

REGULAR MEETING – February 14, 2006

BE IT REMEMBERED, that on this 14th day of February, A.D., 2006, there was begun and held a REGULAR MEETING of the Honorable Commissioners’ Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE M. FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE OSCAR L. GARZA JR.	COMMISSIONER, PRECINCT NO. 4

and EDDY TREVINO, COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS’ COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 14, 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 and Commissioner Garza.

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

Ignacio Almaguer – Opposing the Toll Road in San Juan.

At this time Commissioner Garza arrived.

5. Approval of Consent Agenda

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

At this time Commissioner Flores arrived.

At this time the Court moved to item #10.

At this time Court reconvene the meeting.

At this time Commissioner Flores leaves the Court.

6. Fire Marshal – Victor Fonseca: (SEE EXHIBIT I)

A. Approval of Proclamation declaring State of Emergency Threat of Wildfires

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to declare a State of Emergency in Hidalgo County and direct the Fire Marshall to not allow any burning except in containers of either metal or masonry with screen lids and no outside brush fires.

7. County Clerk’s Office – Annette Muniz: (SEE EXHIBIT J)

A. Authorization and approval to decrease salary for part-time position from \$ 20,038.00 to \$ 15,570.00 (slot #001-056 vacant) difference of slot to be distributed as follows:

B. Authorization and approval to increase salary for position #001-007 from \$ 29,275.00 to \$ 30,000.00 (slot is vacant)

C. Authorization and approval to increase salary for position #001-019 from \$ 28,389.00 to \$ 30,000.00 (slot is vacant)

D. Authorization and approval to increase salary for positions #001-060 thru #001-063 from \$ 19,467.00 to \$ 20,000.00 (slots are vacant)

E. Approval of revised salary schedule (fiscal note attached)

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

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

A. Consider awarding bid for the demolition and the reconstruction of three (3) units in the Countywide area in the total amount of \$37,000.00 to GMH Construction, \$54,000.00 to De Leon Construction and \$56,000.00 to J.D. Villarreal Construction.

On motion of Commissioner Handy, seconded by Commissioner Garza, 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 Proyecto Azteca, a Community Housing Development Organization (CHDO) in the amount of \$275,000.00.

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 #16-C-1.

C. Approval to award a Construction Contract to D.M. Roth, Inc. for the Construction of the North San Juan Parking Lot on behalf of Precinct No. 2 using Urban County Program Parks, Recreational Facilities funding from Year 16 (2003) and Year 17 (2004) in the amount of \$324,692.70.

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

At this time Judge Garcia excused himself from the Court.

D. Request approval to increase budgeted amount of slot number thirty-one (31) by \$10,000 due to additional duties assigned.

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

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

A. Requesting authorization and approval to appropriate the Administration Program Income budget in the amount of \$ 240,000.00 for the period 01/01/06 to 12/31/06 (acct. #6-1293-441-00-340-005-0)

B. Requesting authorization and approval of the Administration Program Income Budget and salary schedules for the period 01/01/06 to 12/31/06 (acct. #6-1293-441-00-340-005-0)

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

At this time the Court moved to item #12.

10. County Judge's Office – Lorie Ochoa: (SEE EXHIBIT M)

A. Proclamation honoring Mr. Mike Allen, McAllen Economic Development Corporation, for receiving the honor of Border Texan of the Year

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

At this time Judge Garcia proceeded to swear in Dr. Ivan Melendez as Medical Director.

B. Discussion, consideration and possible action to cease funding and further studies for the proposed toll road being considered in the City of San Juan (US 83, Military Highway Connector)

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, in accordance of process since public involvement has indicated opposition to the San Juan Route, that that route no longer be consider a viable alternative for this project.

At this time the Court requested a 10 minute recess.

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

11. Emergency Management – Oscar Montoya: (SEE EXHIBIT N)

A. Discussion, consideration and authorization for County Judge to execute Request for Public Assistance Form from the Federal Emergency Management Agency regarding Texas Wildlifes – FEMA 1624 DR TX

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

At this time the Court moved to item #13.

