

**SPECIAL MEETING – January 17, 2006**

**BE IT REMEMBERED, that on this 17<sup>th</sup> day of January, A.D., 2006, 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 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, JANUARY 17, 2006 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 with the exception of Commissioner Flores.

**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**

Andrew Perez – Concerning a County Employee campaigning on County time on the expense of the Tax Payers.

Joseph Campos – Requesting the Court to take action requiring Arturo Guajardo, candidate for Hidalgo County Clerk, to resigned or take a leave of absent as Hidalgo County Deputy Clerk in order maintain the standard of fair play for the other candidates running for County Clerk.

Paul Valzadua – On behalf of Commissioner Handy and Father Manuel of Secret Heart Church in Elsa Inviting everybody on a precession of the visit of Missionary Vision of Our Lady of Guadalupe from Mexico City.

Ron Topper – Chairman of the Board for El Milagro Clinic.

**5. Approval of Consent Agenda**

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

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

**A. Approval of Proclamation proclaiming January 2006 as School Board Recognition Month in Edinburg CISD**

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

**B. Discussion, consideration and approval to accept the Indigent Defense Formula Grant with authority for County Judge to sign Statement of Grant Award**

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

Items #6-C & D were acted upon after today's Workshop.

**C. Discussion, consideration and approval of Hidalgo County Historical Commission Bylaws**

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

**D. Discussion, consideration and action on appointment and/or re-appointment of Hidalgo County Historical Commission Board Members**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to limit the Board Members to 25.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on the 15 Members that the Executive Board has submitted for approval as interims.

That this time the Court moved to adjourn.

**E. Discussion, consideration, acceptance and approval of claim/invoice with authority for Auditor to issue payment after review, audit and processing procedures payable to Maria L. Ochoa (Lorie) in the amount of \$ 47.00**

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

**F. Discussion, consideration and action on granting the Edinburg Chamber of Commerce permission to use the County square for their annual event**

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

At this time Commissioner Handy steps out of the Court.

**G. Discussion, consideration and action on approving the Edward Byrne Justice Assistance Grant in the amount of \$ 155,079 (funds will be used to support the Auxiliary Courts)**

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

**H. Discussion, consideration and action to set up account and appropriate grant funds for award Number 2005-DJ-BX-0284 for support of the Auxiliary Courts**

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

**7. Emergency Management – Oscar Montoya: (SEE EXHIBIT M)**

**A. Discussion, consideration and authorization to acquire surplus homeland defense equipment through the Governor’s Division of Emergency Management Homeland Defense Equipment Reuse Program**

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

**8. County Treasurer – Norma G. Garcia: (SEE EXHIBIT N)**

**A. Requesting authorization to delete position #010 – Assistant Treasurer/Payroll Clerk**

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

**B. Requesting approval to create new position – Payroll Data Specialist & set salary at \$ 35,000.00**

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

**C. Requesting approval of revised salary schedule**

NO ACTION taken on this item.

**9. Adult Detention Center – Capt. Jackson: (SEE EXHIBIT O)**

**A. Approval to delete vacant slots #2 (Commissary Officer) and slot #5 (Counselor)**

**B. Approval to create one (1) Commissary Clerk slot #15 and set salary at \$ 20,994.00**

**C. Approval of Revised Salary Schedule**

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

**10. Elections Department – Teresa Navarro: (SEE EXHIBIT P)****A. Discussion, approval and possible action on the following, but not limited to:**

- 1. Demo presentation of Vote and Register Commercial**
- 2. 2006-2007 New Voter Registration Certificates**

Presentations made by Teresa Navarro on items #1 & 2.

- 3. Approval to increase salary to \$ 45,000.00 for GIS Operator position #028 (app. by court on 1/10/06)**
- 4. Approval of revised salary schedule (SEE FISCAL NOTE)**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items #3 & 4 subject to funding.

**11. Constable Pct. #3 – STOP Grant: (SEE EXHIBIT Q)**

- A. Requesting approval to increase slot #03 in the amount of \$ 3,370.00 to bring salaries into parity with other secretarial positions**
- B. Approval of revised salary schedule**

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

**12. Right of Way – Joe Peña: (SEE EXHIBIT R)**

- A. Discussion and/or authorization to accept the donation of a property consisting of a 1.911 acre tract of land situated in Hidalgo County, Texas and being out of Share 2, Toluca Ranch Subdivision**

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

- B. Approval of proposed TXDOT city street improvement plan for North “I” Rd. – CSJ-0921-02-102**

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

At this time Commissioner Handy returns to the Court.

