

SPECIAL MEETING – December 20, 2005

BE IT REMEMBERED, that on this 20th day of December, 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, DECEMBER 20, 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

Placido Salazar – Concerning the need of a Veterans Hospital in the Valley.

5. Approval of Consent Agenda

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

At this time the Court moved to item #14.

6. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT I)

A. Discussion, consideration and action regarding written Resolution and ballot selection of Appraisal District Board of Directors (2006-2007)

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a VOTE of approval on selecting Richard A. Garza, Arturo E. Guerra, David Hernandez, Amador Requenez and Roy Rodriguez for the Appraisal District Board of Directors.

Commissioner Garza – Abstain.

B. Proclamation honoring county employee for years of service

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on honoring Faustino Hernandez from the auditor's office for his 29 years of service to the County.

7. Elections Department – Teresa Navarro: (SEE EXHIBIT J)**A. Discussion, approval and possible action on the following, but not limited to:****1. Amended Early Voting Permanent Substation for the March 7, 2006 Primary Election**

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

8. Human Resources – Esther A. Cortez: (SEE EXHIBIT K)**A. Approval of Revised Hidalgo County Personnel Policy Manual**

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

9. Right of Way – Joe Peña: (SEE EXHIBIT L)**A. Approval to change status of slots 4, 5 & 6 from permanent to temporary positions in account 260**

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

B. Pct. #2 – Authorization for surveys, title report and appraisals, for possible realignment of Thomas Rd. between "I" Rd. and Stewart Rd.

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

10. Sheriff's Department – Sheriff Treviño: (SEE EXHIBIT M)**A. Approval to appropriate monies received on four (4) seizure awards in the Sheriff's Inv. Fund 1227**

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

At this time Commissioner Flores steps out of the Court.

B. Approval to appropriate 2006 Budget for \$ 390,624.32 for Jail Commissary Acct. (salaries & fringe benefits) effective 1/1/06

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

C. Approval of salary schedule

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

At this time Commissioner Palacios steps out of the Court.

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

- A. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional engineering services with R.E. Garcia in connection with the City of La Villa for the design of Year 17 (2004) Street Improvements.**

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

- B. **Approval of professional engineering services contract with R.E. Garcia with the City of La Villa for the design of 10th Street (Cardinal Lane) from Mike Chapa Blvd. (FM491) to State Highway 107 and 12 gutters at nine (9) street intersections utilizing UCP Street Improvement funds in the amount of \$10,500.00**

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

- C. **Public hearing for proposed budget and program amendment for Hidalgo County Precinct #3, Urban County Program Year 16 (2003). Precinct #3 will utilize City of Granjeno's recaptured funds from Public Facilities and Parks, Recreational Facilities in the amount of \$247,297.86 and create a Commercial/Industrial Infrastructure Development line item for installation of a 12" water line from 4 ML to 3ML on Hwy 107. The proposed economic development project will allow tremendous growth along Hwy 107 and the City of Palmhurst.**

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. **Requesting approval of a budget and program amendment for the Hidalgo County Precinct #3 utilizing Urban County Program funding from Years 16 (2003). Precinct #3 will appropriate funds in the amount of \$247,297.86 from recaptured funds from City of Granjeno's Public Facilities and Parks, Recreational Facilities. These funds will be used for installation of a new 12" water line creating a new Commercial/Industrial Infrastructure Development along Hwy 107 from 4ML to 3ML.**

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

- E. The City of La Villa is requesting approval to award a testing services contract to Professional Services Industries (PSI) for Year 17 (2004) street improvements project at 10th Street (Cardinal Lane) in the amount of \$2,008.00.**

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

- F. Approval of a Budget and Program Amendment for the City of Palmview Urban County Program Year 14 (2001) and Year 17 (2004) to increase Year 14 Street Improvements funding to \$17,222.62 and Year 17 to \$244,766.20 for the construction of Sun Valley Street and create Rehab; Single Unit Residential line item in the amount of \$12,300.00 (Year 17).**

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

- G. Approval of a Budget and Program Amendment for the City of Edcouch Urban County Program Year 17 (2004) and Year 18 (2005) to increase funding for water/sewer improvements totaling \$87,387.30 and revise the existing work plan.**