12. Planning Department – Raul Sesin: (SEE EXHIBIT O)

A. Preliminary Approval:

- 1. Huisache Acres No. 7 – Pct. 1 (Rick Harbison)**
- 2. Maiz Acres No. 3 Subdivision – Pct. 1 (Evon Harbison)**
- 3. Adames Acres Subdivision – Pct. 4 (Alberta Adames)**
- 4. Aziz Alamo Land Subdivision No. 1 – Pct. 4 (Dagoberto Trevino)**
- 5. Northfield Acres Unit 2 Subdivision – Pct. 3 (Zaragoza Hinojosa)**
- 6. Campana Subdivision Phase 3 – Pct. 3 (J. Conely Bell)**
- 7. Julisa Subdivision – Pct. 4 (Alfredo Martinez)**
- 8. Arevalo Subdivision – Pct. 3 (Rogelio Arevalo)**

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

B. Final Approval:

- 1. Dream Acres Subdivision –Pct. 3 (Arturo Garcia)**
- 2. T. Garcia Subdivision – Pct. 3 (Arturo Garcia)**
- 3. Malibu Subdivision – Pct. 4 (Erik Rivera)**
- 4. Amended Plat of Oakland Village Ph. 2 Lots 85, 86, 98, 107, 119, 120, 135, 136 & 151 – Pct. 4**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #1 thru 4.

C. Final Approval with a Cash Deposit:

- 1. B. Farias Subdivision – Pct. 3 (Baldemar Farias)**

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

D. Reimbursement of a Cash Deposit:

- 1. Three “A” Subdivision – Pct. 1 (Esteban Garza)**

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

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

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

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

NO ACTION taken on this item.

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

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.

15. Pct. #3 – Comm. Flores: (SEE EXHIBIT R)

- A. Requesting approval of Interlocal Agreement between the City of Sullivan and the County of Hidalgo**

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

16. Purchasing Department – Marty Salazar: (SEE EXHIBIT S)

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>1181</u>
Physical Count:	<u>1090</u>	Males (in house) <u>1014</u>
Out of County Facility	<u>91</u>	Females (in house) <u>76</u>
La Villa.	<u>68</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>7</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>23</u>	
Adj. / Sentenced to TDC	<u>149</u>	Total Paper Ready TDC <u>74</u> No. over 45 days <u>21</u>
		Pending Paperwork/Courts <u>27</u>
		Pending Charges/Courts <u>48</u>

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

NO ACTION taken on this item.

3. New Adult Detention Facility and Law Enforcement Center Project:

- a) **Detention Facility Law Enforcement Center Design - Build Contract with including action regarding Landmark Application for payment, final punch list and release of retainage;**
- b) **Construction of additional pod(s)**
- c) **Selection and engagement of an architect for the construction of additional pod(s)**

NO ACTION taken on items #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;**

Presentation made by Mr. Figueroa.

- b) **Pursuant to Article 1.2.2.4 of AIA Document B141-1997-Standard Form of Agreement Between Owner (Hidalgo County) and Architect (ROFA), recommendation from Luis A. Figueroa “project architect” for approval to engage Raba Kistner Consultants Company (from the “County’s Pool” of architects) to provide asbestos assessment and monitoring services for the removal of an existing 6” asbestos concrete pipe found below the level of the demolished foundation in an amount not to exceed \$600.00;**
- c) **Request and recommendation from Luis A. Figueroa, project architect, for approval of Change Order # 1 in an amount not to exceed \$ _____-(with funding of Change Order # 1 from Contingency Fund Allowance of \$75,000.0) with Descon Construction, L.P. contractor for the construction of the New Adult Probation Facility for the additional work described in Items #s 1,2& 3(as attached hereto);**

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

d) Other Related Items;

NO ACTION taken on this item.