At this time Commissioner Garza steps out of the Court.

**13. Planning Department – Raul Sesin: (SEE EXHIBIT S)**

- A. Approval of “I” Rd. construction plans from FM 495 to ¼ Mile North of Owassa Rd.**

NO ACTION taken on this item.

14. **Urban County – Diana Serna: (SEE EXHIBIT T)**

- A. Requesting authorization for County Judge to sign the Combined Notice – Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds and the Request for Release of Funds and Certification (RROF) for Hidalgo County Precinct No. 3 C/I Infrastructure project Urban County Year 16 (2003) and City of Palmview Street Improvement project Urban County Year 14 (2001), Year 16 (2003) and Year 17 (2004).**

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

- B. The Urban County Program is requesting authorization for the County Judge to sign the Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds and the Request for Release of Funds and Certification for the 2004-HOME Funds for Housing Plus, Inc. a Community Housing Development Organization (CHDO) in the amount of \$25,000.00.**

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

- C. Requesting approval to Re-Certify the Community Housing Development Corporation of South Texas, Inc., Housing Plus, Inc., Proyecto Azteca and South Texas Economic Development Organization as Community Housing Development Organizations (CHDO's) within the County of Hidalgo for Fiscal Year 17/2005.**

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

- D. The City of Alton is requesting the County of Hidalgo submit an amendment for the existing Section 108 loan taken on behalf of the City of Alton from the Department of Housing Urban Development. Upon approval of the proposed amendment, the City of Alton will purchase furniture and equipment for its Recreation Center and Senior Service Center. This amendment will also payoff emergency response vehicles and fire truck under a lease program and maintenance equipment purchased to maintain existing facilities. Amount requested for amendment is \$1,089,689.46 dollars.**

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

At this time Commissioner Garza returns to the Court.

15. **Health Department – Eddie Olivarez: (SEE EXHIBIT U)**

- A. Requesting authorization and approval to accept the amended SDI Grant Contract #7460007176 2006 in the amount of \$ 128,793.00 for a total award of \$ 465,991.00 for the period 9/1/2005 to 8/31/2006**
- B. Requesting authorization and approval of the SDI Grant Budget and Salary Schedules for the period 9/1/2005 to 8/31/2006 Acct. #6-1293-441-00-340-018-6**

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

At this time Commissioner Palacios steps out of the Court.

**16. Human Services – Rudy De La Viña: (SEE EXHIBIT V)**

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

NO ACTION taken on this item.

**17. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT W)**

**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.

**18. Pct. #1 – Comm. Handy: (SEE EXHIBIT X)**

**A. Approval of Collaborative Agreement between the County of Hidalgo and (ACS) Workforce Solutions Contractor for the Pct. 1 GED/Job Readiness Program**

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

**B. Approval of Interlocal Cooperation Agreement with Mercedes, PSJA, Progreso and Weslaco Independent School Districts for GED/Job Readiness referral services**

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.

**19. Pct. #3 – Comm. Flores: (SEE EXHIBIT Y)**

- A. Requesting approval to delete vacant slots #005-060 and #001-003**
- B. Requesting approval to create slot #005-064, #005-065 & #001-013 Maintenance I positions**
- C. Approval to set salaries at \$ 20,800.00 each**
- D. Approval of revised salary schedules**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items A thru D subject to funding.

At this time Commissioner Garza leaves the Court.

