

**SPECIAL MEETING – January 31, 2006**

**BE IT REMEMBERED, that on this 31<sup>st</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 31, 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**

Don Medina – Concerning the funding cuts for Urban County.

Teresa Navarro – Advising the Public on the deadline to register to vote of Feb. 6, 2006.

At this time the Court moved to item #5.

Mr. Chavarra – Advising the Court and Public on the annual 10-K Run in Edinburg.

At this time the Court moved to item #6.

**5. Approval of Consent Agenda**

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

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

6. **Texas Cooperative Extension – Brad Cowan: (SEE EXHIBIT J)**

**A. Proclamation of “Bertha Garza” for 36 year career with the Texas Cooperative Extension**

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

7. **Urban County – Diana Serna: (SEE EXHIBIT K)**

**A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) (4) for professional engineering services with Sigler, Winston, Greenwood & Associates in connection with City of Weslaco for professional services for Year 18 (2005) Street Improvements Projects within Weslaco.**

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

**B. The City of Weslaco is requesting approval to award a professional service contract to Sigler, Winston, Greenwood & Associates in the amount of \$8,500.00 utilizing Years 18 (2005) funds for improvements to Esplanada St., Illinois St., Mesquite St., Valentino St., Second St.**

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

**C. Request approval of payment to Professional Service Industries, Inc. for testing services at 8<sup>th</sup> Street, an Urban County Program Year 16 (2003) Street Improvement project in the City of La Villa.**

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

At this time Commissioner Garza steps out of the Court.

8. **Health Department – Eddie Olivarez: (SEE EXHIBIT L)**

**A. Requesting authorization and approval to enter into an Interlocal Agreement between the Texas Department of Transportation and Hidalgo County Health Department relating to Hepatitis B Vaccinations**

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

**B. Requesting authorization and approval to enter into a Clinical Affiliation Agreement between Hidalgo County Health Department and South Texas College for Nursing/Allied Health Programs**

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

**9. HIDTA – Task Force – Dora Munoz: (SEE EXHIBIT M)****A. Approval to appropriate a budget increase in the amount of \$ 30,000.00 (forfeiture funds)**

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

**B. Approval to create obj. 442 & 423 and line item transfer**

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 #10-B.

**10. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT N)****A. Update on Health Services District**

Presentation made by Petra Reyna.

At this time the Court moved to item #11.

**B. Approval of Proclamation designating the week of January 29<sup>th</sup> – February 4<sup>th</sup> as Food Check Out Week for Hidalgo County**

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.

**C. Discussion, consideration and possible action regarding the Appointments to Hidalgo County Regional Mobility Authority**

Presentation made by Bobby Villarreal and Godfrey Garza.

At this time the Court moved back to item #10-A.

**11. Planning Department – Raul Sesin: (SEE EXHIBIT O)****A. Preliminary Approval:****1. Angle Subdivision – Pct. 4 (Vicki Ann Bonham)**

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

**B. Reimbursement of a Cash Deposit:****1. Nassar Farag Subdivision – Pct. 4 (Nassar Farag)**

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

At this time the Court moved to Executive Session.

At this time Commissioner Palacios steps out of the Court.

**12. J.P. Pct. #4, Pl. 2 – Judge Palacios: (SEE EXHIBIT P)**

- A. Approval to pay claims/invoices totaling the amount of \$ 1,270.00 to South Texas Printing and authorize county auditor to issue payment after review and auditing procedures are completed**

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

**13. Hidalgo County – Godfrey Garza: (SEE EXHIBIT Q)**

- A. Approval of invoice #U9444.601-16 from S & B Infrastructure, LTD for the Raymondville Drain Outfall System, Work Authorization #6**

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

**14. Emergency Management – Oscar Montoya: (SEE EXHIBIT R)**

- A. Approval and acceptance of the Notice of Sub-recipient Award from the Governor’s Division of Emergency Management for Fiscal Year 2004 Homeland Security Grant Program in the amount of \$ 304,249.68**

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

- B. Discussion, consideration and approval to authorize the County Judge to execute Affidavit to Acknowledge Responsibility for Equipment and Return TEEX Property Tags regarding the 2000/2001 State Domestic Preparedness Equipment Program Grant**

