

SPECIAL MEETING – February 28, 2006

BE IT REMEMBERED, that on this 28th 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 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 SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 28, 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.

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

At this time the Court moved to item #19-G.

Teresa Navarro – Informing the Court and the Public on early voting and the up coming election.

At this time the Court moved to item #12-A.

5. Approval of Consent Agenda

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

At this time Commissioner Flores steps out of the Court.

6. Budget & Management – Valde Guerra: (SEE EXHIBIT F)

A. Interfund transfers:

1. TXDOT US 83 Illumination - \$ 904.93

B. Interdepartmental transfers – 2006:

1. Co. Wide Adm. Cont. to LRGVDC - \$ 557.00
2. C.O. 2004 Bldg. & Grounds (additions/renovations)

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

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

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

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

E. Health Insurance Division:

1. Discussion, consideration and action on ASO Appeal Review Request claim #052150867700

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

F. Discussion, consideration and action on Amendment to Interlocal Agreement between the City of Edinburg, ECISD & County of Hidalgo for the reconstruction of Sam Houston Elementary

NO ACTION taken on this item.

At this time Commissioner Flores returns to the Court.

G. Courthouse Parking Lot:

1. Discussion, consideration and action to create a Peace Officer position & set salary
2. Approval of Revised Salary Schedule

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

At this time the Court moved to item #10

7. Tax Office – Armando Barrera: (SEE EXHIBIT G)

A. Approval of Interlocal Cooperation Agreement between County of Hidalgo and Bermea's Volkland, Inc. for the issuance of Motor Vehicle License Renewal Stickers

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

8. **District Attorney's Office – Dick Wade: (SEE EXHIBIT H)**

A. Approval to authorize payment of claim for the following:

1. **James R. Wade for invoice #318812 (Microsoft Licensing Fulfillment) in the amount of \$ 87.68, with authority for County Auditor to process payment after review and auditing procedures are completed**

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

9. **Urban County – Diana Serna: (SEE EXHIBIT I)**

- A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) for professional services with S&B Infrastructure, LTD in connection with the City of La Joya Water/Sewer Improvements.**

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

- B. Approval of Professional Services Agreement with S & B Infrastructure, LTD with the City of La Joya Water/Sewer Improvements Yr. 17 & 18 (2004 & 2005). Amount requested \$60,000.00.**

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

- C. Request for approval to award bid for the construction of one (1) emergency housing unit to Proyecto Azteca for the total amount of \$43,500.00.**

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

- D. Request for approval to award bid for the construction of fourteen (14) emergency housing units to Simple Homes, Inc., for the total amount of \$501,154.00.**

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

- E. Approval of a Resolution for Designation and Authorizing Bonded Signatories for the 2005 Economically Distressed Area Program (EDAP) Contract #725305 and the 2005 Colonia Construction Contract #725195 – Office of Rural Community Affairs – Texas Community Development Program Funds.**

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

At this time Commissioner Flores steps out of the Court.

At this time the Court moved to item #13.

10. Public Defender's Office – Jaime Gonzalez: (SEE EXHIBIT J)

- A. Request approval of revised FY 2006 Discretionary Grant for Public Defender's Office**
- B. Approval of Grant**

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

11. Constable Pct. #3 – Larry Gallardo: (SEE EXHIBIT K)

- A. Presentation and discussion of 2005 Racial Profiling Report as presented by Hidalgo County Constable Pct. 3 Department in accordance with Article 2.133 of the Texas Code of Criminal Procedures**

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

At this time the Court moved back to item #7.

At this time Commissioner Flores steps out of the Court.

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

- A. Presentation from the American Diabetes Association**

Presentation made by Yvette Ramos.

- B. Discussion, consideration and action on allowing county employees to participate in the American Diabetes Gene Therapy Day**

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

At this time the Commissioner Flores returns to the Court.

- C. Discussion and possible action regarding the appointment of members to the Health Care Funding District**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on appointing Jaime Ortiz for Pct. 1, Dee Trevino for Pct. 2, James Morales for Pct. 4, Rita G. Urusti for Pct. 3 and Bill Becker for the County Judge.

