

SPECIAL MEETING – FEBRUARY 21, 2006

BE IT REMEMBERED, that on this 21st day of February, 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 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 SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 21, 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 Handy, Commissioner Flores arrived 10 minutes late.

2. Pledge of Allegiance

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

3. Prayer

Godfrey Garza led the Court and Audience in Prayer.

4. Open Forum

Virginia Townsend – Concerning the amount the County is paying for Trucks.

Fern McLaugherty – Concerning a proposed Drainage Bond.

At this time Commissioner Flores arrived.

At this time the Court moved to item #8.

5. Approval of Consent Agenda

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

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

- A. Request approval to close the Hidalgo County State Infrastructure Bank Fund with First National Bank, and have the \$ 37,748.33 plus interest earned transferred into the Capital Projects Fund Account**

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

7. **County Auditor – Ray Eufrazio:** (SEE EXHIBIT H)

- A. Approval to appropriate open purchase orders that were rolled over into year 2006 during the close-out process for year 2005 (special revenue funds and internal funds)**

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

At this time the Court moved to item #9.

8. **County Judge’s Office – Humberto Garza:** (SEE EXHIBIT I)

- A. Discussion and possible action regarding the Tobacco Money being allocated to the Rio Grande Valley Health Services District (SEE FISCAL NOTE)**

On motion Of Commissioner Flores, seconded by Commissioner Garza, the Court made a VOTE of approval to have the Auditor issued a check in the amount of \$931,123.21 to the Rio Grande Valley Health District.

Commissioner Palacios – Abstain.

At this time the Court moved back to item #5.

9. **District Attorney’s Office – Roy Cazares:** (SEE EXHIBIT J)

- A. Approval to authorize payment of claim to James R. Wade for reimbursement of invoice #1083903 in the amount of \$ 159.99 (Safari Books Online) with authority for County Auditor to process payment after review and auditing procedures are completed**

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

10. **Elections Department – Teresa Navarro:** (SEE EXHIBIT K)

- A. Discussion, approval and possible action on the following, but not limited to:**
- 1. Elections Services Agreement between the County of Hidalgo and South Texas ISD for their May 13, 2006 Board of Director Election**
 - 2. Election Services Agreement between the County of Hidalgo and City of San Juan for their May 13, 2006 City Council Election**

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

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

- A. Request approval of a payment, in the amount of \$560.00, to Professional Service Industries, Inc. for testing services at 8th Street, an Urban County Program Year 16 (2003) Street Improvement project in the City of La Villa.**
- B. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) (4) for professional services with Mata-Villarreal-Garcia Design Group, LLP Service in connection with City of Weslaco for professional services for Year 15, (2002).**
- C. The City of Weslaco is requesting approval to award a professional service contract to Mata-Villarreal-Garcia Design Group, LLP Service in the amount of \$24,600.00 utilizing Year 15 (2002) funds for improvements to the Weslaco Public Library Roof.**
- D. Requesting approval of an amendment to the HOME Rehabilitation Policy so that applicants shall have the option of adding additional bedrooms for remaining family members not meeting certain criteria (listed below) but will bear the cost through a no interest loan through the Urban County Program.**
- E. Requesting approval of an amendment to the HOME Rehabilitation Policy so that medical necessity is defined as a serious physical medical condition that will deteriorate or whose recovery from is inhibited due to the substandard living conditions of the applicant's home.**
- F. Requesting Approval of an Amendment to the HOME – Home Buyer Policy – Predatory Lending/Interest Rate guideline from two (2) points above conforming Fannie Mae par to four (4) points above in order to enable more qualifying applicants.**
- G. 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 2004/2005 – HOME Funds for Proyecto Azteca, a Community Housing Development Organization (CHDO) in the amount of \$165,000.**
- H. Requesting Approval of the Urban County HOME Division – Community Housing Development Organization (CHDO) – Policies Manual.**
- I. Approval of Resolution to the Office of Rural Community Affairs (ORCA) requesting a Performance Statement Amendment for the 2004 Colonia Construction Grant #724065.**
- J. Approval to officially request from the Texas Department of Housing and Community Affairs (TDHCA) Office of Colonia Initiatives (OCI) – Self Help Program Contract No. 723013. Contract Period Extension and Performance Statement Amendment No.4**
- K. Approval of ORCA 2004 EDAP Colonia Grant # 724205 Contract with ASAGO L.L.C. in the amount of \$396,989.50 for 397 first time sewer improvements to twelve (12) colonias in the City of Mission's ETJ area in Pct. # 3.**

