and the Executive Office of the President – Office on National Drug Policy – HIDTA Task Force (pending grantor approval) – Extending the grant period from January 01, 2004 – December 2005 to January 1, 2004 – June 2006)

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

D. Request approval to amend the Cooperative Agreement (Award Number I5PSSP573Z) between Hidalgo County and the Executive Office of the President – Office on National Drug Policy – HIDTA Task Force (pending grantor approval) – Extending the grant period from January 01, 2005 – December 2005 to January 1, 2005 – June 2006)

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

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

A. Requesting approval to declare Property as Surplus.

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

B. Requesting approval to dispose of Surplus Property.

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

C. The HOME Division of the Urban County Program proposes that the maximum amount of Rehabilitation assistance of $40,000 be increased to $60,000.

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

D. The HOME Division of the Urban County Program proposes the removal of the $5,000 assistance regarding emergency cases that are "recent in nature".

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

E. The HOME Division proposes an additional option under the Owner-Occupied Rehabilitation Program within the "No Interest Loan Program" allowing clients under the 30% median income be eligible for up to 70% of loan deferment.

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

F. Requesting approval to cancel application for Leobardo & Guadalupe Sepulveda, at the request of homeowner.

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

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

A. Presentation of PRISM Report

Presentation made.

At this time Commissioner Garza steps out of the Court.

B. Discussion/approval of Direct Deposit Process for Head Start Employees

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

C. Discussion/approval to enter into a thirty-six (36) month lease agreement with Kyocera Mita America through the Texas Building and Procurement Commission, State Contract #985-A6, in the amount of $4,722.76, for fifty-five (55) copiers per month for the following locations: forty-four (44) Head Start Centers, Two (2) Kitchens and Nine (9) Administrative Departments

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

14. **Planning Department – Raul Sesin:** (SEE EXHIBIT P)

A. Preliminary Approval:

1. Frontera Heights East Phase 3 – Pct. 1 (Anthony Gray)

2. Alexia Meadows Subdivision – Pct. 1 (Narciso Garcia)

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

B. Final Approval:

1. Pueblo Estates Subdivision Unit No. 1 – Pct. 4 (Pablo Trevino)

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

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

A. Requesting approval to appropriate Pct. #1 Road & Bridge Unreserved Funds

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

16. **Pct. #2 – Comm. Palacios:** (SEE EXHIBIT R)

A. Discussion and possible action for approval to submit a Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the TPDES General Permit related to the construction of South McColl Road from Dicker Rd. north to Orangewood Drive

B. Approval to submit payment of $ 100.00 for NOI Application Fee

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

At this time Commissioner Flores steps out of the Court.

C. Discussion and approval of a Resolution in support of City of Hidalgo's "Preserve America Communities Historical & Cultural Preservation" Application

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

D. Requesting authorization to appropriate Pct. #2 – R & B Unreserved Fund Balance into Pct. #2 R & B Acct. #5-1202-431-00-122-006-0- in the amount of $ 170,000.00

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

17. **Human Services – Rudy De La Viña: (**SEE EXHIBIT S)

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

NO ACTION taken on this item.

At this time the Court moved to item #19.

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 for Dannenbaum Engineering Corporation for the amount of $2,465.32 with authority for Auditor to issue payment after review, audit and processing procedures are completed

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

At this time the Court moved to Executive Session.

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

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: 1274**

Physical Count:	**1096**	**Males (in house)**	**1018**		
Out of County Facility	**176**	**Females (in house)**	**78**		
La Villa.	**154**				
Brook's Co.		**Federal Prisoners**	**9**		
Frio Co.					
Other: (n/c)	**22**				
Adj. / Sentenced to TDC	**233**	**Total Paper Ready TDC**	**136**	**No.over45days**	**34**
		Pending Paperwork/Courts	**40**		
		Pending Charges/Courts	**57**		

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)**

NO ACTION taken on items #2 & 3a 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;**
   b) **Projected time line for of all exterior and/or interior repairs/remodeling and renovations:**
   c) **Other related items;**

   NO ACTION taken on items #4a thru c.

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) **Other Related Items;**

   NO ACTION taken on items #5a & b.

   c) **Correcting approval of Notice to Proceed with the effective date of 11-18-05 to 11-25-05 as indicated in Notice to Proceed as submitted by project architect**

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

6. **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;**
   b) **Status of pending payment requests;**
   c) **Other related issues;**

   NO ACTION taken on items #6a thru c.