- D. Discussion, consideration and action on timeline for the Hidalgo County Regional Mobility Authority Appointments**

Presentation made by Godfrey Garza and advised the Court on 3 weeks timeline for the appointments.

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

13. Planning Department – Raul Sesin: (SEE EXHIBIT M)**A. Preliminary Approval:**

- 1. Western Crossroads Plaza – Pct. 3 (Jane Cross)**
- 2. Wes-Tex Subdivision Phase 2 – Pct. 1 (Kyle Bennett)**
- 3. Hopewell Gardens Subdivision – Pct. 4 (Baldemar Balderas)**
- 4. Davis Ranchettes Subdivision – Pct. 4 (Daniel Moffatt)**
- 5. Eagle’s Nest Unit No. 3 Subdivision – Pct. 1 (Tony Barbosa)**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #1 thru 5.

B. Final Approval:

- 1. El Ranchito Dominguez Subdivision – Pct. 1 (Rolando Dominguez)**
- 2. Kenwood Estates Phase 5 Subdivision – Pct. 3 (Ken Jones)**

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

C. Final Approval with a Cash Deposit:

- 1. Sendero Trails Phase 1 Subdivision – Pct. 4 (Elio Botello)**
- 2. Sendero Trails Phase 2 Subdivision – Pct. 4 (Elio Botello)**

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

D. Reimbursement of a Cash Deposit:

- 1. Haro Subdivision – Pct. 1 (Raymond Haro)**

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

E. Discussion and possible action on residential subdivisions located within La Joya Water Supply Corporation CCN Area:

- 1. Watson Heights Subdivision – Pct. 3 (Paul Daniec, Developer)**

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

At this time Commissioner Flores returns to the Court.

14. Human Services – Rudy De La Viña: (SEE EXHIBIT N)**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 Commissioner Handy steps out of the Court.

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

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

NO ACTION taken on this item.

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

Presentation made by Daniel Flores.

At this time Commissioner Flores steps out of the Court.

D. Requesting acceptance and approval of the following invoices with authority for auditor to issue payment after review audit and processing procedures are completed:

Vendor	Amount	PO #
Rike Ogden Figueroa	\$ 2,495.61	PO#556501
Bio-Tech Solutions	\$41,063.75	PO#563288
Descon	\$82,394.00	PO#558845

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

At this time Commissioner Handy returns to the Court.

16. Pct. #1 – Comm. Handy: (SEE EXHIBIT P)**A. Requesting approval to decrease slot #005-058 (Grant Specialist) in the amount of \$ 13,065.00 (to fund the following):****B. Requesting approval to increase salaries of the following positions due to additional duties:**

Slot #	position title	proposed increase
005-006	Truck Driver I	\$4,222.00
005-045	Inventory Coordinator	\$5,614.00
005-049	Coordinator	\$3,229.00

C. Requesting approval of revised salary schedule

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

17. Pct. #2 – Comm. Palacios: (SEE EXHIBIT Q)**A. Requesting authorization to appropriate Pct. #2 R & B unreserved fund balance into Pct. 2 R & B Acct. #6-1202-431-00-122-006-0**

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

B. Requesting authorization to appropriate Pct. #2 Parks unreserved fund balance into Pct. 2 Parks Acct. #6-1212-452-00-122-008-0

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

At this time the Court moved to item #18.

At this time Commissioner Palacios steps out of the Court.

C. Discussion, consideration and possible action on amending the current Contract between Hidalgo County and the Health Services District **FISCAL NOTE ATTACHED**

Presentation made.

At this time the Court moved to item #19.

18. Pct. #4 – Comm. Garza: (SEE EXHIBIT R)

A. Request authorization to name county dedicated road located within Hidalgo County Pct. #4 as follows: Mile 20 ½ North (road located east of Valverde Rd., between Mile 20N & FM 2812)

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

At this time Commissioner Flores returns to the Court.

B. Discussion, consideration and action including but not limited to tax abatement process, guidelines and responsibility

Presentation made.

At this time Commissioner Palacios returns to the Court.