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

**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:**

	<b>Total inmate population:</b>	<u>1233</u>
Physical Count:	<u>1129</u>	Males (in house) <u>1042</u>
Out of County Facility	<u>104</u>	Females (in house) <u>84</u>
La Villa.	<u>79</u>	
Brook’s Co.	<u>      </u>	Federal Prisoners <u>16</u>
Frio Co.	<u>      </u>	
Other: (n/c)	<u>25</u>	
Adj. / Sentenced to TDC	<u>163</u>	Total Paper Ready TDC <u>66</u> No. over 45 days <u>32</u>
		Pending Paperwork/Courts <u>      </u>
		Pending Charges/Courts <u>      </u>
- 2. Current inter-local(s) and/or contract(s) for the “Housing of Inmates”**
- 3. New Adult Detention Facility and Law Enforcement Center Project:**
  - a) Detention Facility Law Enforcement Center Design - Build Contract with including action regarding Landmark Application for payment, final punch list and release of retainage;**
  - b) Construction of additional pod(s)**
  - c) Selection and engagement of an architect for the construction of additional pod(s)**

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;**

NO ACTION taken on this item.

- b) Requesting approval to post a “Job Sign “ on the premises as proposed on the attached drawing;**

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

- c) Projected time line for of all exterior and/or interior repairs/remodeling 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) Other Related Items;**

NO ACTION taken on items #5a & b.

- 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. Recommending award of bid and approval of contract for “Bulletproof Vests (Armor)” to low bidder (Lonestar Uniforms) meeting all specifications and/or requirements.**

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

- 8. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provide n contract) with the City of Edinburg for the use of the City Auditorium for the empanelment of jurors.**  
**9. Presentation for discussion, consideration and approval of an Interlocal Agreement between Hidalgo County and the Hidalgo County Appraisal District for “Group Health Insurance “coverage” with Mutual of Omaha including Life/AD&D insurance (Lafayette Life Insurance.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #8 & 9.

- 10. Pursuant to action taken by Commissioner's Court on Monday, January 2, 2006 to award the voluntary (Section 125) dental product to Guardian requesting authority to forward a written letter/notice to termination to Humana (current vendor) with an effective day of February 1, 2006.**

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

- 11. Pursuant to action taken by Commissioner's Court on Monday, January 2, 2006, to award the Life/AD&D insurance to Lafayette Life Insurance, requesting authority to forward a written letter/notice of termination to Aetna Life Insurance Company (current vendor) with an effective day of January 31, 2006.**

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

At this time the Court moved to item #13.

Item #12 will be acted upon after today's Workshop.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to reconvene after today's Workshop.

- 12. Pursuant to the possible reconvening of Commissioner's Court (after the conclusion of a Workshop scheduled and posted on this date for 1:30 p.m.), the presentation for discussion, consideration and action including, but not limited to, the following items in connection with the repair and/or replacement of windows at the Hidalgo County Administration Building located at 100 E. Cano, Edinburg, Texas**

- a) Authority to publish an advertisement for sealed bids for the Repair and/or Replacement of Damaged Windows at the Hidalgo County Administration Building located at 100 E. Cano Edinburg, Texas with development and drafting of specifications by project architect George A. Garcia, AGADC; or, in the alternative;**

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

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

- b) Authority to seek proposals from Area Job Order Contractors and/or Awarded Contractors through County's participation through inter-locals, cooperative purchasing networks or state award programs for the Repair and/or Replacement of Damaged Windows at the Hidalgo County Administration Building with development and drafting of specifications by project architect, George A. Garcia, AGADC;**

NO ACTION taken on this item.

**13. Requesting authority to advertise for RFB-New and Unused Guard Rail Beam Materials and Installation” project and approval of specifications as attached hereto.**

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

**14. Requesting authority to purchase “Janitorial Supplies/Industrial Chemical” through the Inter-local with TASB Buyboard for Hidalgo County.**

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

**B. HIDALGO COUNTY PRECINCT NO. 1 –**

**1. Requesting approval of a “Certificate of Substantial Completion” with Hidalgo & Cameron Irrigation District No. 9 reflecting the substantial completion date of December 1, 2005 for the “Mile 2 West- Mile 12 North to 0.3 mile South of SH107.”**

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

**2. Requesting authority to advertise a request for bids for “One (1) 2006 New (Unused) ¼ ton Truck and Two (2) 2006 New (Unused) ½ ton trucks.**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on 3 ½ ton trucks only.