7. **Requesting authority to advertise and approval of draft specifications for "Purchase of Uniforms and Accessories" and to include the following bond requirements, if applicable:**
   a) **Bid Bond** _____
   b) **Performance Bond** _____
   c) **Payment Bond** _____

   On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to the bond being applicable subject to the amount.

8. **Presentation by Mr. William "Bill" Rusteberg, (Hidalgo County Cafeteria Plan Consultant) regarding the County's current Section 125 Plan/Program;**

   Presentation made.

9. **Presentation for discussion, consideration and approval to advertise a Request for Proposal for "Section 125 Voluntary Products" (i.e. Dental Plan) for Hidalgo County with approval of draft requirements and scope of services (attached hereto) as developed and recommended by Mr. William "Bill" Rusteberg, (Hidalgo County Cafeteria Plan Consultant).**

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

10. **Presentation for discussion, consideration and approval of the final negotiated professional services contract (subject to legal review) with National Plan Administrator (NPA) in connection with the Request for Proposal for: "Section 125 Plan Administrator" for Hidalgo County;**

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

11. **Requesting approval to purchase an enhancement to Sage software from iDesign Inc. (also a CISV vendor) the proprietary software vendor to the current Auditor's financial accounting system in an amount not to exceed $5,000.00**

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

    At this time Commissioner Flores and Commissioner Garza return to the Court.

12. **Presentation by Alamo Insurance Group, Hidalgo County's Group Health Benefits Consultant on current Hidalgo County Group Health Plan/Program.**

    Presentation made by Mr. Looney.

    At this time Commissioner Handy steps out of the Court.

13. **Requesting authority to advertise an RFP with approval of requirements including, but not limited to, the following:**
    a) **Group Health Medical Plan/Program**
    b) **Group Life Insurance; and**
    c) **Accidental Death & Dismemberment; or in the alternative**

       NO ACTION taken on items #13a thru c.

14. **Requesting authority to advertise more specifically for those components related to Hidalgo County's current self-funded/insured Group Medical Health Plan/Program including, but not limited to, the following:**
    a) **Stop Loss Insurance**
    b) **Group Life Insurance**
    c) **Accident Death & Dismemberment**

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

15. **Presentation for a request from Border Visions Consulting Group, LLC and pursuant to Article 8 of the current agreement, approval of an assignment of proceeds from contracts C-05-323-10-11 and C-05-081-04-19 be made payable to Border Visions Consulting Group, LLC and Mercedes National Bank.**

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

16. **Requesting approval and authority for County Judge to execute "Deed(s)" and all related closing documents for the acquisition of the properties described as:**
    Tract I:
    a) **The South Fifty feet (S. 50") of Lots One (1), Two (2), and Three(3), Block Two Hundred Eight (208), Original Townsite of Edinburg, Hidalgo County, Texas as per amended map or plat thereof recorded in Volume 1, Page 23, Map Records, Hidalgo County, Texas; and**

    Tract II:
    b) **The North Ninety –two feet (92) of Lots One (1), Two(2,) and three(3), and all of Lot Four (4), Block Two Hundred Eight (208), Original Townsite of Edinburg, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Page 23, Map Records, Hidalgo County, Texas;**

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

17. **Authority for County Auditor to issue check(s) as per Settlement and /or Closing Statement for the acquisition of Tracts I & II – described and approved herein.**

    On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for the amount of $346,345.98.

18. Presentation by Hidalgo County Auditor's Office, Budget Office and Purchasing Department for discussion, consideration and approval(s) for Hidalgo County and all Other applicable Agencies/Programs begin the necessary work to prepare for, including but not limited to, the following:

a) "Notice" of renewal of Letter of Engagement for 2005 & 2006 fiscal years Independent Audit Services with firm of Burton, McCumber & Cortez

b) "Order" that preparations commence and be completed on:

i) Addressing prior years finding immediately (if they not already been dealt with – i.e.: retirement program issues, etc);

ii) Audit questionnaires be completed upon receipt;

iii) Closing of current fiscal year books in accordance with generally accepted accounting principles;

iv) Adhere to time-lines and schedules requested by Burton, McCumber & Cortez through site meetings or correspondence;

v) Generally prepare all necessary work related to the conducting of the 2005 fiscal year independent audit.

vi) Make space available for the independent auditors to audit your financial statements (properly closed in accordance with generally accepted accounting principles) by March 1, 2006. The Independent Auditors will provide you with the exact date in March of 2006.

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

At this time Commissioner Flores steps out of the Court.