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

**15. Sheriff’s Department – (CJD Operation Linebacker Grant) Capt. Gonzalez: (SEE EXHIBIT S)**

- A. Approval to pay clothing allowance to officers in slots #2, 3, 4 & 5**

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

- B. Approval to create obj. 532 and line item transfer - \$ 9,000.00 (for cell phones/clothing allowance)**

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

- C. Approval of Revised Salary Schedule**

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

**16. Elections Department – Teresa Navarro: (SEE EXHIBIT T)****A. Discussion, approval and possible action on the following but not limited to:****1. Election Services Agreement between the County of Hidalgo and McAllen ISD for their May 13, 2006 Board of Trustee Election**

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

**2. Request Auditor to issue check in the amount of \$ 2,000.00 from Acct. #6-1100-414-00-130-001-0-535 to US Postmaster Permit #150 to cover expenses from voter registration confirmations**

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

**3. Request Auditor to issue check in the amount of \$ 195.00 to Rent-A-Center from Acct. #6-1100-414-00-130-001-0-442 for the rental of televisions for March 7, 2006**

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

**4. Amendment of Early Voting Schedule for March 2006 Primary**

NO ACTION taken on this item.

At this time the Court moved to item #18.

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

Presentation made by Rudy De La Vina.

At this time the Court moved to item # 19.

**18. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT V)****Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:****A. Status of renovations of administration building**

NO ACTION taken on this item.

**B. Status of other ongoing county owned building construction, renovation repair projects**

Presentation made by Daniel Flores.

**C. Report of unanticipated, or emergency situation occurring since last agenda meeting**

NO ACTION taken on this item.

At this time Commissioner Palacios returns to the Court.

- D. Request for acceptance and approval of invoice for Dannenbaum Engineering Corporation for Acct. #5-1331-419-00-110-055-0-334 on PO #538586 the amount of \$ 4,606.96 with authority for auditor to issue payment after review, audit and processing procedures are completed**

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

- E. Request for acceptance and approval of invoice #409801/04/XV for Dannenbaum Engineering Corporation for Acct. #5-1331-419-00-110-055-0-334 on PO #538586 for the amount of \$ 3,880.65 and invoice #409801/10/XV for Dannenbaum Engineering Corporation for Acct. #5-1331-419-00-110-055-0-334 on PO #538586 the amount of \$ 806.84 with authority for auditor to issue payment after review, audit and processing procedures are completed**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on the amount for \$3,880.65 only.

- F. Presentation for discussion, consideration and possible action concerning possible assignment or reassignment of the Hidalgo County Parking at all locations (Courthouse & Adm. Bldgs.)**

NO ACTION taken on this item.

At this time Judge Garcia leaves the Court.

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

**19. Pct. #1 – Comm. Handy: (SEE EXHIBIT W)**

- A. Requesting approval for Auditor to release payment to BFI (check #01-247621 DTD1/24/06) in the amount of \$14,650.40 for Landfill access for the period of 12/16/05-12/31/05**

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

- B. Approval to accept the resignation of Eduardo Z. Gonzalez from the Emergency Services District #2**  
**C. Approval to appoint board member to the Emergency Services District #2**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items B & C and appoint George Salinas.

- D. Approval to accept the resignation of Christina Walker from the Hidalgo County Subdivision Advisory Board**
- E. Approval to appoint board member to the Hidalgo County Subdivision Advisory Board**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items D & E and appoint Eduardo Z. Gonzalez.

**20. Pct. #4 – Comm. Garza: (SEE EXHIBIT X)**

- A. Presentation for consideration, discussion, acceptance and approval of Invoices #U0061.200-01 in the amount of \$ 65,982.72, #U0061.200-02 in the amount of \$ 61,068.81, and #U0061.200-03, in the amount of \$19,514.72 from S & B Infrastructure, Ltd. with authority for County Auditor to issue payment after review and processing procedures are completed in connection with Contract #01-225-11-28, PO #549270**

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

At this time the Court moved to item #21.

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

Presentations made by Paul Valzadua, Ron Topper and Dr. Linda Villarreal.

At this time the Court moved back to item #4.