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

12. Sheriff's Office – Sheriff Treviño: (SEE EXHIBIT M)

- A. Requesting authorization for County Judge to execute the Federal Annual Certification Report for fiscal year 2005, as required by the U.S. Department of Justice as a Prerequisite to the Distribution of Equitably Shared Funds and Property to the Sheriff's Office**

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

- B. Approval to appropriate the December 31, 2005 fund balance (unreserved) in the amount of \$ 61,833.27 in the Sheriff's Federal Sharing – U.S. Department of Treasury Fund for the Year 2006**
- C. Approval to appropriate the December 31, 2005 fund balance (unreserved) in the amount of \$ 148,276.36 in the Sheriff's Investigation Fund 1227-HB 65 for the Year 2006**
- D. Approval to appropriate the December 31, 2005 fund balance (unreserved) in the amount of \$ 2,981.09 in the Sheriff's Investigation Fund 1226 for the Year 2006**
- E. Approval to appropriate the December 31, 2005 fund balance (unreserved) in the amount of \$ 70,730.20 in the Sheriff's Federal Sharing–U.S. Department of Justice Fund for the Year 2006**

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

- F. Approval to delete vacant slots #380, 172, 395 and 147 in Acct. #6-1100-423-21-280-002-0 (Jail budget)**
- G. Approval to create slot #397 (Maintenance Director) in Acct. #6-1100-423-21-280-002-0 and set salary (Jail Budget) at \$ 35,000.00**
- H. Approval to create slot #327 (Commander) in Acct. #6-1100-421-00-280-001-0 (Sheriff Budget) and set salary**
- I. Approval to transfer funds from Jail Budget Acct. to Sheriff's Budget Acct. for funding of created position**
- J. Approval of revised salary schedules for Jail/Sheriff Offices (SEE FISCAL NOTES)**

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

13. Head Start Program – Teresa Flores: (SEE EXHIBIT N)

- A. Preliminary Report from the National Head Start Association on 1% Reduction of Funding**
- B. Report on LAP-D Mid Year Assessment**

Presentations made by Teresa Flores on items A & B.

C. Discussion/approval of Self Assessment and Corrective Action Plans

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

D. Recognition of Blue Ribbon Centers – Self Assessment

Presentation made.

E. Discussion/approval of Addendum to Interlocal Agreement with McAllen Independent School District for the Relocation of McAllen III Head Start Center

NO ACTION taken on this item.

F. Discussion/approval to declare the attached list of items pgs. 1-19 as surplus/obsolete and to transfer to the county for proper disposition

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

G. Discussion/approval on Request to Purchase Classroom Supplies through the Hidalgo County's Membership/Participation with the following programs/cooperatives:

- 1. Texas Association of School Boards (TASB) Buyboard's Awarded Vendors Kaplan Early Learning Company and National Educational Systems, Inc., in addition**
- 2. Texas Building and Procurement Commission (TBPC) Awarded Vendor Hatch**

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

14. Human Services – Rudy De La Viña: (SEE EXHIBIT O)

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

NO ACTION taken on this item.

B. Approval to decrease slot #16 in the amount of \$ 2,910.00 and increase slot #7 by \$ 2,910.00 (both slots are currently vacant)

C. Approval of Revised Salary Schedule

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

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

Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:

A. Status of renovations of administration building

NO ACTION taken on this item.

B. Status of other ongoing county owned building construction, renovation, and/or repair projects:

- 1. Report on the commencement of the renovations (subject to the City of Edinburg requirements) to the newly acquired property on the corner of 12th & Kuhn (fka Horizon Building) to relocate J.P. Mary Alice Palacios;**

Presentation made by Daniel Flores.

- 2. Upon vacating of J.P. Palacios Offices from present location of 1212 S. 25th Street, Edinburg, Texas, approval of assignment, as requested by J.P. Charlie Espinoza, to occupy vacated J.P. Palacios space (in addition to his present offices space) until renovations of newly acquired property (fka the Bennett Building) is renovated;**

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

C. Report of unanticipated, or emergency situation(s) occurring during the last agenda meeting

NO ACTION taken on this item.

D. Request for acceptance and approval of invoice for Rike Odgen Figueroa for Acct. #6-1301-415-00-120-007-0-720 on PO #562445 in the amount of \$ 38,610.00 with authority for Auditor to issue payment after review, audit and processing procedures are completed

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

At this time the Court moved to item #17.