B. HIDALGO COUNTY PRECICNT NO. 1 –

1. Requesting authority to purchase through the Inter Local Agreement with Houston Galveston Area Council (H-GAC) Philphott Motor Co. Port Neches, Texas with specifications attached hereto and as requested by Precinct No. 1 (#05-384-11-22CGV) for: "One (1) New 2006 Model, Ford F-150 Extended –Cab 4X4 Pickup ……..

Unit Price:	**$21,860.25**
H-GAC Admin. Fee	**$ 600.00**
Total Amount FOB Pct # 1	**$22,460.25**

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

2. Requesting authority to advertise a RFB- "Landfill Access for Precinct No. 1" with approval of specifications as attached hereto;

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

C. HIDALGO COUNTY PRECINCT NO. 2 –

1. **Presentation for discussion, consideration, acceptance, and approval of Request for Payment Invoice No. 1830 in the amount of $9,815.46, from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, "Anaya Road";**

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

2. **Presentation for discussion, consideration, acceptance, and approval of Request for Payment No. 1837 in the amount of $50,576.18, from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2 "North San Juan Park" (C-03-167-06-03 WA NO.3);**

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

3. **Presentation for discussion, consideration, acceptance, and approval of Request for Payment Invoice No. 1816 in the amount of $ 3,526.02 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, "McColl Rd";**

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

4. **Presentation for discussion, consideration, acceptance and approval of Request for Payment Invoice No.6 in the amount of $68,571.00, from S&G Paving Company, contracted for the road project "South "I" Road" as recommended by project engineer, R. Gutierrez Corporation.**

   SEE item #5.

5. **Presentation for discussion, consideration, acceptance and approval of Request for Payment Invoice No. 8 in the amount of $84,437.90, from S&G Paving Company, contracted for road project "McColl Rd- Reconstruction & Widening" as recommended by project engineer, R. Gutierrez Corporation.**

   On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #4 & 5.

D. HIDALGO COUNTY PRECICNT NO. 3-

1. **Presentation for discussion, consideration and approval of a recommendation for Hinojosa Engineering, Inc. to engage and contract engineering services with Unitech Engineering, Inc. to perform mechanical, electrical and plumbing (MEP) engineering services and Alcocer Garcia Associates Design Consultants to provide architectural design services associated with the design and construction of the Motor Pool Facility Project located on 7 Mile Line and Iowa Road.**

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

2. **Presentation for consideration, discussion acceptance and approval of Work Authorization #4 (with a proposed fee of $12,020.72) with Hinojosa Engineering to provide Hidalgo County Precinct No. 3 with, "8 Mile Line from Shary Rd to Glasscock Rd."**

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

E. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECICNT NO. 4 –

1. **Requesting approval of Change Order No. 1 (Net Increase) in the amount of $1,502.00 in connection with contract # CAP-C-05-004-03-29- "Road Construction Imperial, Towne East and Murillo Subdivisions" awarded to D.M. Roth, Inc (Project Engineer: J.E. Saenz & Associates, Inc.)**

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

2. **Requesting approval of Change Order No. 1 – (Net Decrease) in the amount of $<2,544.00> in connection with: contract # CAP-C-05-007-06-14- Road Construction Tropicana and Meadowland Subdivisions" awarded to D.M. Roth, Inc (Project Engineer: J.E. Saenz & Associates, Inc.)**

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

3. **Presentation for discussion, consideration, acceptance and approval of Payment application # 1 submitted by SASCON, Inc. in the amount of $82,826.01 in connection with (contract no. C-CAP-05-003-03-29 Road Construction of Seminary Estates Subdivision)**

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

4. **Presentation for discussion, consideration, acceptance and approval of payment application # 1,3 and final submitted by S&G Paving Company in the amount(s) of $11,908.25, $12,949.20 and $22,954.80 in connection with (contract no. C-CAP-05-001-02-14 Road Construction of Summerwood and Rancho Nuevo Subdivisions)**

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

5. **Presentation for discussion, consideration, acceptance and approval of Final payment application submitted by SASCON, Inc. in the amount of $13,364.94 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 Garza, the Court made a UNANIMOUS vote of approval.