**21. Purchasing Department – Marty Salazar: (SEE EXHIBIT Y)**

**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:**

<b>1. New Hidalgo County Jail:</b>	<b>Total inmate population:</b>	<u>1232</u>
Physical Count:	<u>1111</u>	Males (in house) <u>1035</u>
Out of County Facility	<u>121</u>	Females (in house) <u>76</u>
La Villa.	<u>95</u>	
Brook’s Co.	<u>      </u>	Federal Prisoners <u>6</u>
Frio Co.	<u>      </u>	
Other: (n/c)	<u>26</u>	
Adj. / Sentenced to TDC	<u>147</u>	Total Paper Ready TDC <u>75</u> No. over 45 days <u>      </u>
		Pending Paperwork/Courts <u>23</u>
		Pending Charges/Courts <u>49</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;
  - 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.

- 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 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 #6a thru c.

7. **Presentation for consideration and discussion in connection with the following:**
- a) **Requesting exemption from competitive bidding requirements under Texas Local Government Code, Chapter 262.024(a)(6) any land or right of way;**
  - b) **Approval of Option Contractor(s) & Approval to pay option money in the amount of \$1,000.00 for each contract(s) with authority for auditor to issue payment(s) thru manual check(s) (if necessary) for the properties described as:**
    - i) **Existing Automotive Services Station  
201 North Closner Boulevard, Edinburg, Texas**
    - ii) **Existing Automotive Services Station  
217 North Closner Boulevard, Edinburg, Texas**
- with legal description(s) as attached hereto.  
“All of Lots 70 and 71, Hidalgo Park Estates Subdivision, Hidalgo County, Texas”**

NO ACTION taken on item #7a & b-i & ii

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

1. **Presentation for discussion, consideration, acceptance and approval of Request for Payment Invoice No. 1885 in the amount of \$14,423.00, form R. Gutierrez Engineer for Precinct No. 2, “McCull Rd. II (Dicker road to Orangewood (Rancho Blanco) Road)”;** **with authority for auditor to issue manual check (as requested by Precinct No. 2) after review, audit and processing procedures are completed.**

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

2. **Requesting authority to advertise for: “Construction of Lime Treated Subgrade, Flexible Base, Hot-Mix Asphaltic Concrete Pavement, Concrete Curb and Gutter, Pavement Markings, Signing and Miscellaneous Items” for (Anaya Road Improvements) Project.**

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

3. **Pursuant to Texas Local Government Code 263.151, requesting approval to declare property as surplus (for the purpose of “Lease” as authorized/approved for advertisement by CC on 01/24/06) the land located in Precinct # 2 and described as: All of Lots 70 and 71, Hidalgo Park Estates Subdivision, Hidalgo County, Texas**

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

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

- 1. Presentation for discussion, consideration, acceptance and approval of an invoice dated January 13, 2006 from Dannenbaum Environmental Corporation in the amount of \$6,458.00 in connection with selected site for the Landfill in Precinct No. 3 (P.O. 557419)**

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

- 2. Acceptance and approval of Invoice # S.E. 05-229 dated 12-06-05 in the amount of \$12,000.00 as submitted by Hinojosa Engineering, Inc. in connection with engineering services for the New Motor Building located in Alton, Texas with authority for auditor to issue payment after review. (P.O. 561052 & 554714 )**

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

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

- 1. Presentation for consideration, discussion acceptance and approval of Work Authorization # 2 (with a proposed fee of \$11,827.75) with J.E. Saenz & Associates, Inc. to provide engineer services to Hidalgo County Precinct No. 4 with, “ROW Staking and Plans for 83 ½ St. (S. Hwy 107); 84<sup>th</sup> St. (S. State Hwy 107); 84<sup>th</sup> St. (N. Hwy 107); Hendrix (Between 83 ½ & 85<sup>th</sup> ); Highline (Between 83<sup>rd</sup> & 84<sup>th</sup> St.)”**

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

**E. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 2-**

- 1. Presentation for discussion., consideration, acceptance and approval of Work Authorization No. 1 from project engineer R. Gutierrez Engineering, Inc. in connection with engineering services to provide Plans, Specifications, and Estimate and Construction Inspection for Round II of the Border Colonia Access Program Projects in the amount of \$ 414,995.00.**

NO ACTION taken on this item.