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

- H. Approval to amend Urban County Program salary schedules to reflect 3% increase effective January 1, 2006 as discussed during the budgeting process and approved by Hidalgo County Commissioner's Court.**

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

- I. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the Plan to remove Circle Trust Company ("Current Custodian") and appoint Counsel Trust Company dba Mid Atlantic Trust Company ("Successor Custodian") under the terms and conditions of Circle Trust Custodial Agreement.**

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

- J. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the County Judge to sign the Counsel Trust Company dba Mid Atlantic Trust Company "Custodian Removal and Appointment Document".**

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

- K. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the County Judge to sign the Hidalgo County Affiliated Departments Retirement Plan “Resolution”.**

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

- L. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the County Judge to sign the Counsel Trust Company dba Mid Atlantic Trust Company and Mid Atlantic Capital Corporation “Cash Custodian Agreement and Account Application”.**

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

- M. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the County Judge to sign the Mid Atlantic Corporation “New Account Application and Agreement Plan Level Accounts”.**

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

- N. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the County Judge to sign the Counsel Trust Company dba Mid Atlantic Trust Company “Custodial Agreement (ERISA)”.**

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

At this time Commissioner Palacios returns to the Court.

- O. Requesting Approval for the County Judge to sign the Request for Release of Funds and Certification for the Donna Housing Authority Mesa Vista Apartment Project. A total of three individual requests for Release of Funds and Certifications are required under this action.**

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

- P. Requesting Approval for the County Judge to sign the Request for Release of Funds and Certification for the Alamo Housing Authority Poinsetta Apartment Project. A total of three individual requests for Release of Funds and Certifications are required under this action.**

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

12. Human Services – Rudy De La Viña: (SEE EXHIBIT O)**A. Discussion and/or action, including, but not limited to Indigent Health Care Program and/or Expenditures**

NO ACTION taken on this item.

At this time Commissioner Handy steps out of the Court.

13. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT P)

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.

At this time the Court moved to item #15.

14. Pct. #1 – Comm. Handy: (SEE EXHIBIT Q)**A. Approval of Resolution honoring State Representative District #39 Armando Martinez as Freshman Legislator of the Year 2005**

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

B. Discussion and action to authorize the County Auditor to process payment for ROW Acquisitions as certified by TXDOT and Pct. #1 Contract No. CSJ-1228-03-034 for FM 1015 from Mile 9-Mile12 North Project (not to exceed \$ 1,000,000.00)

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

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

15. Pct. #2 – Comm. Palacios: (SEE EXHIBIT R)**A. Appointment of Colonia Access Program Director**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to appoint Agapito Vargas as Colonia Access Program Director.

B. Approval of Revised Salary Schedule & set salary

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval for the amount of \$54,075.00 effective 12/20/05 and effective 01/09/06 for the amount of \$55,697.00.

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

- C. Requesting authority to change name and ownership of Gate Structure 318-L located on the south levee on the Banker Floodway, northeast of the City of Hidalgo, Hidalgo County, Texas – the name change will be to Drainage District No. 1, 902 N. Doolittle, Edinburg, Texas 78539**

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

At this time the Court discussed on the next schedule meeting.

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

- A. Requesting authorization for survey, title reports, appraisal for the acquisition of additional right of way for the extension of Mile 19 (between Kenyon & Cesar Chavez Rd.)**

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

- B. Approval of Resolution to support direct health care services to the indigent and working poor in Hidalgo County**

NO ACTION taken on this item.

- C. Presentation for consideration, discussion, acceptance and approval of Invoice #ENG761 in the amount of \$ 1,333.75 from J.E. Saenz & Associates, Inc. with authority for County Auditor to issue payment (after review and processing procedures completed) in connection with Contract #05-148-04-26 Work Authorization #1, Alberta Rd. Street Improvements PO #555012**

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

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

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>1303</u>
Physical Count:	<u>1141</u>	Males (in house) <u>1035</u>
Out of County Facility	<u>160</u>	Females (in house) <u>78</u>
La Villa.	<u>139</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>10</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>21</u>	
Adj. / Sentenced to TDC	<u>197</u>	Total Paper Ready TDC <u>70</u> No. over 45 days <u>32</u>
		Pending Paperwork/Courts <u>76</u>
		Pending Charges/Courts <u>51</u>

At this time Commissioner Garza steps out of the Court.

