

REGULAR MEETING – MARCH 14, 2006

BE IT REMEMBERED, that on this 14th day of March, 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 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-OFICIO 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, MARCH 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 Judge Garcia and Commissioner Handy.

2. Pledge of Allegiance

Commissioner Palacios led the Court and Audience in the Pledge of Allegiance.

3. Prayer

Teresa Navarro led the Court and Audience in Prayer.

4. Open Forum

Fern McClaugherty – Concerning Tax Payer's money.

5. Approval of Consent Agenda

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

6. Urban County – Diana Serna: (SEE EXHIBIT H)

- A. The City of Weslaco is requesting the approval of Budget & Program Amendment for Fiscal Year 18 (2005). The proposed amendment will decrease the Code Enforcement and General Administration line items and create a Public Facility line item.**

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

B. Requesting authorization for County Judge to sign Notice of Intent to Request for Release of Funds (NOI/RROF) and Request for Release of Funds (RROF) for 2005 for City of Weslaco Public Facility Improvements, in the amount of \$30,000.00

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

C. Requesting approval to cancel the Urban County Program Housing Loan Agreement for Camilo & Lydia Ontiveros in the amount of \$29,500.00.

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

D. The Hidalgo County Affiliated Departments Retirement Plan Trustees are requesting authorization for the County Judge to sign the Mandatory Distribution Amendment Application (Code Section 401 (a) (31) (B)).

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

7. Elections Department – Teresa Navarro: (SEE EXHIBIT I)

A. Discussion, approval and possible action on the following, but not limited to:

1. Early Vote Locations for the April 2006 Runoff

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

2. Extend five (5) temporary positions from March 13 – March 17, 2006 for data processing to input Republican and Democratic Voting List

3. Approval of line item transfer

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items #2 & 3.

8. County Clerk – Eddy Trevino: (SEE EXHIBIT J)

A. Consideration and approval to incorporate all nine Justice of the Peace Departments into our County Clerk's Collections Department – this action will allow us to remain compliant with SB 1863 (the County Clerk's Collection Department will collect court costs and fines for all of the Justice of the Peace Departments)

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

9. **Sheriff's Office – Sheriff Trevino: (SEE EXHIBIT K)**

- A. Approval to appropriate the L.E.O.S.E. Allocation from the State Comptroller in the amount of \$ 35,321.59 and interest earned during 2005 in the amount of \$ 967.69 for a total of \$ 36,289.28**

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

- B. Requesting authority to pay two (2) 2003 invoices to Scott Xpress through Acct. #6-1100-423-21-280-002-0-432**

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

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

- A. Requesting acceptance and approval of two (2) invoices payable to Computer Technical Service totaling \$ 1,800.00 (invoice dated 8-21-04 \$ 1,350.00 and 11-4-04 \$ 450.00) with authority for Auditor to issue payment after review, audit and processing procedures are completed**

NO ACTION taken on this item.

11. **HIDTA – Task Force – Dora L. Munoz: (SEE EXHIBIT M)**

- A. Authorization and approval to accept the Interlocal Governmental Agreement between the Hidalgo County HIDTA Task Force and the City of Edcouch Police Department as set forth under the State of Texas Code of Criminal Procedure Chapter 59**

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

- B. Requesting approval to remove the items listed from inventory – ten (10) items as listed**

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

- C. Authorization and approval to accept the Interlocal Governmental Agreement between the Hidalgo County HIDTA Task Force and the County of Hidalgo**

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

12. **Human Resources – Esther Cortez: (SEE EXHIBIT N)**

- A. Approval of Solicitation and Distributing Literature Policy**

NO ACTION taken on this item.

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

- 1. Palomar Subdivision – Pct. 3 (Omar Garcia)**
- 2. Water Stone Estates – Pct. 4 (Manuel Cantu Jr.) – NO ACTION** taken on this item.
- 3. Mid-Valley Meadows Phase I – Pct. 1 (Tim Gearhart) – NO ACTION** taken on this item.
- 4. Mid-Valley Meadows Phase 2 – Pct. 1 (Tim Gearhart) – NO ACTION** taken on this item.
- 5. Pueblo de Palmas Phase 11 – Pct. 4 (J. Gary Frisby)**
- 6. Goolie Heights No. 2 Subdivision – Pct. 1 (Marion Janik)**
- 7. 493 Heights Subdivision – Pct. 1 (Jose Villarreal)**
- 8. Perkins Acres Subdivision – Pct. 1 (George Perkins)**
- 9. North Capisallo Crossing – Pct. 1 (Xenon Moya)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items #1 thru 9 with the exception of items #2, 3 & 4.