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

C. Approval of Proclamation honoring Deputy Daniel Fuentes for his accomplishments at the Sheriff's Academy

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

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

19. 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.**

At this time Judge Garcia steps out of the Court.

A. HIDALGO COUNTY –

Discussion and/or action, including, but not limited to the following items:

- 1. New Hidalgo County Jail:**

	Total inmate population:	<u>1162</u>
Physical Count:	<u>1093</u>	Males (in house) <u>1011</u>
Out of County Facility	<u>69</u>	Females (in house) <u>82</u>
La Villa.	<u>46</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>6</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>22</u>	
Adj. / Sentenced to TDC	<u>153</u>	Total Paper Ready TDC <u>62</u> No. over 45 days <u>17</u>
		Pending Paperwork/Courts <u>54</u>
		Pending Charges/Courts <u>37</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. **Requesting authority to advertise for: “Record and Delay Broadcast of Commissioners Court Meetings” – Hidalgo County**

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

8. **Presentation for discussion, consideration and approval (if applicable) of discussion, recommendations and conclusions reached at the meeting held between Hon. Commissioner Oscar L. Garza, Jr., (Precinct # 4) and Hon. Mario E. Ramirez Jr., (local presiding judge) in connection with the relocation of Jury empanelment from the Edinburg City Auditorium to a County–owned site commencing with the April empanelment;**

Presentation made.

9. **Requesting authority to advertise for “Shuttle Services” on an “as needed basis” within a two (2) mile radius form the Hidalgo County Courthouse.**

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

- 10. Presentation for discussion, consideration and approval to exercise the sixty (60) day grace period (effective March 24, 2006 thru May 24, 2006) as permitted under the current contract for “Vending Machine Services”, under the same rates, terms and conditions while bid process is in going.**

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

- 11. Presentation by Ruben de Los Santos with Reliant Energy (Hidalgo County’s current contracted energy provider- through the County’s participation in the State of Texas general Land Office Power Program) discussion, consideration and action (if applicable) of a proposal to enter in a 12,24,36 or 42 month agreement before the expiration of County’s current contract of May 14, 2006;**

NO ACTION taken on this item.

- 12. Requesting exemption from competitive bidding requirements under Texas Local Government Code, 262.024 (a) (C) for the contracting for electric energy provider through a state agency;**

NO ACTION taken on this item.

- 13. Approval of an Electric Sales Agreement through the State of Texas General Land Office Power Program for a term of _____.**

NO ACTION taken on this item.

At this time the Court moved to item # B-1.

- 14. Presentation of Phase I Report for “GIS-Architectural and System Design Requirements”, as submitted by S&B Infrastructure (contracted firm).**

Presentation made by Mr. Blackman.

- 15. Discussion consideration and action (if necessary) options, including but not limited to the following:**

a) Funding source for project- Phase II

At this time the Court advised Martha Salazar to proceed on this item.

At this time the Court moved to item #18-C.

b) Methods of acquiring or procuring Phase II

i) “Turnkey Solution” through project specific RFQ/P to include System Computer (hardware, peripherals, installation and support), supervision through implementation of project and all training.

ii) Section of a firm through County’s approved “Pool of Engineers”.

c) Other options or related issues

NO ACTION taken on items b & c.

B. HIDALGO COUNTY PRECINCT NO. 2 –

- 1. Recommending award of Bid and approval of Contract to lowest bidder meeting all requirements and specifications for “Basketball Courts located at the North San Juan Park”.**

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

- 2. Recommending award of Bid and approval of Contract to lowest bidder meeting all requirements and specifications 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”.**

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

- 3. Presentation for discussion, consideration, acceptance, and approval of Request for Payment Invoice No. 1891 in the amount of \$14,096.40; Invoice No. 1681 in the amount of \$1,927.51; Invoice No. 1680 in the amount of \$2,559.76; and invoice No. 1690 in the amount of \$5,664.62 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, “I Rd; South I Rd (Pilot Channel); South I Rd Bridge Replacement; Hiline Rd Reconstruction,” 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 Flores, the Court made a UNANIMOUS vote of approval.

C. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Presentation for discussion, consideration and approval of a “Memorandum of Understanding” (subject to legal review) between Hidalgo County (Precinct No. 3) and the United States Department of Agriculture Animal and Plant Health Inspection Service, Veterinary Services for the provision of agriculture, animal and plant health inspection services, veterinary services and other services.**

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

- 2. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.024(a)(4) a professional service for environmental engineering services for Hidalgo County Precinct No.3 Landfill in Penitas, Texas (subject to legal review)**

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

3. **Approval of a professional engineering service contract with Cook-Joyce Inc. for Hidalgo County Precinct No. 3 Landfill. (with selection made through evaluation from qualified "Pool" of firm.**

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

4. **Presentation for discussion, consideration, acceptance and approval of an invoice dated January 31, 2006 from L&G Consulting Engineers, Inc. in the amount of \$57,432.38 in connection with Road District No. 5**

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

D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 1-

1. **Presentation for consideration and recommendation (by TEDSI Infrastructure Group) award of bid No. CAP-06-001-02-22 Road & Drainage Construction of Capisallo Park Subdivision(s). Project to the lowest bidder meeting all specifications.**

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

E. HIDALGO COUNTY BUDGET & MANAGEMENT DEPARTMENT –

1. **Presentation for discussion, consideration and approval of specifications and authority to advertise for "Equipment Operator Training".**

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

F. HIDALGO COUNTY BUILDING & GROUNDS –

1. **Requesting authority to enter into a service contract (procured through sealed quotes) for waste disposal with waste management for the Precinct No. 3 Multipurpose County Building Longoria Property (aka the mansion) area and the three (3) WIC Clinics in La Joya, Sullivan, and San Juan.**

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 H-1.

G. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. **Requesting authority to purchase upgrade computer software from Environmental Systems Research Institute a CISV vendor through TBPC Catalogue Purchasing Program on Req #85089 in the amount of \$11,556.78**

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

At this time the Court moved to item #19-A-14.

H. HIDALGO COUNTY WIC PROGRAM –

- 1. Requesting (6-010) authority to advertise and approval of specifications as attached hereto for: “Microcuvettes”.**

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

I. 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.

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

20. Closed Session: (SEE EXHIBIT T)

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. CL-04-2424-D; Horacio Garcia vs. Enrique “Henry” Escalon and Hidalgo County Sheriff’s Department**
- E. CL-05-0892-B; Gerald Schuller, Jr. vs. Hidalgo County et.al**

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

At this time Judge Garcia returns to the Court.

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

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on the Mile 3 Outfall for the settlement amount of \$518,130.00.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval for a park on South Tower Rd in Pct. 2 for the amount of \$66,000.00

- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. CL-04-2424-D; Horacio Garcia vs. Enrique “Henry” Escalon and Hidalgo County Sheriff’s Department**

NO ACTION taken on items B thru D.

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

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to settle case #CI-05-0892-B for the amount of \$5,000.00.

22. Closed Session:

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

23. Open Session:

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

24. 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 28, 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 Flores, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of items #5B-1, 5C-1 & 5E-1.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #5B-1 & 5C-1 with the corrections of exceeding \$5,000.00.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item #5E-1 to read a year.

1. **Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
2. **Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. **Right of Way**
 - B. **J.P. Pct. #5, Pl. 1 & create obj. 442, 604, 608 & 631**
 - C. **Human Resources**
 - D. **Budget & Mgmt. – Safety Division**
 - E. **HIDTA – Task Force & create obj. 423, 534, 741 & 584**
 - F. **Indigent Defense**
 - G. **Sheriff DWI Grant & create obj. 584**
 - H. **Health – Adm.**
 - I. **D.A. – Inv. Fund & create obj. 665**
 - J. **Elections Department**
 - K. **IT – Justice Crt. Tech. & create obj. 665 & 667**
 - L. **IT Department**
 - M. **Sheriff's Office & create obj. 613, 665, 666 & 667**
 - N. **Pct. #1 – Parks**
 - O. **Pct. #1 – Landfill & create obj. 425**
 - P. **Pct. #2 – Co. Wide Shop & create obj. 661**
 - Q. **Pct. #2 – Parks**
 - R. **Pct. #2 – 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. Right of Way – Permits: (SEE EXHIBIT D)