16. Right of Way – Joe Peña: (SEE EXHIBIT Q)

A. Discussion and action regarding the adoption of the preliminary Road Map for Hidalgo County

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

B. Discussion and/or action on a permit for M.C. Contractors to install an 8” waterline/18” storm sewer line on Trenton Rd. approximately ¼ mile east of “I” Rd. – open cut –Los Llanitos Subdivision

NO ACTION taken on this item.

At this time Judge Garcia excuses himself from the Court.

At this time the Court moved to item #18.

17. Pct. #1 – Comm. Handy: (SEE EXHIBIT R)

A. Approval of Contract Amendment between Hidalgo County Pct. 1 and Workforce Development Board

B. Approval to set revised ending date and budget line item adjustments (Amendment has been approved by Workforce Board)

C. Approval to create obj. 343 (laundry/dry cleaning) and obj. 605 (clothing)

D. Approval of line item transfers

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

At this time the Court moved back to item #16.

18. Pct. #2 – Comm. Palacios: (SEE EXHIBIT S)

A. Status Report on Pct. #2 Road Projects (“I” Rd, Nolana Rd. & McColl Rd.)

Presentation made.

19. Pct. #3 – Comm. Flores: (SEE EXHIBIT T)**A. Requesting approval to appropriate funds from Pct. #3 Unreserved Fund Balance into Paved/unpaved Roads operating budgets**

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

20. Pct. #4 – Comm. Garza: (SEE EXHIBIT U)**A. Presentation for consideration, discussion, acceptance and approval of Invoice #ENG 779 in the amount of \$ 16,435.06 from J.E. Saenz & Associates, Inc. with authority for County Auditor to issue payment (after review and processing procedures completed) in connection with Contract #05-338-10-04, PO #561342**

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

B. Request authorization to enter into an Interlocal Agreement with the City of Edinburg for road improvements on FM 2812 west of US 281 to Seminary Rd.

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

At this time the Court moved to item #21-A6-B.

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

- 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>1179</u>
Physical Count:	<u>1095</u>	Males (in house) <u>1015</u>
Out of County Facility	<u>84</u>	Females (in house) <u>80</u>
La Villa.	<u>62</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>10</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>22</u>	
Adj. / Sentenced to TDC	<u>150</u>	Total Paper Ready TDC <u>64</u> No. over 45 days <u>22</u>
		Pending Paperwork/Courts <u>38</u>
		Pending Charges/Courts <u>48</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) Request and recommendation from Luis A. Figueroa, project architect, for approval of**
 - c) Other Related Items;**

NO ACTION taken on item #5 a thru c.

At this time the Court moved to item #7.

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;**

Presentation made by Tommie Canul.

- b) Request and recommendation by V-A Architecture, project architect, for approval of Change Order # 2 (deduct/decrease) in the amount of \$105,659.00 with Descon Construction awarded contractor for the new juvenile detention facility;**

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

- c) Status of pending payment requests;**
d) Other related issues;

NO ACTION taken on items c & d.

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

7. Requesting authority to advertise and approval of draft specifications for “Purchase of Clothing, Uniforms and/or Accessories”.

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

At this time the Court moved to item #9.

8. Presentation by Mr. William “Bill” Rusteberg, Voluntary Products Consultant, for discussion, consideration and action (if necessary) of membership by Hidalgo County with Public Employee Benefits Alliance (PEBA), including, but not limited to, for the procurement of “Prescription Benefit Management Services, Disease Management and Retiree Continuum of Care Projects” with membership agreement document (subject to legal review).

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

At this time the Court moved to Executive Session.

9. Requesting authority to declare as “Surplus” for the purpose of Leasing the property (with no current use required by Hidalgo County) located at 207 E. Loeb Street (the old County Jail and Restitution Center) further described as; Lots 8-12, Block 164, Original Townsite, Edinburg, Texas;

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

- 10. Requesting authority to advertise the Lease of the Old Jail & Restitution Facility located at 207 E. Loeb, Edinburg, Texas to a non-profit organization with all required and/or necessary renovations to be at the direction of Hidalgo County but at the cost of the Lessee.**

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

- 11. Presentation for discussion, consideration and approval to re-locate the April (4,11,18,25), 2006 Jury Empanelment for Hidalgo County from the Edinburg City Auditorium to the Activity Center located at 123 E. Palm Drive in Edinburg, Texas with authority to advise District Clerk in order to meet the April Jury Notices deadline of 2-27-06;**

Presentation made.