- 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 item #4a thru c.

At this time Judge Garcia steps out of the Court.

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

NO ACTION taken on item #5a & b.

6. 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;**

NO ACTION taken on this item.

b) Other Related Items;

- i) Requesting exemption from competitive bidding requirements, under Texas Local Government Code, Section 262.024 (a) (4), professional service, in connection with material testing services required for the construction of the new Adult Probation Facility for Hidalgo County;**

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

- ii) Presentation for discussion, consideration and approval to select and engage the services of a firm (based on review of County's Approved Pool of material testing), as recommended by project architect, ROFA Architects, with the firm of to provide material testing services for the new Adult Probation Facility;**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for L & G Engineering.

- iii) Requesting authority to negotiate a professional service contract with the selected firm of L & G Engineering to provide material testing services for the construction of the new Adult Probation Facility for the Hidalgo County.**

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

7. 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 item #7a thru c.

At this time Commissioner Garza returns to the Court.

- 8. Presentation for discussion, consideration, acceptance and approval of a request by Flores Lock & Key Shop to withdraw bid submitted in response to the RFB for: “Locksmith Services- Hidalgo County” due to inability to meet insurance requirements.**

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

- 9. Requesting authority to reject the responses and/or bids received with authority to re-advertise for:**
- a) Requesting for Qualifications (RFQ/P) for a turn key solution for a Pathologist to render autopsy related services;**
 - b) Transport of Deed Body/Remains;**
- inasmuch as time for possible action on both projects has lapsed.**

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

B. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Requesting authority to advertise and approval of draft specifications for: “Installation of a chain link fence in the perimeter of the North San Juan Park”.**

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

C. HIDALGO COUNTY PRECINCT NO. 2 PARKS –

- 1. Requesting authority to advertise for:**
- a) “Turn Key Solution” for the provision of including, but not limited to, the following: Electric Power & related Services (i.e.: repair, maintenance, meter reading, etc.) General /Specific Lighting) (poles, lights, transformers & their installation) at North San Juan Park located in Precinct # 2 with specifications to be provided by Precinct;**
 - b) “Construction of the North San Juan Park Parking Lot” with plans and specifications drafted through project engineer, R. Gutierrez Engineering Corp.**

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

D. HIDALGO COUNTY PRECINCT NO. 3 –

- 1. Acceptance and approval of Invoice # 03-138 dated 12-12-05 in the amount of \$4,084.73 as submitted by Hinojosa Engineering, Inc. in connection with engineering services for Mile 4, 5, and 6 Roads Projects with authority for auditor to issue payment.**

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

- 2. Discussion and possible action ads to request by low bidder to withdraw sealed quote submitted on: Motivational Speakers – Hidalgo County Constable Precinct No. 3” due to inability to meet County Insurance requirements.**

NO ACTION taken on this item.

3. **Requesting exemption from competitive requirements under Texas Local Government Code, Section 262.024(a) (7) and approval of a Sole Source Declaration of Jose Ramirez, Jr. owner of the tract of land (and as further described in the Sole Source Declaration submitted and made part of the minutes of the Court) currently leased by the County of Hidalgo for the purposes of landfill access under TNRCC Permit No. MSW 1727 for the residents of Precinct No. 3, located in Penitas, Hidalgo County, Texas.**

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

4. **Requesting approval of Lease Agreement with Jose Ramirez, Jr. for the Tract of land described in the Sole Source Declaration approved in item A.**

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

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

1. **Presentation for discussion, consideration, acceptance and approval of payment of application # 3 in the amount of \$248,809.09 submitted by Juan Mendoza Corporation D/B/A/ J.M. in connection with (contract no. C-CAP-05-021-08-02 road construction or Basham No. 12, 13 & 16 subdivisions)**