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. **Requesting authority to advertise and approval of draft specifications as attached hereto for “Lease of Office Space for JP Pct. 2 Place 1” project.**

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

8. **Recommending bid award and approval of contract (subject to legal review) to the sole bidder meeting all requirements and/or specifications for “RFB- New and Used Guard Rail Beam Materials and Installation” project.**

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

9. **Requesting rescission of authority to purchase one (1) Kohler Generator (with suggested options) as approved by Commissioners Court on November 15, 2005 due to expiration of term contract No. BD05-110101 through H-GAC totaling \$37,614.43.**
10. **Requesting authority to purchase through the Interlocal Agreements with Houston-Galveston Area Council (H-GAC) Loftin Equipment Co., Houston., Texas under new award contract No. BD06-0208HGAC One (1) Kohler Power Generator (with suggested options) totaling \$47,512.15.**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items #9 & 10.

B. HIDALGO COUNTY PRECINCT NO. 1-

1. **Recommending bid award and approval of contract (subject to legal review) to the sole bidder meeting all requirements and/or specifications for: RFB – Hauling Services of All Road Material for Precinct No. 1.**

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

2. **Requesting approval of bid award to the sole bidder (Rodriguez Ford) meeting all requirements/specifications for: RFB- (#06-054) Three (3) 2006 New 4x4 Pick up Trucks project.**

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

3. **Requesting authority to advertise a request for bids for: “One (1) New (Unused) Motor Grader” and approval of specifications as attached hereto.**

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 #C-2.

C. HIDALGO COUNTY PRECINCT NO. 2 –

1. **Discussion, consideration and approval to rescind bid and award of Contract to lowest bidder D.M. Roth, Inc. for the “Construction of the North San Juan Park – Parking Lot” as previously approved through Commissioner’s Court on 01-17-06.**

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

At this time the Court moved back to item #8-C

2. **Presentation for discussion, consideration, acceptance and approval of Request for Payment Invoice No. 1900 in the amount of \$4,320.00 and Invoice No. 1906 in the amount of \$860.97, from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, “Nolana Loop” and “McColl Road (Dicker Rd. to Anaya Rd) & (Anaya Rd. to Military HWY),” with authority for Auditor to issue manual check (as requested by Precinct No. 2) after review, audit and processing procedures completed.**

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

D. HIDALGO COUNTY PRECINCT NO. 3-

1. **Recommending (06-039) of bid award and approval of contract(subject to legal review) to the lowest bidder, meeting all specifications attached hereto for: “Construction of a Motor Pool Building” RFB**

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

2. **Requesting authority to purchase (06-072) through the Inter-local Agreement with the Houston-Galveston Area Council (H-GAC) Philpott Motor Co, Port Neches, Texas with specifications attached hereto and as requested by Precinct 3 for:**

One (1) New Model 2006 Short Bed ½ Ton V 8 Regular Super Crew Cab Pick-up Truck	...\$ 20,204.25
One (1) New Model 2006 Regular Expedition	...\$ 21,422.25
One (1) New Model 2006 4x4 Expedition	...\$ 23,732.25
+ H-AC Adm. Fee	\$ 600.00
Total Amount FOB Pct. 3	<u>\$ 65,958.75</u>

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

E. HIDALGO COUNTY IT 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
Building & Ground	Javier Carreon, General Foreman	\$33.75	500	Sanyo RL/4920- free phones

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

2. Presentation for discussion, consideration and approval, including but not limited to
 - a) Precinct No. 3 – Reassignments of user name changes from: Office Phone use to Gilbert Cavazos, Maintenance III.; Jesus Vela to Saul Ramirez, Field Operations Director;
 - b) Security Dept.- Reassignments of user name change from: Jeronimo Ortiz to Albert Collins, Administration Security;