B. Final Approval:

- 1. La Frontera Estates Subdivision – Pct. 1 (Allen Cohrs)**
- 2. La Blanca Family Clinic – Pct. 1 (Ariel Guzman)**
- 3. Tesoro Estates Phase 3 Subdivision – Pct. 1 (Mark Dizdar)**
- 4. Amended Plat of Lot 107 Los Nogales Ph. 2 – Pct. 4 (Jose Espinoza)**
- 5. Nassar Farag Subdivision – Pct. 4 (Nasser Farag)**

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

C. Final Approval with a Cash Deposit:

- 1. Hernandez Brothers No. 1 Subdivision – Pct. 3 (Rogelio Hernandez)**
- 2. Hernandez Brothers No. 2 Subdivision – Pct. 3 (Rogelio Hernandez)**

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

D. Final Approval with a Letter of Credit:

- 1. Palace Station Phase I Subdivision – Pct. 4 (Garco, Ltd.)**

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

Commissioner Garza – Abstain.

- 2. El Papalote Acres Subdivision – Pct. 1 (Kyle Ruppert)**

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

14. Hidalgo County – Godfrey Garza: (SEE EXHIBIT P)**A. Discussion and action regarding Commissioners’ Court appointees for Hidalgo County Regional Mobility Authority (RMA) and scheduling a workshop**

NO ACTION taken on this item.

B. Approval of TEDSI Infrastructure Group invoice #2005003 on FEMA – MAS #2

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

At this time the Court moved to item #21-E-2.

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

NO ACTION taken on this item.

16. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT R)

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.

D. Requesting acceptance and approval of invoice for Descon Construction for Payment No. 2 – PO #558845 in the amount of \$ 81,228.00 with authority for Auditor to issue payment after review, audit and processing procedures are completed

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

17. Pct. #1 – Comm. Handy: (SEE EXHIBIT S)**A. Requesting approval to appropriate Pct. #1 unreserved fund balance into various R & B & Administration Accts.**

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

18. Pct. #2 – Comm. Palacios: (SEE EXHIBIT T)**A. Discussion and possible action to approve Amendment and Restated Interlocal Cooperation Agreement between the County of Hidalgo and City of Hidalgo for improvements to McColl Rd. from Military Rd. Northward to Dicker Rd.**

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

B. Discussion, action and approval for County Judge to sign Petition for Exclusion to provide North Alamo Water District 4.086 acres out of the Hidalgo County Community Resource Center Subdivision (20 acre tract) for water rights

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

C. Authorize Auditor's Office to issue manual check in the amount of \$ 50.00 to pay the District's estimate of its reasonable expenses and legal expenses incurred in the exclusion of the Property from the District's boundaries (check is to be issued to North Alamo Water District)

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

19. Pct. #4 – Comm. Garza: (SEE EXHIBIT U)**A. Request authorization to name a private road located within Hidalgo County Pct. #4 as follows: Beardsley PR (road located within Lot #57 of Tex-Mex Subdivision west of Ware Rd., just south of Mile 9 Line)**

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

B. Request approval to set Rotary Cattle Trail Marker on Hidalgo County Courthouse Grounds – along Business 281, in close proximity to the existing club signs (Rotary, Lions and Kiwanis)

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

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

At this time the Court moved to item #20-7.

- 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>1148</u>
Physical Count:	<u>1089</u>	Males (in house) <u>1010</u>
Out of County Facility	<u>57</u>	Females (in house) <u>79</u>
La Villa.	<u>31</u>	
Brook's Co.	<u> </u>	Federal Prisoners <u>6</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>26</u>	
Adj. / Sentenced to TDC	<u>172</u>	Total Paper Ready TDC <u>104</u> No. over 45 days <u>18</u>
	Pending Paperwork/Courts <u>38</u>	
	Pending Charges/Courts <u>30</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.

At this time the Court moved to item #8.