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

F. HIDALGO COUNTY CONSTABLE PRECINCT 1,2,3, 4and 5 –

1. **Requesting authority to exercise the additional one(1) year extension as provided in current contract under the same rates, terms and conditions for the following listed contract:**

Contract No.	Description:	Awarded Vendor:	Effective Dates:
C-05-177-06-14	Uniforms	Lonestar Uniforms, Inc.	12/31/05 thru 12/31/06

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

G. HIDALGO COUNTY CONSTABLE PRECINCT NO. 3 -

1. **Discussion and possible action as to request by low bidder to withdraw sealed quote submitted on “Motivational Speakers – Hidalgo County Constable Precinct No. 3” due to inability to meet County insurance requirements.**

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

H. HIDALGO COUNTY 93RD DISTRICT COURT –

- 1. Requesting authority to purchase audio visual equipment for the courtroom with C&R Technologies, a CISV vendor through TBPC Catalogue Purchasing Program for Req #1115 in the total amount of \$7,076.82.**

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

I. HIDALGO COUNTY ADULT PROBATION DEPARTMENT –

- 1. Requesting authority to award bid to sole bidder meeting all specifications and requirements for: “Lease of Office Space- City of McAllen”.**

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

J. HIDALGO COUNTY ELECTION DEPARTMENT –

- 1. Pursuant to Texas Local Government Code Section 263.152 (a) (2), requesting authority and approval to surplus for the purpose of trade-in, ES&S Model 550 Scanner.**

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

- 2. Presentation for discussion, consideration and action necessary for the acquisition of additional state certified Electronic Voting System (hardware, software, equipment, peripherals, licenses, maintenance and support) awarded to Election Systems & Software, Inc. (ES&S) through TBPC non-automated contract 578-N1 in the amount not to exceed \$401,992.50**

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

At this time Judge Garcia returns to the Court.

K. HIDALGO COUNTY RIGHT OF WAY DEPARTMENT –

- 1. Requesting approval to advertise a request for bids for: Four (4) Each 2005 or Newer (Unused) 4x4 P/U Trucks, (three (3) Extended Cab and one (1) Crew Cab- RFB # 06-024)**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval for 4 Crew Cabs only.

L. HIDALGO COUNTY SHERIFF’S OFFICE –

- 1. Requesting authority to exercise the additional one (1) year extension as provided in current contracts under the same rates, terms and conditions for the following listed contracts:**

Contract No.	Description:	Awarded Vendor:	Effective Dates:
C-05-093-03-15	Pager Services	Advanced Paging & Wireless, Inc.	12/31/05 thru 12/31/06
C-05-134-08-30	Mobile X-Ray Services for Inmates	Mobile Imaging, Inc.	12/31/05 thru 12/31/06
C-05-259-09-13	Uniforms for Law Enforcement Center Personnel	Lonestar Uniforms, Inc.	12/31/05 thru 12/31/06

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

M. HIDALGO COUNTY SHERIFF’S OFFICE (ADULT DETENTION FACILITY) –

- 1. Presentation for discussion, consideration and approval of a final negotiated contract(s)(subject to legal review) from Dr. Marin Garza M.D. and Dr. Gumaro Garza M.D. for “Physician(s) Services for the Adult Detention Facility” project.**

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

Commissioner Garza – Abstain.

N. HIDALGO COUNTY TAX OFFICE –

- 1. Requesting authority to purchase a Fujitsu scanner from CDW-G, a CISV vendor through TBPC Catalogue Purchasing Program for Req # 80928 in the total amount of \$5,388.70.**

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

At this time Judge Garcia requested to discuss item #A9-b on the disposal of cremated ashes.

O. 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)**

At this time the Court advised Martha Salazar to proceed as directed.

Judge Garcia- Abstain.

At this time the Court moved to adjourn.

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

A. Budget Amendments:

- 1. Pct. #4 – TXDOT Fund 1315 - \$ 2,500.00 (CR344 bridge project)**
- 2. ROW Department - \$ 10,000.00 (Fund 1315 Mile 2 West)**
- 3. Co. Wide Adm. Cont. - \$ 513,786.46 (appropriation from sale of capital assets)**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items #1 thru 3.