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

F. 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.

17. Budget Office – Valde Guerra: (SEE EXHIBIT T)**A. Budget Amendments:**

1. Pct. #3 – Adm. - \$ 40,000.00 & create obj. 611, 665, 666 & 743
2. Pct. #3 – R & B - \$ 145,000.00 & create obj. 720 & 613
3. Pct. #4 – approval to appropriate R & B unreserved funds to various R & B and Adm. accts. in the amount of \$ 429,265.35
4. Pct. #4 – approval to appropriate Pct. #4 Parks unreserved funds in the amount of \$ 137,258.42

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

B. Interdepartmental transfers:

1. 2004 C/O B&G to 2004 C/O Pct. 1 Eng./Arch. - \$ 2,500.00

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

C. Sheriff's Department:

1. **Presentation for discussion, consideration and action to delete two (2) temporary positions**
2. **Approval to transfer funds of the deleted positions from obj. 121 temp. to 113 permanent**
3. **Approval of revised salary schedule**

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

D. Approval of Amended and Restated Agreement between the Humane Society of the Upper Valley, Hidalgo County Chapter Corporation and Hidalgo County

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

E. Discussion, consideration and action regarding Hidalgo County and Museum of South Texas History funding agreement for 2006

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

F. Discussion, consideration and action to properly classify Budget Office as the Department of Budget and Management (Organizational Chart with functional titles attached)

SEE ITEM I.

G. Discussion, consideration and action to approve four (4) new positions (and set salaries), for the long range planning and budgetary management of TxDOT Projects, Capital Improvement Plan (CIP), State and Federal Grants, the County's Self Insured Programs and GASB 34 Infrastructure requirements as follows:

1. **Supervisor Strategic Planning Section**
2. **Budget Analyst II – TxDOT /CIP**
3. **Budget Analyst II – Grants Mgmt.**
4. **Budget Clerk II – Planning**
5. **Job descriptions attached**

SEE ITEM I.

H. Discussion, consideration and action to adjust salaries for the following vacant positions to align salaries (parity) within the Budget Division

1. **Slot #5 – Statistician I (Fund 1100)**
2. **Slot #3 – Planning Analyst (Fund 2201)**
3. **Slot #1 – Planning Analyst (Fund 2202)**

SEE ITEM I.

I. Approval of Revised Salary Schedules and position title changes

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

J. Discussion, consideration and action on designating a Public Information Coordinator

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

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

18. Closed Session: (SEE EXHIBIT U)

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.

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

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval, on a lot for Pct. 2 for a park project, to issue two checks to be payable to Atlas and Hall in the amount of \$363.13 and \$12,000.00 payable to O H Investments Properties.

- 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.

20. Closed Session:

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

21. Open Session:

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

22. 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 14, 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 – 2006: (SEE EXHIBIT B)**
 - A. D.A. – Bad Checks & create obj. 663, 665, 666 & 667**
 - B. D.A. – Inv. Fund & create obj. 663, 665, 666 & 667**
 - C. D.A. – Gen. Fund & create obj. 663 & 666**
 - D. County Clerk & create obj. 665, 666, 667 & 745**
 - E. Health – Clinics & create obj. 337**
 - F. 398th District Court & create obj. 666 & 746**
 - G. Tax Office & create obj. 665**
 - H. IT Department (2) & create obj. 890**
 - I. J.P. Pct. #1, Pl. 1 & create obj. 431**
 - J. Sheriff's Office**
 - K. Sheriff Fund 1330**
 - L. Buildings & Grounds & create obj. 613**
 - M. 370th District Court & create obj. 442**
 - N. Constable Pct. #1 & create obj. 613, 665, 666 & 667**
 - O. Constable Pct. #3 & create obj. 665**
 - P. Constable Pct. #4 – LEOSE**
 - Q. Pct. #1 – CAP**
 - R. Pct. #1 – Parks**
 - S. Pct. #1 – Sanitation**
 - T. Pct. #1 – R & B & create obj. 711**
 - U. Pct. #2 – R & B & create obj. 613**
 - V. Pct. #2 – Parks**
 - W. Pct. #3 – Parks**
 - X. Pct. #3 – Landfill & create obj. 608**
 - Y. Pct. #4 – Adm.**
 - Z. Pct. #4 – Landfill**
 - AA. Pct. #4 – Parks**
 - BB. Pct. #4 – R & B**