7. **Presentation for discussion, consideration and action including, but not to, the following items I connection with the Relocation if Jury Impanelment form the Edinburg City auditorium to the Hidalgo County Courthouse:**
 - a) **Time Lines and general description of bid packet specifications and/or requirements for Hidalgo County's Request for Sealed Bids for: "Bus and/or Shuttle Transportation Services Project";**
 - b) **Contingency Plans and Options (i.e.; Inter-local agreements, Vehicle rentals, Hidalgo County Sheriff Office buses);**

Presentations made on items a & b.

- c) **Authority to publish a Public Service Ad on Sunday March 19th ., 26th and April 2nd announcing the relocation of Hidalgo County Jury Impanelment to the Hidalgo County Courthouse Auditorium commencing April 03, 2006;**

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

- d) **Other related issues;**

NO ACTION taken on this item.

At this time the Court moved back to item #20-A-1.

8. **Presentation for discussion, consideration, acceptance, and approval of a 30 day notice of termination by contracted vendor Performance Grade Asphalt, LLC, for "MS-1 Emulsified Asphalt," due to the interruption of production by the refinery.**
9. **Requesting approval to advertise and approval of draft specifications as attached hereto for "MS-1 Emulsified Asphalt."**

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

- 10. Requesting approval to exercise the additional sixty (60) day extension as provided in current contract for “Leasing of Vehicles” with Capps Rent a Car so as to have no lapse while bidding process is completed.**

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

- 11. Requesting authority to exercise the additional one year extension as provided in current contract for “EN-1, LLC dba Roadbond Services Co.**

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

- 12. Requesting exemption form competitive bidding requirements under the Texas Local Government Code, Section 262.024(a)(7)(a) proprietary software in connection with Online Research Services for Hidalgo County with Lexis Nexis.**

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

- 13. Requesting approval of agreement(s) if applicable for “Online Research Services” with Lexis Nexis including but not limited to the following Hidalgo County department(s):**

- a) Auditor’s Office
- b) Community Supervision & Corrections Department (Adult Probation)
- c) Criminal District Attorney’s Office
- d) All Judicial Courts
- e) Law Library
- f) Sheriff’s Department

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

At this time the Court moved to item #21-E-b.

B. HIDALGO COUNTY PRECINCT NO. 1 –

- 1. Presentation for discussion, consideration, acceptance and approval of request for payment invoice #11321788 totaling \$35,073.20 submitted by L&G Consulting Engineering Inc. with authority for County Auditor to issue payment (after review, and processing procedures completed) in connection with Contract # C-05-105-03-08 (PO # 554947) for FM 1015 ROW Acquisition & General Engineering Services.**

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

C. HIDALGO COUNTY PRECINCT NO. 3-

1. **Acceptance and approval of Invoice #11321790 dated 02/28/06 in the amount of \$54,665.13 as submitted by L&G Consulting Engineers, Inc. in connection with the Road District # 5 Project.**

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

2. **Acceptance and approval of Invoice # 405053/05XV dated 02/20/06 in the amount of \$1,136.00 as submitted by Dannenbaum Environmental Corporation in connection with the potential site for a Landfill in Precinct No. 3.**

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

3. **Presentation for discussion, consideration, acceptance, and approval of request for Payment Invoice No. 05-381 in the amount of \$2,500.00 (as authorized through Work Authorization # 6 by CC 12/28/05) from Hinojosa Engineering Inc., contracted engineer for Precinct No. 3**

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. 2-

1. **Presentation for discussion, consideration, acceptance, and approval of Request for Payment Invoice No. 1908 in the amount of \$6,645.56; Invoice No. 1909 in the amount of \$4,692.00; Invoice No. 1910 in the amount of \$2,719.73; Invoice No. 1911 in the amount of \$10,108.96; Invoice No. 1912 in the amount of \$3,763.00; Invoice No. 1913 in the amount of \$7,600.80; Invoice No. 1922 in the amount of \$3,322.78; Invoice No. 1923 in the amount of \$3,800.40; Invoice No. 1924 in the amount of \$1,881.50; Invoice No. 1925 in the amount of \$5,054.48 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2 “Primavera No. 1; Southfork Estates; Las Haciendas; LJ NO. 1; Pentecostal; County Living Estates subdivision, “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.