B. County Auditor:

- 1. Requesting authorization and approval to increase Jury Script Trust Fund – Advance Acct. (5-1100-152-03-000-435-0-000) from \$25,000.00 to \$ 50,000.00 (total increase of \$ 25,000.00)**

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

C. Buildings & Grounds:

- 1. Requesting authorization and approval to reallocate funds due to change order number 1 of the Juvenile Justice Center Project to other essential B & G projects that are in need of additional funding**
- 2. Requesting authorization and approval to Interdepartmental transfer in the amount of \$405,134.00**

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

D. County Clerk:

- 1. Authorization and approval to set fee of \$ 1,500.00 per month for digital data services (approved by Court on 8/9/05)**
- 2. Authority for County Auditor to set up revenue acct. for digital data fees**

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

E. Interdepartmental transfers:

- 1. IT Department 200-002 to 200-001 - \$ 1,350.00 (internet)**
- 2. Co. Wide Adm. Cont. to Constable Pct. #3 - \$ 3,000.00 (fuel)**
- 3. Insurance Acct. to Gen. Litigation - \$ 12,905.12 (legal fees invoice)**
- 4. Co. Wide Adm. Cont. to Gen. Litigation - \$ 2,702.41 (legal fees invoice)**
- 5. Co. Wide Adm. Cont. to Fire Depts. various Accts. - \$ 216,400.00**
- 6. Co. Wide Adm. Cont. to Various Gen. Funds Accts. to cover negative balances**
- 7. Co. Wide Adm. Cont. to New Adult Probation Bldg. Capital Outlay Acct. - \$ 40,000.00 (materials testing)**
- 8. Co. Wide Adm. Cont. to Court Reporters Fund**

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

F. Interfund transfers:

1. **Co. Wide Adm. Cont. to Pct. #1 Accts. - \$ 33,663.92 (pending projects – Mile 2 West, FM 1422, Hidalgo Cameron Irrigation District #9)**

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

At this time the Court moved to item H.

G. Discussion, consideration and action regarding optional group term life insurance benefits from TCDRS for employees and/or retirees

Discussion made.

At this time the Court moved to Executive Session.

H. Approval to set up budget for the Texas VINE Contract

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

I. Health Insurance:

1. **Discussion, consideration and approval to transfer \$ 127,858.08 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims Paid for the following period:**

- **December 6, 2005 to December 12, 2005 - \$ 127,858.08**

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 G.

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

19. 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**

NO ACTION taken on items A thru C in Closed Session.

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**

NO ACTION taken on items A thru C.

At this time the Court moved back to item #17-O-1.

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 Handy, 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, DECEMBER 20, 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. **Budget Office**
 - B. **Insurance Gov. Bldg.**
 - C. **DPS - Highway Patrol**
 - D. **Constable Pct. #2**
 - E. **Adult Probation**
 - F. **Health – Clinics**
 - G. **J.P. Pct. #2, Pl. 2**
 - H. **J.P. Pct. #4, Pl. 1**
 - I. **Elections – HAVA**
 - J. **Elections – Gen. Fund**
 - K. **Law Library**
 - L. **IT – Computer Dept. (2)**
 - M. **IT – 2004 CO & create obj. 601**
 - N. **Pct. #1 – R & B**
 - O. **Pct. #1 – Sanitation**
 - P. **Pct. #1 – Adm.**
 - Q. **Pct. #1 – CAP**
 - R. **Pct. #2 – R & B**
 - S. **Pct. #2 – Parks (2)**
 - T. **Pct. #4 – Parks**
 - U. **Buildings & Grounds**
 - V. **Colonia Access Program**
 - W. **County Auditor**
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. **Monthly Fee Reports – October: (SEE EXHIBIT D)**