**C. HIDALGO COUNTY PRECINCT NO. 2 –**

**1. Recommending award of bid and approval of Contract(s) (subject to legal review) to multiple bidders meeting all requirements and specifications for “Hauling Services”.**

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

**2. Recommending award of Bid and approval of Contract (subject to legal review) to bidder meeting all requirements and specifications for “Geo-Grid Reinforcement Material”.**

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

**3. Recommending award of Bid and approval of Contract (subject to legal) to lowest bidder meeting all requirements and specifications for “Construction of the North San Juan Park-Parking Lot”.**

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

4. **Recommending award of Bid and approval of Contracts(s)(subject to legal review) to the lowest bidder(s) meeting all requirements and specifications for “Installation of a Chain Link Fence in the Perimeter of the of the North San Juan Park”.**

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

**D. HIDALGO COUNTY PRECINCT NO. 3-**

1. **Requesting award (from solicited quotes) and approval of contract (subject to legal review) for “Solid Waste Collection Services for Los Ebanos Pavilion” on an “As Needed Basis” with BFI Waste Services in the amount \$110.00 per month. The term of the contract will commence February 5, 2006 to December 31, 2006 but in no event to exceed the \$25,000.00 statutory bid limit.**

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

2. **Requesting authority to purchase through the Interlocal Agreement with Houston-Galveston Area Council (H-GAC) B&C Body Co., Dallas, Texas, with specifications attached hereto and as request by Precinct No. 3.**

**“Five (5) Heavy Duty 30 yd. Roll-Off Containers**

U/Price \$4,241.00 .....	\$ 21,205.00
H-GAC- Adm. Fee...	\$ 400.00
Containers Freight Charge	<u>\$ 396.00</u>
<b>Total Amount FOB Pct. 3</b>	<b>\$ 22,001.00</b>

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

**E. HIDALGO COUNTY PRECINCT NO. 4 –**

1. **Presentation for consideration, discussion acceptance and approval of Work Authorization # 15 (with a proposed fee of \$2,000.00) with TEDSI Infrastructure Group to provide engineer services to Hidalgo County Precinct No. 4 with, “Wilson and 4<sup>th</sup> St. in Hargill.”**

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

2. **Presentation for consideration, discussion acceptance and approval of Work Authorization # 2 (with a proposed fee of \$9,558.76) with L&G engineering Laboratory, LCC to provide material testing engineer services to Hidalgo County Precinct No. 4 with, “Mile 17 ½ (Hoehn E. to existing pavement): Mile 17 ½ (3<sup>rd</sup> to Val Verde); Ramseyer (East of Cesar Chavez to Existing Pavement).”**

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

**F. HIDALGO COUNTY CLERKS OFFICE –**

- 1. Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application (ORIGINAL) to be forwarded to Arguindegui Oil Co. II, Ltd. as submitted by Hidalgo County Clerk's Office and detailing the "holder and user" of fleet card under awarded contract for "Gasoline, On & Off Highway Diesel Fuel".**

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

**G. HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE –**

- 1. Requesting approval of contract for consulting/mentoring services on a time and materials basis with total time not to exceed ninety (90) hours and total cost not to exceed \$5,000.00 with Visionpace, Inc. Master Consulting Services for Hidalgo County District Attorney's Office.**

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

**H. HIDALGO COUNTY IT DEPARTMENT/PCT NO. 1-**

- 1. Presentation for discussion, consideration and approval of request to re-assign one (1) existing cellular phone as follows: a) from Mike Janssen to Sabino Hernandez.**

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

**I. HIDALGO COUNTY RIGHT OF WAY DEPARTMENT –**

- 1. Requesting approval of bid award to the sole bidder (Rodriguez Ford) meeting all requirements/specifications for the RFB- (#06-024) Four (4) 2005 New or Newer (Unused) 4x4 Pick-up Trucks.**

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

**J. HIDALGO COUNTY RISK MANAGEMENT DEPARTMENT –**

- 1. Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application (ORIGINAL) to be forwarded to Arguindegui Oil Co. II, Ltd. as submitted by Hidalgo County Risk management and detailing the "holder and user" of fleet card under awarded contract for "Gasoline, On & Off Highway Diesel Fuel".**

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

**K. 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 requested a 10 minute recess.

**21. Budget Office – Valde Guerra: (SEE EXHIBIT AA)****A. Discussion, consideration and action authorizing the Budget Office to undertake the management of all TXDOT Projects**

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 C.