- A. North Alamo Water Supply – north of Nebraska rd. & east of Valley View Rd.**
- B. North Alamo Water Supply – north of Eldora Rd. on Tower Rd.**
- C. Dewbre Petroleum – Valverde Rd. & Canton/Wisconsin Rds.**

5. Purchasing Department – Marty Salazar: (SEE EXHIBIT E)

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				
84809	398 th District Court	Compusa	\$ 347.00	6-1100-412-00-009-001-0-601
85071	I.T. Dept	MPC-G	\$ 395.29	6-1100-415-00-200-002-0-665
85074	I.T. Dept	Tech Depot	\$ 275.43	6-1242-412-00-060-001-0-661
85112	District Atty	CDW-G	\$ 993.99	6-1222-412-00-008-006-0-665
85129	Adult Probation	PC Mall	\$ 428.00	6-1297-423-00-320-002-6-664
85129	Adult Probation	PC Mall	\$1,939.00	6-1297-423-00-320-002-6-743
85139	I.T. Dept	S.J.S.	\$ 140.00	6-1100-415-00-200-002-0-665
85195	I.T. Dept	Valcom	\$ 270.00	6-1100-415-00-200-002-0-665
85203	District Atty	CDW-G	\$ 933.99	6-1223-412-00-080-007-0-667
85205	District Atty	CDW-G	\$ 349.00	6-1223-412-00-080-007-0-667
85219	I.T. Dept	CDW-G	\$ 438.99	6-1100-415-00-200-002-0-665
85296	I.T. Dept	Dell	\$ 55.45	6-1100-415-00-200-002-0-661

B. HIDALGO COUNTY DISTRICT ATTORNEY –

- 1. Requesting authority to enter into a sixty (60) month lease agreements for five (5) Copiers with Xerox Corporation through their TBPC contract 985-A3 on Req #85285 at \$94.40 a month**
- 2. Requesting authority to enter into a sixty (6) month lease agreement for one (1) Copier with Xerox Corporation through their TBPC Contract 985-A3 on Req #85285 at \$155.53 a month.**

C. HIDALGO COUNTY ELECTIONS DEPARTMENT –

- 1. Requesting authority to enter into a thirty-six (36) month lease agreement for one (1) copier with Xerox through their TBPC Contract 985-A3 on Req #85260 at \$719.33 a month.**

D. HIDALGO COUNTY HUMAN RESOURCE DEPARTMENT –

- 1. Requesting authority to enter into a thirty six (36) month lease agreement for one (1) copier with Xerox Corporation through their TBPC Contract 985-A3 on Req #84744 at \$278.22 a month.**

E. HIDALGO COUNTY AUDITOR'S DEPARTMENT –

- 1. Requesting authority to enter into a one year maintenance agreement for Canon Copiers with IKON on Req #84760 at \$556.00 a month.**

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

NOTICE

**Oscar L. Garza, Jr.
Board Member**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, FEBRUARY 28, 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 U)

1. Roll Call

All Members of the Board were counted present.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

4. Approval of budget amendment to transfer out and fund Work Authorization #8 with TEDSI Infrastructure for Weslaco Main (Lateral, Pct. 1)

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

5. Approval of pay request #4 (\$47,891.04) & pay request #5 (\$79,089.93) to McAllen Construction, Inc. for Main Floodway Channel (Wier replacement)

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

6. Approval to accept check from GEICO in the amount of \$6,467.68 for loss settlement of 1995 GMC (m/v acc. 1-6-06)

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

7. Approval to advertise or purchase new truck

On motion of Commissioner Handy, 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.**
 - b. Acceptance and approval (if necessary) of invoices or request(s) for payment;**

Presentation made.

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 Handy, 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 28, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

DRAINAGE DISTRICT

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Board made 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. City of Weslaco – Ranchitos De Weslaco Phase I**

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 28th 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 28, 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