F. HIDALGO COUNTY 370TH DISTRICT COURT –

1. **Requesting authority to process Req #80093 into a purchase order for major equipment after the approved Commissioners Court set deadline of October 21, 2005.**

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

2. **Requesting authority to purchase a Toshiba Copier with Fax Machine from Office Communication Systems a CISV vendor through TBPC Catalogue Purchasing Program for Req #80093 in the total amount of $7,922.00 and enter into a one (1) year maintenance agreement in the total amount of $600.00.**

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

G. HIDALGO COUNTY BUILDINGS AND GROUNDS –

1. **Presentation for consideration, discussion and acceptance and approval of Work Authorization # 1 with L&G Engineering Laboratory to provide Hidalgo County Buildings and Grounds with, "Hidalgo County Courthouse Parking Lot,"**

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

H. HIDALGO COUNTY IT DEPARTMENT –

1. **Requesting approval to purchase one (1) 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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

I. HIDALGO COUNTY SHERIFF'S OFFICE (ADULT DETENTION FACILITY)-

1. **Requesting authority to award (from solicited quotes) and approval of contract for "Steam Clean Exhaust and Servicing the Automatic Fire Suppression System" in the amount of $2,750.00 to bidder (Argus Security Systems, Inc.) meeting all specification and/or requirements for a term commencing on 1/1/2006 to 12/31/2006 but in no intent of exceeding the statutory bid limit of $25,000.00.**

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

J. 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.

At this time the Court moved back to item #18.

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

20. **Closed Session: (**SEE EXHIBIT V)
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

At this time Commissioner Handy returns to the Court.

21. 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

NO ACTION taken on items A thru C.

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

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

24. Adjourn

On motion of Commissioner Garza, seconded by Commissioner Palacios, 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, NOVEMBER 22, 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 Flores, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of item #2-Y.

1. **Approval of check register and payment of claims and bills – County Auditor** (SEE EXHIBIT A)

2. **Intradepartmental transfers: (**SEE EXHIBIT B)
   - **A. Buildings & Grounds**
   - **B. County Court #4**
   - **C. Health – Adm.**
   - **D. Constable Pct. #2**
   - **E. Fire Marshal**
   - **F. Purchasing Department**
   - **G. County Court #5**
   - **H. IT Department**
   - **I. Human Services**
   - **J. Risk Mgmt. & create obj. 611**
   - **K. Constable Pct. #5**
   - **L. 398th District Court**
   - **M. Probate Court**
   - **N. Probate Court Fund 1243**
   - **O. 389th District Court**
   - **P. District Clerk**
   - **Q. Tax Office**
   - **R. Tax Office – Fund 1246**
   - **S. D.A. – Crime Victim**
   - **T. D.A. – Gen. Fund**
   - **U. 92nd District Court**
   - **V. 370th District Court & create obj. 432**
   - **W. Planning Department**
   - **X. Indigent Defense**
   - Y. **Elections Department (2) –** On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval for the amount of $36,906.00.

     NO ACTION taken on the amount of $45,514.23.

Z. WIC
AA. J.P. Pct. #1, Pl. 1
BB. J.P. Pct. #3, Pl. 2
CC. Pct. #1 – Parks
DD. Pct. #1 – CAP (2)
EE. Pct. #1 – Adm. (2)
FF. Pct. #1 – Sanitation
GG. Pct. #1 – R & B
HH. Pct. #2 – R & B
II. Pct. #4 – R & B
JJ. Pct. #4 – CAP
KK. Pct. #2 – Parks
LL. Pct. #3 – Sanitation
MM. Pct. #2 – Co. Wide Shop
NN. Pct. #2 – Sanitation
OO. Jail

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. Erskine Energy Partners – Mile 13 ½ Rd. and Mile 14 Rd.
   B. Nuevo Penitas Construction Co. – Azteca St. south of Minnesota Rd.

5. **Urban County: (**SEE EXHIBIT E)
   A. Request for Approval of three (3) applicants under the HOME Homeowner Occupied Housing Rehabilitation Program classified as an emergency cases – in the Countywide area.
   B. Requesting approval to enter into the Urban County Program Housing Loan Agreement for Maria Sidia Jackson in the amount of $26,500.00 and for the Maria C. Villarreal family in the amount of $26,500.00.