**B. Discussion, consideration and action regarding the collection of the Family Protection Fee (approved by Comm. Court on 12/13/05)**

Presentation made.

At this time the Court moved to Executive Session.

**C. Approval of Interlocal Cooperation Agreement between Hidalgo County and Hidalgo County Drainage District #1 (administrative services)**

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

**D. Workers' Compensation:**

- 1. Approval of reimbursement to the Hidalgo County Workers' Compensation claims paying account for: Workers' Compensation claims paid by Tristar Risk Management in the amount of \$ 57,772.19 for the period ending 12/16-31/05**

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

**E. Interdepartmental transfers – 2005 for various departments to close out 2005 expenditures****F. Intradepartmental transfers – 2005 for various departments to close out 2005 expenditures**

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

**G. Interdepartmental transfers – 2006:**

1. Co. Wide Adm. Cont. to Auxiliary Court - \$ 6,000.00
2. Various Depts. to Co. Wide Computer Dept. Acct.

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

**H. Intradepartmental transfers – 2006:**

1. Courthouse Parking Lot
2. Constable Pct. #3 & create obj. 117

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

**I. Interfund transfers – 2006:**

1. Ins. Govt. Bldg. to P/U Rds., ROW, Parks Ins. Accts. - \$ 23,711.73

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

**J. Approval to create temporary Statistical clerk III position****K. Approval to set salary****L. Approval of Revised Salary Schedule**

NO ACTION taken on items J, K & L.

At this time the Court moved back to item #21-B.

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

**22. Closed Session: (SEE EXHIBIT BB)**

**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 Close Session.

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to settle on a right of way in Pct. 4 for the amount of \$6,000.00.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to authorized Mr. Pena of the Right of Way Dept. to look into the property next to Pct. 1 Substation for additional right of way.

**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 B & C.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to recess until 1:30 P.M or after the Workshop.

**24. Closed Session:**

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

NO ACTION taken on this item.

**25. Open Session:**

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

NO ACTION taken on this item.

**26. Adjourn**

On motion of Commissioner Handy, 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, JANUARY 17, 2006 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 Garza, the Court made a UNANIMOUS vote to approve the Consent Agenda.

1. **Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
2. **Intradepartmental transfers – 2005: (SEE EXHIBIT B)**
  - A. **County Court #1**
  - B. **Pct. #1 – R & B**
  - C. **Pct. #1 – CAP**
  - D. **County Clerk**
  - E. **Pct. #2 – R & B**
  - F. **Tax Office**
  - G. **Child Welfare**
  - H. **Civil Service**
  - I. **Human Resources**
  - J. **Elections Department – HAVA**
  - K. **Elections Department**
  - L. **Planning Department**
3. **Intradepartmental transfers – 2006: (SEE EXHIBIT C)**
  - A. **Civil Service & create obj. 661**
  - B. **Right of Way**
  - C. **WIC**
  - D. **Elections & create obj. 431**
  - E. **Pct. #1 – (3) R & B & create obj. 731,741 & 413**
  - F. **Pct. #1 – Parks & create obj. 890, 739, 664**
  - G. **Pct. #1 – Adm. & create obj. 890 & 413**
  - H. **Pct. #2 – CRC & create obj. 661**
  - I. **Pct. #3 – Landfill & create obj. 742 & 529**
  - J. **IT Department**
  - K. **Safety Division & create obj. 745**
  - L. **398<sup>th</sup> District Court & create obj. 607, 605, 661 & 611**
4. **Interdepartmental transfers – 2005: (SEE EXHIBIT D)**
  - A. **Fire Departments**

**5. Right of Way – Permits: (SEE EXHIBIT E)**

- A. Shell Exploration Production – FM 681 & FM 490**
- B. Shell Exploration Production – FM 490 & FM 681**
- C. Shell Exploration Production – FM 490 & FM 2058**
- D. Valero Logistics – Mile 13 Rd. & Iowa Rd.**