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. **Urban County:** (SEE EXHIBIT D)
- A. **Request for Approval of two (2) applicants in the County Wide area under the HOME Homeowner Occupied Housing Rehabilitation Program.**
5. **Monthly Fee Reports – January:** (SEE EXHIBIT E)
- A. **District Attorney - \$ 265,893.86**
- B. **District Clerk - \$ 322,589.03**
6. **Tax Refunds:** (SEE EXHIBIT F)
- | Taxpayer | Payer | Amount |
|--------------------------------------|----------------------------|-------------------|
| A. Simon & Teresa Cabrera | Select Portfolio | \$2,626.37 |
| B. Wells Fargo | Wells Fargo | \$2,728.45 |
| C. James H. Lauderdale | James H. Lauderdale | \$4,515.08 |
| D. Valley Mortgage | Valley Mortgage | \$3,047.93 |
7. **County Auditor:** (SEE EXHIBIT G)
- A. **Approval of Financial Report for the month of January**
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 Catalogue Purchasing Program | | | | |
| 84563 | I.T. | CDW-G | \$ 393.00 | 6-1100-415-00-200-002-0-665* |
| Mini USB Flash Drive and Logitech Mouse | | | | |
| 84297 | Constable Pct #3 | S.J.S. | \$ 795.00 | 6-1100-421-00-293-001-0-665* |
| Monitor 17" | | | | |
| 82956 | I.T. | M & A | \$1,329.35 | 6-1100-415-00-200-001-0-601 |
| Panel color ribbon, | | | | |
| 82956 | I.T. | M & A | \$1,740.00 | 6-1100-415-00-200-002-0-743 |
| Color Printer | | | | |
| 84192 | I.T. | S.J.S. | \$ 234.00 | 6-1100-415-00-200-002-0-665* |
| Motherboard Pentium and CPU | | | | |
| 84225 | Health Dept | CDW-G | \$ 107.70 | 6-1100-441-00-340-001-0-664 |
| Low Profile NIC Adapters | | | | |
| 84046 | Tax Assessor | CDW-G | \$ 194.99 | 6-1100-415-15-140-001-0-665* |
| Maxtor 160 GB Sata 7.2 | | | | |
| 84073 | District Attorney | CDW-G | \$ 476.99 | 6-1223-412-00-080-007-0-665* |
| Western digital dual option external hard drive | | | | |

84278	District Attorney	CDW-G	\$ 711.00	6-1223-412-00-080-007-0-665*
LaserJet Printer and Jet Direct Ethernet Printer Server				
State of Texas DIR				
84227	Health Dept	HP	\$3,114.00	6-1293-441-00-340-013-6-745
HP Compaq Business Notebook with 3yrs parts and labor				
82630	I.T.	CDW-G	\$2,970.00	6-1100-415-00-200-002-0-743
HP Color LaserJet Printer				

***denotes pending line item transfers**

**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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, FEBRUARY 14, 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 V)

1. Roll Call

All Member 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 of Work Authorization #8 for TEDSI Infrastructure Group for Mile 6 North Project (Pct. 1)

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

5. Approval of budget amendment for "roll over" of 2005 open purchase order in M & O budget

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

6. Discussion and update on Flood Insurance Rate Map (FIRM) mapping and federal legislation

Discussion made by Godfrey Garza.

7. Approval of pay request #2 (\$ 24,219.07) & #3 (\$41,590.72) to McAllen Construction for Main Floodway Channel project

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

8. 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.

9. 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

10. Open Session:

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

11. Closed Session:

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

12. Open Session:

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

13. 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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, FEBRUARY 14, 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 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. Line item transfer:**
 - A. 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 14th day of February, 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 February 14, 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