2. **Presentation for discussion, consideration, acceptance and approval (through project engineer, R. Gutierrez Engineering) of Payment Application # 4 in the amount of \$81,749.35 submitted by D.M. Roth, Inc. in connection with contract # C-CAP-05-008-06-21 Road Construction of: “South Tower Estates Subdivision(s)”**

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

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

- 1. Presentation for discussion, consideration, acceptance and approval (through project engineer, Javier Hinojosa Engineering) of Payment Application # 2 in the amount of \$465,419.02 submitted by Juan Mendoza Corporation d/b/a/ J.M. Construction, Inc. in connection with contract # C-CAP-05-022-09-06 Road Construction of: “Carlos Acres and Vales Subdivision(s)”**

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

At this time the Court requested a 10 minute break.

F. HIDALGO COUNTY BUILDING & GROUNDS –

- 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 Buildings & Grounds and detailing the “holder and user” of fleet fuel card under the 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.

G. HIDALGO COUNTY BUILDINGS & GROUNDS/ PRECINCT NO. 3

- 1. Presentation for discussion, consideration, and approval of Payment Arrangement Agreement as required by the La Joya Water Supply Corporation while “adjustments (reduction)” are finalized and explanation as to increase in monthly billing/rates with authority for County Judge to execute document.**

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

H. HIDALGO COUNTY CLERK’S OFFICE-

- 1. Requesting authority to purchase computer hardware and peripherals from Dell Marketing through their Contract DIR-SDD 192 with the State of Texas Department Information Resources on Req # 86130 in the total amount of \$10,983.42.**

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

I. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Requesting authority to advertise and approval of specifications as attached hereto for: “Testing Systems and Related Supplies- Hidalgo County” RFB**

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

J. HIDALGO COUNTY IT DEPARTMENT –

- 1. Presentation for discussion, consideration and approval of specifications and authority to advertise (previously approved in CC on 10/25/2005) for “Cabling Installation Services, Time and Materials” for Hidalgo County “RFB”**

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

- 2. 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 directors(s) and employee(s);**

Department Name	Name of Employee(s)	Basic Rate Plan Per Month	Total Minutes Plan	Equipment/Cost
Buildings & Ground Phones	Victor Guzman, Electrician	\$33.75	500	SanyoRL4920-Free
Buildings & Ground Phones	Seferino Garza, A/C Technician	\$33.75	500	SanyoRL4920-Free
Buildings & Ground Phones	Office Use Phone	\$33.75	500	SanyoRL4920-Free

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

- 3. Presentation for discussion, consideration and approval to transfer cell phone equipment (no longer being used) from J.P. Jackson to Building & Grounds, (for Javier Carreon, approved on CC 2-14-06)**

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

HIDALGO COUNTY SHERIFF’S OFFICE –

- 4. Presentation for discussion, consideration and approval to utilize Simplex Grinnell for the “Service and Maintenance of the Fire Sprinkler and Suppression System” through our membership/participation with Texas Building and Procurement TXMAS Program TXMAS-503FAC010-1 in the amount of \$2,931.72 for one year.**

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

- 5. Presentation for discussion, consideration, acceptance and approval of an extension of the current contract for one (1) additional year (as provided under sections 1.02) with LCS Corrections Services, Inc. in the amount of \$40.00 per diem with an effective date of March 30, 2006.**

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

6. Presentation for discussion, consideration and approval of “Travel Card/Program Policies” for Hidalgo County Sheriff’s Office.

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

7. Approval to implement the use of the “State Travel Credit Card” through Hidalgo County’s membership with Texas Building and Procurement Commission’s “State Travel Credit Card Management Program”.

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

8. Request by Hidalgo County Sheriff’s Office to approve the following:

<u>Hidalgo County Sheriff’s Office Divisions</u>	<u>Number of Cards</u>
a) Patrol	4
b) Criminal Investigation	4
c) Jail	4
d) Civil & Warrants	11
e) Administration	2

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

K. HIDALGO COUNTY WIC PROGRAM –

1. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) with GBB Rentals, LTD. for rental space in the City of Donna.

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

2. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) with Felix Alaniz, Jr. for rental space in the City of La Joya.

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

3. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) with BIC Investments of Off Premises Storage Area.