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

<b>A. J.P. Ochoa</b>	<b>\$ 40,087.50</b>
<b>B. J.P. Saenz</b>	<b>\$ 21,856.75</b>
<b>C. J.P. Trevino</b>	<b>\$ 45,098.78</b>
<b>D. J.P. Garza</b>	<b>\$ 47,911.83</b>
<b>E. J.P. Contreras</b>	<b>\$ 43,776.00</b>
<b>F. J.P. Jackson</b>	<b>\$ 13,552.64</b>
<b>G. J.P. Morales</b>	<b>\$ 13,409.75</b>
<b>H. J.P. Espinosa</b>	<b>\$ 56,323.39</b>
<b>I. J.P. Palacios</b>	<b>\$ 56,946.69</b>
<b>J. Law Library</b>	<b>\$ 1,453.25</b>
<b>K. Sheriff Trevino</b>	<b>\$ 61,105.95</b>
<b>L. Anzalduas Park</b>	<b>\$ 1,552.00</b>
<b>M. Delta Lake</b>	<b>\$ 798.00</b>
<b>N. Constable Avila</b>	<b>\$ 2,290.00</b>
<b>O. Constable Alaniz</b>	<b>\$ 910.00</b>
<b>P. Constable Gallardo</b>	<b>\$ 850.00</b>
<b>Q. Constable Rios</b>	<b>\$ 290.00</b>
<b>R. Constable Bazan</b>	<b>\$ 480.00</b>
<b>S. Tax Assessor/Collector</b>	<b>\$7,687,037.95</b>
<b>T. Fire Marshal</b>	<b>\$ 5,061.00</b>

**7. Monthly Fee Reports – December: (SEE EXHIBIT G)**

- A. District Attorney - \$ 166,081.25**
- B. District Clerk - \$ 258,407.15**

**8. Planning Department: (SEE EXHIBIT H)**

**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)**

**9. Urban County: (SEE EXHIBIT I)**

- A. Requesting approval to enter into the Urban County Program Housing Loan Agreement with Victoria Rivera in the amount of \$26,500.00.**

**10. Tax Refunds: (SEE EXHIBIT J)**

<b>Taxpayer</b>	<b>Payer</b>	<b>Amount</b>
<b>A. Rio Grande Parks, Inc.</b>	<b>Rio Grande Parks, Inc. -</b>	<b>\$ 6,046.30</b>

**11. Purchasing Department: (SEE EXHIBIT K)****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				
82077	ROW	Dell	\$4,983.92	6-1200-431-00-260-001-0-745
four (4) Pentium 4 computers				
TBPC CISV Program				
82226	I.T. Dept	CDW-G	\$981.98	6-1100-415-00-200-001-0-663
82226	I.T. Dept	CDW-G	\$737.29	6-1100-415-00-200-002-0-664
Cable, switches and an adapter				
82348	District Attorney	CDW-G	\$348.99	6-1223-412-00-080-007-0-661
DVD Drive				
82352	District Attorney	CDW-G	\$885.00	6-1223-412-00-080-007-0-661
Laserjet Printer				
82448	I.T. Dept	S.J.S.	\$425.00	6-1100-415-00-200-002-0-664
Tray Printer				

**B. HIDALGO COUNTY I.T. DEPARTMENT FOR ELECTIONS DEPT –**

1. Requesting authority to enter into a two (2) month rental agreement for thirty (30) Compaq computers in the total amount of \$3,750.00.

**C. HIDALGO COUNTY PRECINT NO 1 -**

1. Requesting authority to enter into a one year maintenance agreement with Ikon for a fax machine on Req #81901 in the total amount of \$302.50/year.

**D. HIDALGO COUNTY 389<sup>TH</sup> DISTRICT COURT –**

1. Requesting authority to enter into a one year maintenance agreement for a copier with Xerox on Req #82159 in the total amount of \$400.00/year

**E. HIDALGO COUNTY FIRE MARSHAL –**

1. Requesting authority to enter into a one year maintenance agreement with Xerox for a copier on Req #82116 in the total amount of \$800.00/year.

**F. HIDALGO COUNTY TAX ASSESSOR-COLLECTOR -**

1. Requesting authority to renew a maintenance agreement for one year for a copier with Xerox on Req #82121 in the total amount of \$756.00.

**G. HIDALGO COUNTY TREASURER –**

1. Requesting authority to enter into a one year maintenance agreement with Xerox for a copier on Req #82484 in the total amount of \$456.00.