- 12. Discussion, consideration and action (if necessary) on re-location site(s) of Jury Empanelment from the current location of the Edinburg City Auditorium at 415 West McIntyre Street due to the up-coming construction of a new City Hall Complex including the permanent closing of the 400 block of McIntyre Street (deadlines for issuance of Jury Notices for the month of May is 3-27-06);**

NO ACTION taken on this item.

- 13. Other related issues;**

NO ACTION taken on this item.

At this time the Court requested an 8 minute recess.

B. HIDALGO COUNTY PRECINCT NO. 2 –

- 1. Requesting authority to reject sole bid received for “Pond/Wetland Construction for the North San Juan Park”.**
- 2. Requesting authority to re-advertise for “Pond/Wetland Construction for the North San Juan Park”**

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

- 3. Requesting authority to reject sole bid received for “Electric Power and Related Services at the North San Juan Park” in as much as it does not meet specifications.**
- 4. Requesting authority to re-advertise for “Electric Power (Turnkey Solution) and Related Services at North San Juan Park”**

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

5. **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 \$86097, from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, “Nolana Loop”, and “McCull 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 Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval for the amount of \$860.97.

C. HIDALGO COUNTY PRECINCT NO. 3-

1. **Requesting authority to purchase two (2) laser printer with technical support, with Del I marketing through the State of Texas DIR-SDD-192 contract on Req #84614 in the total amount of \$6,176.08.**

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

2. **Presentation for consideration, discussion acceptance and approval of Work Authorization # 3 (with a proposed fee of \$282,272.05) with L&G Engineering Laboratory, LLC to provide engineer services to Hidalgo County Precinct No. 3 for, “Development of the Schematics and Environmental Document for FM 681, from SH 107 to SH 364.”**

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

D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 3-

1. **Presentation for discussion, consideration, acceptance and approval of Payment Application # 2 in the amount of \$160,673.08 submitted by Valley Paving, Inc in connection with (Contract No. C-CAP -05-006-06-21 – Road Construction of “Goodwin Heights No. 1, County Corner Estates, Havana and La Palma Subdivision(s)” as recommended by project engineer, Javier Hinojosa Engineering, Inc.**

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

2. **Presentation for discussion, consideration, acceptance and approval of Payment Application # 1 in the amount of \$125,557.42 submitted by Juan Mendoza Corporation d/b/a/ J.M. Construction, Inc. in connection with (Contract No. C-CAP 05-020-08-02 Road Construction of “Grove wood Estates and Perlas De Naranjas Subdivision(s)” as recommended by project engineer, Javier Hinojosa Engineering, Inc.**

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

E. HIDALGO COUNTY BUILDING & GROUNDS –

- 1. Requesting authority to advertise and approval of specifications as attached hereto for: “HVAC Equipment Repair Parts- Hidalgo County” RFB**

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

F. HIDALGO COUNTY JUVENILE PROBATION –

- 1. Requesting authority to purchase five (5) optiplex Pentium 4 computers from Dell Marketing through the State of Texas DIR-SDD-192 contract on Req #84677 in the total amount of \$6,109.90**

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

G. HIDALGO COUNTY PLANNING 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 Planning Department and detaining the “holder and user” of fleet card under awarded contract for Gasoline, On & Off Highway Diesel Fuel”.**

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

H. HIDALGO COUNTY IT DEPARTMENT -

- 1. Requesting authority to purchase two (2) Dell computers with Dell marketing through the State of Texas DIR-SDD-192 contract on Req #82505 in the total amount of \$5,699.40.**

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

I. HIDALGO COUNTY RIGHT OF WAY –

- 1. Requesting authority to purchase three (3) Optiplex Pentium 4 computers from Dell marketing through the State of Texas DIR-SDD-192 contract on Req #84868 in the total amount of \$5,047.92.**

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

J. HIDALGO COUNTY RE: REAL ESTATE ACQUISITIONS –

- 1. Requesting authority to obtain and approval of (when applicable), including, but not limited to, the following items necessary in anticipation of real property/estate acquisition(s): fair market value appraisals, inspections, surveys, all phases-environmental assessments, title reports or title policies services, commercial contracts (improved property) or option contracts with authority for County Auditor to issue required earnest money payment(s) or option payment(s) and County Judge to execute necessary/required document(s)**

NO ACTION taken on this item.