NO ACTION taken on this item.

L. 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.

21. Budget & Management – Valde Guerra: (SEE EXHIBIT W)**A. Budget Amendments:**

1. **Fund 1315 TXDOT Projects (Mile 2 West) to unappropriate transfer out to Fund 1315 from Fund 1100**
2. **TXDOT ROW FM 2061 (to change the dept. acct. for Pct. #2 TXDOT projects)**

B. Interdepartmental transfers:

1. **IT Department to County Auditor - \$ 41,000.00**
2. **GED Workforce to Co. Wide Adm. Cont. - \$ 1,258.43**
3. **Pct. #1 CAP - \$ 7,604.03**
4. **Co. Wide Adm. Cont. to DPS L/W - \$ 384.00 (public scales invoices)**
5. **Co. Wide Adm. Cont. to DPS H/P - \$ 1,500.00 (equipment – simulators for alcohol breath testing)**

C. Interfund transfer:

1. **Pct. #2 Parks to Pct. #2 – Adm. - \$ 6,125.00 (create obj. 339)**

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

D. Health Insurance Division:

1. **Discussion, consideration and approval to transfer \$468,808.45 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**
 - **January 17, 2006 thru January 23, 2006 \$237,891.74**
 - **February 28, 2006 thru March 06, 2006 \$230,916.71**
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.

E. Request for funding from Hidalgo County Confiscated Drug Fund:

1. **Communities in Schools – David “Gus” Kennedy (request received in January)**

NO ACTION taken on this item.

2. **Palmer Drug Abuse Program – Chandler Kurth (request received in March)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on ½ of the fund balance.

At this time the Court moved back to item #15.

F. Discussion, consideration and action on Policy Limiting Distribution of Material with Payroll

NO ACTION taken on this item.

G. Approval of membership dues for 2006 for the following:

1. County Judges & Commissioners Association of Texas - \$ 2,100.00

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

H. 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 \$ 55,142.51 for the period ending 2/01-15/06 including approval of wire transfer

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

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

22. 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. Pending/potential litigation RLJ incident number 11906**
- E. CL-06-0643-E; Rodrigo Martinez, et. al vs. Edinburg CISD..., Hidalgo County et.al**

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

23. 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**
- D. Pending/potential litigation RLJ incident number 11906**

NO ACTION taken on items A thru D.

E. CL-06-0643-E; Rodrigo Martinez, et. al vs. Edinburg CISD..., Hidalgo County et.al

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to assign Atlas & Hall as counsel for Hidalgo County.

24. Closed Session:

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

25. Open Session:

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

26. 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 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 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. **Purchasing Department (2) & create obj. 532**
 - B. **IT Department & create obj. 532**
 - C. **WIC & create obj. 613 & 667**
 - D. **Indigent Defense (2) & create obj. 320, 665 & 667**
 - E. **Public Defender & create obj. 666 & 831**
 - F. **J.P. Pct. #1, Pl. 2 & create obj. 431**
 - G. **Jail & create obj. 743**
 - H. **Probate Court & create obj. 665**
 - I. **J.P. Pct. #3, Pl. 2**
 - J. **398th District Court & create obj. 665**
 - K. **County Clerk (2)**
 - L. **Veterans Service**
 - M. **Elections Department (2)**
 - N. **Health – Imm. Grant**
 - O. **Health – Clinics & create obj. 665, 666 & 667**
 - P. **Right of Way**
 - Q. **Pct. #1 – Parks**
 - R. **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. **County Auditor: (SEE EXHIBIT D)**
 - A. **Approval of Financial Report for the month of February**