A. J.P. Ochoa	\$32,804.00
B. J.P. Saenz	\$17,914.50
C. J.P. Trevino	\$44,632.37
D. J.P. Garza	\$53,074.23
E. J.P. Contreras	\$40,516.13
F. J.P. Jackson	\$22,858.61
G. J.P. Morales	\$14,818.25
H. J.P. Espinosa	\$63,642.42
I. J.P. Palacios	\$60,875.14
J. Law Library	\$ 3,232.00
K. Sheriff Treviño	\$60,208.93
L. Anzalduas Park	\$ 3,232.00
M. Delta Lake	\$ 898.00
N. Constable Avila	\$ 1,990.00
O. Constable Alaniz	\$ 630.00
P. Constable Gallardo	\$ 930.00
Q. Constable Rios	\$ 1,900.00
R. Constable Bazan	\$ 390.00

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

A. County Clerk	\$633,801.68
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6. **Tax Refunds: (SEE EXHIBIT F)**

A. Robert C. Vackar	Bert Ogden	\$ 4,297.51
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7. **Urban County: (SEE EXHIBIT G)**

- A. Request for Approval of one (1) applicant in the County Wide area under the HOME Homeowner Occupied Housing Rehabilitation Program – classified as rehabilitation.

8. **Purchasing Department: (SEE EXHIBIT H)**A. **HIDALGO COUNTY –**

1. Requesting authority to purchase computer equipment and peripherals from State Awarded through our participation of Cooperative Programs for the following;

Req	Department	Vendor	Amount	Account Number
TBPC CISV PROGRAM				
81369	I.T. Dept	CDW-G	\$621.00	5-1100-415-00-200-001-0-664
Purchase of a camcorder				
80453	I.T. Dept	CDW-G	\$1,467.50	5-1100-415-00-200-001-0-664
Internet camera & jet direct printer				
81371	I.T. Dept	CDW-G	\$358.74	5-1100-415-00-200-001-0-664
Desktop scanners				
80476	I.T. Dept	CDW-G	\$779.83	5-1100-415-00-200-001-0-664
Digital camera with accessories				
80790	Pct #2	S.T.E.	\$1,880.00	5-1202-431-00-122-005-0-748
Surveillance cameras				
80612	I.T. Dept	Excel Meridian	\$260.00	5-1100-415-00-200-001-0-664
Data Storage Server				

81147 398 th District	CDW-G	\$712.00	5-1100-412-00-009-001-0-664
Scanner			
81236 Pct #4	S.T.E.	\$390.00	5-1204-431-00-124-005-0-432
Service to relocate PA System			
81261 Adult Prob	TSM	\$579.00	5-1297-423-00-320-002-6-661
Software			
81383 Auditor	CDW-G	\$166.50	5-1100-415-21-170-001-0-664
multibay II dvd/cd-rw combo drive			
81459 I.T. Dept	CDW-G	\$1,900.00	5-1100-415-00-200-001-0-745
Presentation monitor			
STATE OF TEXAS DIR GO-DIRECT PROGRAM			
81463 I.T. Dept	Dell	\$2,890.00	5-1100-415-00-200-00-0-745
Laptop			

B. HIDALGO COUNTY AUDITOR'S OFFICE –

1. Requesting authority to renewal an additional year for maintenance on a Canon Copy Machine with Ikon Office Solutions on Req #81162 in the total amount of \$1,639.04.

C. HIDALGO COUNTY WIC PROGRAM –

1. Requesting authority to enter into a five (5) month service agreement for a copier with Ikon for Req #81248 for \$264.00 a 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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, DECEMBER 20, 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.

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. Discussion and action regarding Non Exclusive License for spoil material referencing Monte Cristo Outfall

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

5. Discussion, consideration and action regarding written Resolution and ballot selection of Appraisal District Board of Directors (2006-2007)

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote of approval to take the same action as on the County Level.

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. 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.**

NO ACTION taken on this item.

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, Sections 551.071 & 551.072 to discuss the following:

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

8. Open Session:

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

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, DECEMBER 20, 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 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 Permits:**
 - A. Graciela Estates Ltd. – Davis Ranchettes Subdivision**
 - B. City of San Juan – Sunny Breeze Subdivision**
- 3. Utility Permit:**
 - A. Texas Gas Services – replace existing gas line located along drainage facility @ FM 491**
- 4. Line item transfers:**
 - A. Administration**
 - B. Maintenance & Operations**
 - C. Capital Projects**

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 20th day of December, 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 December 20, 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