**F. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 3 –**

- 1. Presentation for discussion, consideration, acceptance and approval of payment application # 1 in the amount of \$132,532.84 submitted by Juan Mendoza Corporation d/b/a/ J.M. Construction, in connection with (Contract No. C-CAP-05-020-08-02- Road Construction of “Groewood Estates & Perlas De Naranja Subdivision(s)” – (Project carried by Javier Hinojosa Engineering, Inc.)**

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

2. **Presentation for discussion, consideration, acceptance and approval of Work Authorization No. 1 from project engineer Javier Hinojosa Engineering, Inc. in connection with engineering services to provide Plans, Specifications, and Estimate and Construction Inspection for Round II of the Border Colonia Access Program Projects in the amount of \$319,291.33.**

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

#### **G. HIDALGO COUNTY ELECTIONS DEPARTMENT –**

1. **Ratify acquisition of additional state certified Electronic Voting System (Precinct Printers) awarded to Election Systems & Software, Inc. (ES&S) through TBPC non-automated contract 578-N1 in the amount not to exceed \$46,025.00 (previously approved in CC on January 10, 2006 for \$45,500.00)**

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

#### **H. HIDALGO COUNTY HIDTA TASK FORCE –**

1. **Requesting approval to purchase “One (1) New 2006 Jeep Grand Cherokee”, through the State of Texas Building and Procurement Awarded Contract No. 070-A1-Vendor is Dallas, Texas, with the total amount including delivery charges of \$17,592.00 and subject to line item transfer approval.**

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

#### **I. HIDALGO COUNTY IT DEPARTMENT-**

1. **Requesting authority to purchase two (2) computers and peripherals from Dell Marketing through their State of Texas DIR go-Direct contract DIR**

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

#### **J. HIDALGO COUNTY IT DEPARTMENT- SHERIFF'S DEPARTMENT-**

1. **Pursuant to Hidalgo County Cellular Telephone policy, presentation for consideration, acceptance and approval of Cellular Phone Request Forms for the following elected official(s), department head(s), program director(s) and employee(s);**

Department Name	Name of Employee(s)	Basic Rate Plan Per Month	Total Minutes Plan	Equipment/Cost
Sheriff's	Five (5) Rotating Employees	\$65.60	1400	Sanyo 4920/No Cost

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for the \$35.00 at 500 minutes plan.

**K. HIDALGO COUNTY SHERIFF'S OFFICE –**

- 1. Recommending award of bid and approval of contract for “Repairs, Installation and Removal of Communications & Radio Tower Miscellaneous Equipment” to low bidder (South Texas Communications) meeting all specifications and/or requirements.**

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

**L. HIDALGO COUNTY VARIOUS DEPARTMENTS –**

- 1. Right of Way Dept.: Requesting approval to modify specifications (previously approved by C.C. on 1-24-06), with authority to advertise a request for bids from: A minimum of Two (2) To A minimum of four (4) 2006 New (Unused) 4x4 Pick up Trucks”,**

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

- 2. Precinct No. 1: Requesting authority to advertise a request for bids including, but not limited to the following:**
  - a) A minimum of Two (2) 2006 New (Unused) 4x4, ¾ ton Trucks;**
  - b) A minimum of One (1) New Ten (10) Ton Tag Trailer, (see draft specifications)**

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

**M. 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.

**22. Budget Office – Valde Guerra: (SEE EXHIBIT Z)**

- A. Approval to pay membership dues for the following:**
  - 1. Texas Conference of Urban Counties - \$ 15,528.00**
  - 2. Texas Association of Counties - \$ 2,440.00**

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

**B. Safety Division:**

- 1. Presentation of 4<sup>th</sup> Quarter Workers' Compensation Report**

NO ACTION taken on this item.

2. **Discussion and consideration on acceptance of settlement offer made by JD's Landscaping & Lawn Maintenance for replacement of a glass window (Security Department) for \$ 191.49**

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

3. **Discussion and consideration on acceptance of settlement offer made by AJG Risk Management Services representing Liberty Mutual Fire Insurance Company, for reimbursement of repairs for (Sheriff Dept.) for the amount of \$ 2,428.21**

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

**C. 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 \$ 31,784.40 for the period ending 01/01-15/06**

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

**D. Library System:**

1. **Request from San Juan Public Library to appoint Oralía Alaniz as the At-Large Member of the Hidalgo County Library System (for a three-year term)**

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

2. **Approval of Interlocal Agreements between Hidalgo County and the following member libraries: Alamo, Donna, Edinburg, Elsa, Hidalgo, La Joya, McAllen, Pharr, Mission, Mercedes, San Juan & Weslaco**