5. **Monthly Fee Reports – February: (SEE EXHIBIT E)**
- A. County Clerk - \$ 699,049.50
 - B. District Attorney -\$ 261,194.49
 - C. District Clerk - \$ 425,050.57
6. **Urban County: (SEE EXHIBIT F)**
- A. Requesting approval to enter into the Urban County Program Housing Loan Agreement with Maria Del Carmen Parra in the amount of \$32,000.00.
 - B. Request for Approval of three (3) applicants in the County Wide area under the HOME Homeowner Occupied Housing Rehabilitation Program.
7. **Purchasing Department: (SEE EXHIBIT G)**
- 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 | | | | |
| 85274 | ROW | MPC-G | \$1,976.45 | 6-1200-431-00-260-001-0-666 |
| Five (5) HP Color LaserJet Printer | | | | |
| 85274 | ROW | MPC-G | \$1,242.38 | 6-1200-431-00-260-001-0-747 |
| HP LaserJet Printer | | | | |
| 85798 | Pct #1 | CDW-G | \$ 75.28 | 6-1201-431-00-121-004-0-661 |
| Viewsonic Keyboards (4) | | | | |
| 85828 | I.T. Dept | S.J.S. | \$ 139.00 | 6-1100-415-00-200-002-0-665 |
| Memory 1GB for Laptop | | | | |
| 85916 | D.A. | CDW-G | \$ 240.51 | 6-1223-412-00-080-007-0-667 |
| Adaptec Ultra Storage Controller Software | | | | |
| 85985 | Planning | DLT | \$ 336.00 | 6-1100-419-10-210-001-0-667 |
| AutoCAD 2006 Subscription renewal software | | | | |
- B. **HIDALGO COUNTY 398TH DISTRICT COURT –**
1. Requesting authority to enter into a maintenance agreement for a printer with Copy Data Valleywide on Req #85631 in the total amount of \$200.00/year.
 2. Requesting authority to enter into a one year maintenance agreement for a copier with Copy Data Valleywide on Req #85631 in the total amount of \$200.00/year.

**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, MARCH 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 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/Notice of Public Meeting for Raymondville Drain project to be held on:

- **March 22, 2006 @ 5:00 pm (Hidalgo County – UTPA International Trade & Technology Bldg.)**
- **March 23, 2006 @ 5:00 pm (Willacy County – Raymondville Public Library, 193 N. 4th)**

On motion of Commissioner Flores, seconded by Commissioner Garza, 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. Presentation for discussion, consideration and approval of the sole “Proposal” received from Estrada & Hinojosa Investment Bankers for: RFP/Q- Financial Advisory Services for Hidalgo County Drainage District No. 1.**

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

- 2. Requesting authority to negotiate a letter of engagement for Independent Financial Audit services.**

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

- 3. Recommending bid award and approval of contract(s) for: “Pipes” (Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Storm Sewer Pipes, Aluminum Structural Plate Long Span Pipes, Rubber Gasket Concrete Pipes)to multiple vendors as follow:**

a. Contech Construction Products:

Polyethylene Pipes-	Size: 30”
Corrugated Polyvinyl Chloride (PVC)	Size: 12” to 30”
Corrugated Steel Strom Sewer Pipes- Type “IR”	Size: 36”to 102”
Corrugated Steel Storm Sewer Pipe- Type “I”	Size: 54”to 144”
Corrugated Steel Storm Sewer Pipe- Type “IA”	Size: 72”to 144”
Aluminum Structural Plates Long Span Pipes	Size: 28”to 1”x 9”-6”
Assembly of Structural Plates Long Span Pipes	

b. National Waterworks:

Polyethylene Pipes	Size: 8”to 24”
	Size: 36”to 48”& 60”
Corrugated Polyvinyl Chloride (PVC)	Size: 36”
Polyvinyl Chloride (PVC) Irrigation	Size: 10”to 12”

c. Rio Valley Pipes:

Reinforced Concrete Pipes	Size: 15” (Class IV, V) to 72”- Class III, IV, V)
Storm Drainage Items- TY”A” Manhole	Size: 5”to 10”
TY”A-1”Manhole	Size: 5”to 10”
Rubber Gasket Concrete Pipes	Size: 8”x12” to 8”x 48”

d. Varmicon Industries:

Reinforced Concrete Pipes	Size: 15”-(Class III)
Heavy Wall Concrete Pipes	Size: 15” to 48”
Strom Drainage Items- TY”A” Inlet	Size: 5” to 8”
TY”C” Inlet	Size: 5”to 10”
TY “CC” Inlet	Size: 5”to 8”

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

6. Workers' Comp. – Valde Guerra:

- A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 1,800.59 for the period ending 2/01-15/06 including approval of wire transfer**

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

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 REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 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 Garza, seconded by Commissioner Flores, 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. Discharge permits:**
 - A. City of McAllen – La Puerta Subdivision 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 14th day of March, 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 March 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