6. **County Treasurer:** (SEE EXHIBIT F)
   A. Approval of Quarterly Investment Report ending September 30, 2005

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
State of Texas DIR Go-Direct Program				
79908	**I.T. Dept**	**CDW-G**	**$2,078.00**	**5-1242-412-00-060-001-0-743 (Rescind)**
79765	**Co Judge**	**HP Direct**	**$2,031.00**	**5-1283-429-10-230-019-0-745**
79950	**370th District Crt**	**CDW-G**	**$2,881.07**	**5-1100-412-00-007-001-0-745**
TBPC CISV Program				

79690	**Health Dept**	**Compusa**	**$ 129.99**	**5-1293-441-00-340-013-6-664**
79999	**I.T. Dept**	**S.J.S.**	**$ 39.00**	**5-1100-415-00-200-001-0-664**
80028	**I.T. Dept**	**S.J.S.**	**$ 149.00**	**5-1100-415-00-200-001-0-661**
80028	**I.T. Dept**	**S.J.S.**	**$ 150.00**	**5-1100-415-00-200-001-0-664**
80034	**Health Dept**	**Compusa**	**$ 216.94**	**5-1100-441-00-340-001-0-664**
80070	**Purchasing**	**Valcom**	**$1,187.00**	**5-1100-415-18-160-001-0-664**
79959	**370th District Crt**	**CDW-G**	**$1,240.99**	**5-1100-412-00-007-001-0-664**
79953	**370th District Crt**	**Dell**	**$ 115.66**	**5-1100-412-00-007-001-0-661**

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, NOVEMBER 22, 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 W)

1. **Roll Call**

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

2. **Open Forum**

   No presentations made under Open Forum.

3. **Approval of Consent Agenda**

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

   At this time Commissioner Flores joins the Board.

4. **Approval of Work Authorization #7 with TEDSI Infrastructure Group for "On Call" services related to existing and proposed drainage projects**

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

5. 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. **Pursuant to Water Code, Chapter 49.274 Emergency Approved of District Projects and action taken by DD# 1 Board on Tuesday, October 18, 2005 presentation for discussion, consideration and approval including, but not limited to, the following:**
   a. **Status report by Godfrey Garza, Manager, HCDD#1 and/or S&B Infrastructure, Ltd., project engineer on the condition, on-going repairs, acquisition of raw materials/supplies/equipment, and re-construction of the Weir Control Structure on the Main Flood Water Channel of HCDD#1 with action, if necessary.**

   Presentation made by Godfrey Garza.

2. **Pursuant to the presentation made under Hidalgo County, requesting approval for Hidalgo County Drainage District No. 1 to participate in the Hidalgo County request for proposal for "Section 125 Voluntary Products" (i.e. Dental Plan) project including the disclosure statement detailed herein under "Background";**

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

3. **Requesting award of bid to bidder (Rodriguez Ford) meeting all required specifications for: One (1) 2005 Or Newer – ¾ Ton 4x4 Crew Cab Truck", in the amount of $27,265.00.**

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

4. **Presentation by Alamo Insurance Group, Hidalgo County's Group Health Benefits Consultant on current Hidalgo County Group Health Plan/Program.**

   Presentation was made.

5. **Presentation for discussion, consideration and action to participate in Hidalgo County's "Request for Proposal (RFQ) for Hidalgo County's Group Health Benefits Plan/Program with the disclosure contained herein and detailed under "Background".**

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

6. **Requesting authority to advertise an RFP with approval of requirements including, but not limited to, the following:**
   a. **Group Health Medical Plan/Program**
   b. **Group Life Insurance; and**
   c. **Accidental Death & Dismemberment; or in the alternative**

   NO ACTION taken on item #6a thru c.

7. **Requesting authority to advertise more specifically for those components related to Hidalgo County's current self-funded/insured Group Medical Health Plan/Program including, but not limited to, the following:**
    - **d. Stop Loss Insurance**
    - **e. Group Life Insurance**
    - **f. Accident Death & Dismemberment**

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

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

6. **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
   B. Pending and/or potential litigation

7. **Open Session:**

   A. Real Estate Acquisition
   B. Pending and/or potential litigation

8. **Closed Session:**
   Board of Directors may reconvene into Closed Session for the discussion regarding the agenda items listed

9. **Open Session:**
   Board of Directors may reconvene into Closed Session for the discussion regarding the agenda items listed

10. **Adjourn**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Board made a UNANIMOUS vote of approval to adjourn today's meeting.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, NOVEMBER 22, 2005 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

NOTICE TO THE PUBLIC
CONSENT AGENDA

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

DRAINAGE DISTRICT

On motion of Commissioner Palacios, seconded by Commissioner Garza, 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. RHRW Properties – Maiz Acres #3 Subdivision**
   - **B. RHTJ – Huisache Acres #7 Subdivision**
   - **C. City of Mission – Encanto Subdivision**
   - **D. City of McAllen – Bedford Park Estates #2**

3. **Line item transfer – Administration**

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 22nd day of November, 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 November 22, 2005.

Signed this _____ day of _____ 2005

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

By: _____
(Seal) Norma Garza, Deputy