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

**E. Interdepartmental transfers – 2005:**

1. **Jail to Co. Wide Cont. - \$ 176,000.00**
2. **Co. Wide Cont. to Risk Management - \$ 4,331.82**
3. **Co. Wide Cont. to PBX - \$ 45,000.00**

**F. Interfund transfers – 2005:**

1. **Co. Wide Cont. to Indigent Health Care - \$ 400,000.00**

**G. Interdepartmental transfers – 2005 for various departments to close out 2005 expenditures**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items E-1 thru 3, F-1 & G.

**H. Intradepartmental transfers – 2005 for various departments to close out 2005 expenditures**

NO ACTION taken on this item.

At this time the Court moved to adjourn.

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

**23. Closed Session: (SEE EXHIBIT AA)**

**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**
- D. T-131-03-E; Pharr San Juan Alamo Independent School District; et al vs. Rene Garza; et al**

NO ACTION taken on items A thru D in Close Session.

**24. 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.

- D. T-131-03-E; Pharr San Juan Alamo Independent School District; et al vs. Rene Garza; et al**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to have the Court authorize the Sheriff to execute a release of lien.

At this time the Court moved back to item #12.

**25. Closed Session:**

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

**26. Open Session:**

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

**27. Adjourn**

On motion of Commissioner Palacios, seconded by Commissioner Garza, 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 31, 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 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 – 2005: (SEE EXHIBIT B)**
  - A. B & G – CO's 1334**
  - B. IT Department**
  - C. Courthouse Security**
  - D. D.A. – Inv. Fund**
  - E. Co. Wide Shop**
  - F. R & B – Adm.**
  - G. Colonia Access Program**
  - H. Pct. #1 – R & B (2)**
  - I. Pct. #1 – Colonia (3)**
  - J. Pct. #1 – Adm.**
  - K. Pct. #2 – Parks**
  - L. Pct. #3 – R & B**
  - M. Pct. #4 – Parks**
  - N. Pct. #4 – R & B**
  - O. Law Library**
- 3. Interdepartmental transfers – 2006: (SEE EXHIBIT C)**
  - A. County Court #2 & create obj. 583**
  - B. Human Resources**
  - C. Buildings & Grounds & create obj. 346**
  - D. Constable Pct. #3 & create obj. 890**
  - E. Pct. #1 – Parks**
  - F. J.P. Pct. #3, Pl. 1 & create obj. 663 & 672**
  - G. DPS – Highway Patrol & create obj. 529**
  - H. Planning Department & create obj. 679**
  - I. Health – Clinics & create obj. 431**
  - J. Pct. #4 – R & B**
  - K. IT Department 200-002**
  - L. Courthouse Parking Lot & create obj. 535**

- M. Pct. #1 – Adm.**
- N. Pct. #1 – R & B & create obj. 339**
- O. Elections Department – Fund 1283 & create obj. 661**
- P. IT Department 200-001**

**4. Planning Department: (SEE EXHIBIT D)**

**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)**

**5. Urban County: (SEE EXHIBIT E)**

- A. Request for Approval of one (1) applicant in the City of La Joya under the HOME Homeowner Occupied Housing Rehabilitation Program – classified as catastrophic loss (fire).**

**6. Right of Way – Permits: (SEE EXHIBIT F)**

- A. North Alamo Water Supply – Orange St. & Magnolia St.**
- B. North Alamo Water Supply – FM 1423 & Bus. 83**
- C. North Alamo Water Supply – Mile 6 West on Mile 17 ½ North**
- D. North Alamo Water Supply – Tower Rd. on Canton Rd.**
- E. Sotex Fuels – Inspiration Rd. & Moorefield Rd.**