22. Budget Office – Valde Guerra: (SEE EXHIBIT W)**A. Interdepartmental transfers:**

- 1. Co. Wide Adm. to Auxiliary Court - \$ 500.00 & create obj. 535**
- 2. Co. Wide Adm. to Courthouse Security Parking Lot - \$ 1,624.10 & create obj. 117**
- 3. Budget Office to Pct. #4 Landfill - \$ 10,000.00 & create obj. 350**

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

B. Interfund transfers:

- 1. ROW Dept. to Pcts. 1, 2, 3 & 4 ROW - \$ 200,000.00 each**

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

C. Discussion, consideration and approval to pay employee #065218 retroactive pay for 2005 due to a typographical error on his change of status in the amount of \$ 1,000.00

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

D. Discussion, consideration and action to reimburse employee #058734 for damaged stenographical writer machine and stenographic writer wiring, incurred on 5/7/05 claim #047505027844 due to water leak at the Courthouse

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

E. Approval of intradepartmental transfer (for reimbursement to employee)

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

F. Discussion, consideration and approval of In-Service Withdrawal Election for employee #120669 – Hidalgo County 457 Plan

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

G. 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 \$ 60,464.76 for the period ending 1/16-31/06**
- 2. Approval of wire transfer**

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

H. Health Insurance Division:**1. Discussion, consideration and approval to transfer \$ 427,568.62 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**

- 1/24/06 thru 1/30/06 \$165,266.38
- 1/31/06 thru 2/6/06 \$109,526.35
- 2/7/06 thru 2/13/06 \$152,775.89

2. Approval of wire transfer to cover the claims paid

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

At this time the Court moved back to item #21-A-8.

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

23. Closed Session: (SEE EXHIBIT X)

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. C-1821-05-A; Jose Cuellar vs. City of Edinburg and Hidalgo County**
- E. CL-05-0892-B; Gerald G. Schuller, Jr. vs. Hidalgo County et.al**

NO ACTION taken on items A thru E 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. C-1821-05-A; Jose Cuellar vs. City of Edinburg and Hidalgo County

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to authorized Valde Guerra to acknowledge the interrogatories that have been answer by the County of Hidalgo and have the authority to sign of as full coordinator on that affidavit for those interrogatories.

E. CL-05-0892-B; Gerald G. Schuller, Jr. vs. Hidalgo County et.al

NO ACTION taken on this item.

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 21, 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 Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. Buildings & Grounds & create obj. 810**
 - B. County Court #1**
 - C. Elections Department (3)**
 - D. Constable Pct. #4 & create obj. 745**
 - E. J.P. Pct. #4, PL. 1 & create obj. 640**
 - F. WIC - B/F & create obj. 533**
 - G. D.A. – Gen. Fund**
 - H. D.A. – Inv. Fund**
 - I. Right of Way & create obj. 666 & 441**
 - J. J.P. Pct. #2, Pl. 2**
 - K. J.P. Pct. #3, Pl. 2 & create obj. 666**
 - L. Tax Office & create obj. 603 & 684**
 - M. 92nd District Court & create obj. 666**
 - N. Safety Division**
 - O. Civil Service & create obj. 664**
 - P. County Clerk (2) & create obj. 682**
 - Q. Constable Pct. #5**
 - R. County Auditor**
 - S. Pct. #1 – Parks**
 - T. Pct. #4 – Adm. & create obj. 665**
 - U. Pct. #4 – R & B & create obj. 640 & 739**
- 3. Planning Department: (SEE EXHIBIT C)**
 - A. Approval of the following Certificates:**
 - Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - Certificates of Residence Construction under Local Government Code Section 232.029(c)(1)**
 - Certificates of Water Service Availability under Local Government Code Section (c)(2)**

4. **Right of Way – Permits: (SEE EXHIBIT D)**

- A. **Ventex Operating – Mile 4 ½ Rd. west of FM 491**
- B. **BP America Production Co. – Dicker Rd. & Alamo Rd.**
- C. **North Alamo Water Supply – Cesar Chavez on Eldora Rd.**
- D. **North Alamo Water Supply – Ingle Rd. west of Tower Rd.**
- E. **North Alamo Water Supply – Jasman Rd. north of Mile 18 North**
- F. **North Alamo Water Supply – FM 1423 on Mile 12 North**