**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, JANUARY 17, 2006 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 CC)

**1. Roll Call**

All Members of the Board were counted present with the exception of Commissioner Garza 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.

**4. Discussion and action on clarification of District Landman being Permanent Full-time in '06 as outlined in job description**

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

**5. Approval to increase salary of vacant slot #8 in Administration from \$ 30,282.00 to \$ 35,000.00**

NO ACTION taken on this item.

**6. Approval of pay request #1 to McAllen Construction in the amount of \$ 29,697.02 (Main Floodway Channel)**

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

**7. Approval of proposed TXDOT city street improvements plans for North “I” Rd. – CSJ-0921-02-102**

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

**8. Workers’ Comp. – Valde Guerra:**

**A. Update on Workers’ Compensation claims paid by TriStar Risk Management in the amount of \$ 235.43 for the period ending 12/16-31/05**

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

**9. 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. Presentation and acceptance of rosters (as listed in the RFQ Acceptance sheets attached hereto) of “RFQ No. 05-030-12-07- Title Reports Services and RFQ No. 05-033-12-14 Real Estate Appraisers and Surveyors, of pre-qualified firms submitting Statements of Qualifications for ranking on an “as needed basis” per project by Hidalgo County Drainage District No. 1 requiring said services set forth in the requirements stated in Hidalgo County Drainage District No. 1’s request for qualifications packet.**

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

**3. Requesting approval to reject bids received for “Bid No. 05-022-12-07- One (1) 2005 Or Newer 12 – to - 14 Cubic Yard Dump Truck and one Newer Twenty Ton Tag Trailer” and Bid no. 05-025-12-07- One (1) New Tract Type Tractor Dozer”, due to vendors not meeting required specifications.**

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

4. Pursuant to Texas Water Code, Title 4 (General Law District), Chapter 49, Section 226 (Sale or Exchange of Surplus Land, Right of Way, Easements or Personal Property”), requesting consideration, discussion and approval of, but not limited to the following:
- a. Presentation for discussion, consideration, acceptance and action to the sole bid received to the RFB: “Sale or Exchange of Surplus Land, Rights of Way, Easements or Personal Property” project, property described as: Mission Inlet By-Pass Parcels I-VI (Various Tracts located along the existing Mission Inlet Drainage System) in Hidalgo County, Texas, listed as follows:
    - Parcel I: Being a 2.631 acre tract of land situated in Porciones No. 58, and being out of Lots 121 and Lot 122, John H. Shary Subdivision, Hidalgo County, Texas;
    - Parcel II: Being a 2.444 acre tract of land situated in Porcion No. 58, and being out of Lot 121, John H. Shary Subdivision, Hidalgo County, Texas;
    - Parcel III: Being a 4.237 acre tract of land situated in Porcion No. 57, and being out of Lot 12-12, West Addition to Sharyland, Hidalgo County, Texas;
    - Parcel IV: Being a 3.528 acre tract of land situated on Porcion No.57, and being out of Lot 12-11, West Addition to Sharyland, Hidalgo County, Texas;
    - Parcel V: Being an 8.969 acre tract of land situated in Porciones No. 56 and 57, and being out of Lots 12-9 and 12-10, West Addition to Sharyland, Hidalgo County, Texas;
    - Parcel VI: Being a 7.670 acre tract of land situated in Porciones No. 55 and 56, and being out of Lot 12-7 and 12-8, West Addition to Sharyland, Hidalgo County, Texas; and more particularly described in “Exhibit A” (attached hereto), and if approved;

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

- b. Requesting approval to execute “Order Confirming Sale/Exchange” document (subject to legal review) for the following property described in item above.

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

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

#### 10. 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

**11. Open Session:**

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

**12. Closed Session:**

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

**13. Open Session:**

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

**14. Adjourn**

On motion of Commissioner Handy, seconded by Commissioner Palacios, 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, JANUARY 17, 2006 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. Utility Permit:**
  - A. Quintanilla, Headley & Associates – Canton & South Main Drain**
- 3. Line item transfer:**
  - A. 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 17<sup>th</sup> day of January, 2006

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 January 17, 2006.

Signed this \_\_\_\_ day of \_\_\_\_\_ 2006

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

(Seal) By: \_\_\_\_\_  
Norma Garza, Deputy