**7. County Clerk: (SEE EXHIBIT G)**

- A. Court Cost and Fee Annual Report for 2005 - \$ 7,341,109.76**

**8. County Treasurer: (SEE EXHIBIT H)**

- A. Quarterly Investment Report ending December 31, 2005**

**9. Purchasing Department: (SEE EXHIBIT I)**

**A. HIDALGO COUNTY –**

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

<b>Req</b>	<b>Department</b>	<b>Vendor</b>	<b>Amount</b>	<b>Account Number</b>
<b>State of Texas DIR</b>				
<b>82077</b>	<b>ROW</b>	<b>Dell</b>	<b>\$4,983.92</b>	<b>6-1200-431-00-260-001-0-745</b>
<b>Four (4) Optiplex Pentium 4 Computers</b>				
<b>82586</b>	<b>Risk/Loss Mgmt</b>	<b>Dell</b>	<b>\$2,318.34</b>	<b>6-1100-419-50-230-001-0-745</b>
<b>One (1) Computer</b>				
<b>83067</b>	<b>Sheriff's</b>	<b>HP</b>	<b>\$1,735.00</b>	<b>6-1100-421-00-280-001-0-745</b>
<b>One Computer and peripherals</b>				
<b>83223</b>	<b>Pct #1</b>	<b>CDW-G</b>	<b>\$ 333.81</b>	<b>6-1211-452-00-121-013-0-661</b>
<b>HP Laser Jet Printer</b>				
<b>82630</b>	<b>I.T. Dept</b>	<b>CDW-G</b>	<b>\$2,970.00</b>	<b>6-1100-415-00-200-002-0-743</b>
<b>One (1) HP Color Laser Jet Printer</b>				
<b>TBPC CISV Catalogue Purchasing Program</b>				

83111 Elections	S.J.S.	\$ 160.00	6-1100-414-00-130-001-0-664
Patch Panel for the phone bank			
83214 I.T. Dept	S.J.S.	\$ 49.00	6-1100-415-00-200-001-0-601
83214 I.T. Dept	S.J.S.	\$ 125.00	6-1100-415-00-200-002-0-664
Power supply and Switch 24 Port			
83179 Constable Pct #1	S.J.S.	\$ 117.00	6-1100-421-00-291-001-0-664
USB External Floppy Drive			
83480 Pct #1	CDW-G	\$ 57.16	6-1201-431-00-121-004-0-661
Flobby Drive USB			
83248 I.T. Dept	Excel/Mer	\$1000.00	6-1100-415-00-200-002-0-745
Data NAS XP Controller/ coputer			
83354 I.T. Dept	S.J.S.	\$ 89.00	6-1100-415-00-200-002-0-664

**B. HIDALGO COUNTY DISTRICT ATTORNEY –**

1. Requesting authority to enter into a one year maintenance contract for a Lathem Time Stamp Machine with Jones & Cook on Req #83241 in the total amount of \$450.00.

**C. HIDALGO COUNTY DISTRICT CLERK -**

1. Requesting authority to enter into an extended warranty for one year for a Check Signer with Advance Business Equipment on Req #83387 in the total amount of \$395.00.

**D. HIDALGO COUNTY INFORMATION TECHNOLOGY –**

1. Requesting authority to enter into a one year maintenance agreement for webfilter with Telemate.net Software on Req #82676 in the total amount of \$3,009.60.

**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 31, 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 BB)

**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.

**4. Approval to advertise for the installation of gauging stations and easement acquisition @ various locations within District's services areas**

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

**5. Approval to advertise for the construction of rehabilitation improvements to sluice gates along Mission Inlet (Phase I)**

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

**6. Request to surplus excess drainage easement across Lot 1, as requested by owner (Lot 1, Vol. 2706, pg. 388 Deed Records Hidalgo County, Texas**

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

**7. Approval to increase administration slot #8, (GIS) to \$ 45,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Garza, 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 \$ 7.25 for the period ending 01/01-15/06**

On motion of Commissioner Garza, 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 for discussion, consideration and approval to advertise for a request for qualification "RFP/Q" for Financial Advisory Services.**
- 3. Approval of Term of Engagement: Initial term of proposed contract is a period of 3 year(s) with the Drainage District's option to renew for an additional 2 year(s).**
- 4. Requesting authority to advertise and approval of draft specifications as attached hereto for: "Pipes- Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Strom Sewer Pipes" Project.**

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

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 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, JANUARY 31, 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 Garza, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Discharge Permit:**
  - A. Landmark Valley Home – Lakewood Estates Subdivision**
- 3. Utility Permit:**
  - A. Valero Logistics Operations – Ingle & Seminary Rds.**
- 4. Line item transfer:**
  - A. Administration**
  - B. M & O**

*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 31<sup>st</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 31, 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