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

A. JP Saenz	\$ 21,035.00
B. JP Morales	\$ 11,924.27
C. JP Contreres	\$ 22,771.05
D. JP Trevino	\$ 33,636.50
E. JP Garza	\$ 44,111.33
F. JP Ochoa	\$ 43,003.00
G. JP Espinoza	\$ 45,953.47
H. JP Palacios	\$ 35,047.65
I. JP Jackson	\$ 5,353.31
J. Law Library	\$ 1,495.50
K. Sheriff Trevino	\$ 120,242.90
L. Anzalduas Park	\$ 684.00
M. Delta Lake	\$ 486.00
N. Constable Avila	\$ 990.00
O. Constable Alaniz	\$ 60.00
P. Constable Gallardo	\$ 4,170.00
Q. Constable Rios	\$ 1,490.00
R. Constable Bazan	\$ 630.00
S. Fire Marshal	\$ 3,584.00
T. Tax Assessor/Collector	\$20,239,180.17

6. **Purchasing Department: (SEE EXHIBIT F)**

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				
84662	Constable Pct #4	Dell	\$1,221.98	6-1100-421-00-294-001-0-745*
Dell Computer				
84627	Planning	Compusa	\$ 497.99	6-1100-419-10-210-001-0-661
Fax Machine				
83221	Precinct No 1	CDW-G	\$1,176.02	6-1211-452-00-121-013-0-745
Computer				
84891	Precinct No 4	Dell	\$ 138.80	6-1204-431-00-124-005-0-665
CD Read/Write with DVD Slimline & CD-RW/DVD Combination				
84956	Elections	Dell	\$ 899.00	6-1100-414-00-130-001-0-664
Mobile Cart				
84789	I.T.	MPC-G	\$ 506.26	6-1242-412-00-060-001-0-661
Brother Intelifax				

B. HIDALGO COUNTY TAX ASSESSOR/COLLECTOR –

- 1. Requesting authority to enter into a maintenance agreement for a shredder with General Binding Corporation on Req #84663 in the amount of \$857.00. Effective march 20, 2006 through March 20, 2007.**
- 2. Requesting authority to enter into a service contract for a fax machine with Copy Graphics on Req #84658 in the amount of \$200.00. Effective February 21, 2006 through February 21, 2007.**
- 3. Requesting authority to enter into a maintenance agreement for a standalone folder machine on Req #84657 in the amount of \$567.00. Effective November 1, 2005 through October 31, 2006.**

C. HIDALGO COUNTY WIC PROGRAM –

- 1. Requesting authority to enter into a maintenance agreement for 15 copiers with Digital Office Systems on Req #84577 in the amount of \$2,249.10. Effective January 28, 2006 through January 27, 2007.**

**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, FEBRUARY 21, 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 Y)

1. Roll Call

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

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 withdraw employee contribution to 457 Plan

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

5. Purchasing Department – Marty Salazar:

NOTES: A. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY DRAINAGE DISTRICT – CONTRACT’S MANAGER

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

Presentation made.

2. Presentation for discussion, consideration and approval for County Judge to execute the following documents including, but not limited to; Special Warranty Deed, Release of Servitudes and Mission Inlet Bypass Agreement, (as reviewed by legal counsel) in connection with the RFB-“Sale or Exchange of Surplus Land, Rights of Way, Easements or Personal Property” project for property described as: Mission Inlet By-Pass Parcels I-VI (Various Tracts located along the existing Mission Inlet Drainage System) in Hidalgo County, Texas and as previously approved for acceptance of “Exchange”, including “Order Confirming Sale” document, (although not applicable because of “Exchange” and not a Sale) on 1-17-06.

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

6. Workers’ Comp. – Valde Guerra:

- A. Update on Workers’ Compensation claims paid by TriStar Risk Management in the amount of \$ 520.09 for the period ending 1/16-31/06
- B. Approval of wire transfer

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

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

7. Closed Session:

Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

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

8. Open Session:

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

9. Closed Session:

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

10. Open Session:

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

11. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, FEBRUARY 21, 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 Garza, seconded by Commissioner Flores, the Board made a UNANIMOUS vote to approve the Drainage District.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Discharge Permits:**
 - A. City of Hidalgo – Rio Largo Phase Subdivision Phase IV**
 - B. City of Edinburg – Wind rose Estates Phase 2**

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 21st 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 21, 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