

SPECIAL MEETING – APRIL 25, 2006

BE IT REMEMBERED, that on this 25th day of April, 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-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 SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, APRIL 25, 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

Virginia Townsend – Concerning the Courthouse parking.

Fern McClaugherty – Concerning the new trucks for the County and the Courthouse Parking.

Gilbert Garza – Giving the Court a vote of confidence and all the County employees for a job well done.

Maria Leach – Concerning the OWLS and their purpose.

5. Approval of Consent Agenda

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

At this time the Court moved to Executive Session.

6. **Elections Department – Teresa Navarro: (SEE EXHIBIT G)**

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

1. Hiring freeze waiver request for slot #0059 Technician II, to prepare for upcoming elections

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

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

A. Precinct #1, on behalf of the City of Edcouch, requests exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional engineering services with Quintanilla, Headley & Associates, Inc. for a Contact Time Study in connection with the City of Edcouch Water/Sewer Improvements. Urban County Program Year 15 (2002) and Year 16 (2003) water/sewer improvement funds, recaptured by Precinct #1, will be utilized.

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

B. Approval of a professional engineering services contract between Precinct #1 and Quintanilla, Headley & Associates, Inc. for a Contact Time Study to be performed at the Edcouch Wastewater Treatment Plant utilizing recaptured UCP funds in the amount of \$12,500.00.

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

C. Requesting approval to amend Interlocal Cooperation Agreement between County of Hidalgo and the City of Sullivan City to include Hidalgo County Urban County Program as part of the Interlocal Cooperation Agreement as described in paragraph 3 utilizing FY-17 & 18 (2004,2005) funds for Street Improvements to El Pinto Rd. in the City of Sullivan City of approximately \$73,415.25.

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

D. Approval of ORCA 2004 Colonia Construction Grant # 724065 Contract with S & G Paving of Mission, Texas in the amount of \$533,600 for first time sewer improvements to 86 residents in Colonias Casa de los Vecinos in the City of Alton's ETJ area in Pct. #3.

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

At this time the Court moved to item #9.

8. Head Start Program – Teresa Flores: (SEE EXHIBIT I)**A. Discussion/approval of Summer Work Schedule**

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

B. Discussion/approval of budget amendment to reduce program budget by 1% as required by the Department of Health and Human Services

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

C. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (a)(4) for professional services for the relocation of McAllen III Head Start Center from San Diego Cuauhteatoazion Parish to the McAllen Independent School District Sam Houston Elementary Site

NO ACTION taken on this item.

D. Discussion/approval to award a Professional Architect Contract to Rike, Odgen, Figueroa, Alex Architects, Inc. for services needed for the relocation of McAllen III Head Start Center from San Diego Cuauhteatoazion Parish to the McAllen Independent School District Sam Houston Elementary Site

NO ACTION taken on this item.

E. Requesting authority to solicit proposals from AJOC (awarded area job order contractors – Centennial Contractors Enterprises, Inc., and JAMAIL) through Hidalgo County’s Membership with TCPN and TASB to provide services for the relocation of McAllen III Head Start Center from San Diego Cuauhteatoazion Parish to the McAllen Independent School District Sam Houston Elementary Site

NO ACTION taken on this item.

F. Presentation for discussion, consideration and approval of an Interlocal Agreement between the McAllen ISD and Hidalgo County Head Start Program

NO ACTION taken on this item.

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

9. Health Department – Eddie Olivarez: (SEE EXHIBIT J)**A. Requesting authorization and approval to accept the Memorandum of Understanding between Hidalgo County Health Department and University of Texas - Pan American for support services during an all hazard event**

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

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

NO ACTION taken on this item.

11. Fire Marshal – Victor Fonseca: (SEE EXHIBIT L)**A. Discussion and approval of the following year 2006 Rural Emergency Services Contracts:****1. Cities of Donna, Hidalgo, Linn-San Manuel, McAllen & Mercedes**

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

12. Planning Department – Raul Sesin: (SEE EXHIBIT M)**A. Final Approval with a Cash Deposit:****1. Jorge & Isela Meza Subdivision – Pct. 4 (Jorge Meza)**

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

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

13. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT N)

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

Presentations made by Daniel Flores on items B & C.

14. County Auditor – Ray Eufrazio: (SEE EXHIBIT O)**A. Requesting approval to decrease salary of vacant slot #0045 by \$ 2,228.00 to \$ 34,110.00****B. Requesting approval to reclassify slot #0006 to Revenue Accounting Supervisor and increase salary by \$ 2,228.00 to \$ 44,558.00****C. Approval of Revised Salary Schedule**

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

15. Right of Way – Joe Peña: (SEE EXHIBIT P)**A. Approval of proposed State Highway Improvements on FM 1015 between Mile 12 North and Mile 9 North**

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

B. Approval to create Administrative Assistant position and set salary at \$ 42,500.00**C. Approval to transfer funds****D. Approval of salary schedule (see fiscal note)**

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

Commissioner Palacios – Oppose.

16. Pct. #2 – Comm. Palacios: (SEE EXHIBIT Q)**A. Discussion, consideration and action on North I Rd. project****B. Discussion, consideration and action on appropriation (intradepartmental transfer) of additional funding for North I Rd. project**

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

17. Pct. #3 – Comm. Flores: (SEE EXHIBIT R)**A. Appointment of board member to the Hidalgo County Housing Authority Board**

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

B. Requesting approval to increase vacant slots #005-055 in R & B, #008-017 in Parks, and #001-001 in Sanitation – increase to \$ 20,800.00**C. Approval of revised salary schedules (see fiscal note)**

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

18. Pct. #4 – Comm. Garza: (SEE EXHIBIT S)**A. Requesting authorization to temporarily close Cesar Chavez Rd. (between State Hwy. 107 & Curry Rd.) in order to facilitate HCID #1 ditch improvements – (closure is projected to last for approx. 30 days time and shall commence on or about May 3, 2006)**

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

B. Authorization to re-submit the J.R. “Milo” Ponce Memorial Park Grant Application to the Texas Parks & Wildlife Department for the July 31, 2006 deadline

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

At this time Commissioner Palacios steps out of the Court.

At this time Commissioner Handy steps out of the Court.

19. Purchasing Department – Marty Salazar: (SEE EXHIBIT T)

NOTES:

- 1. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY AUDITOR'S OFFICE.**
- 2. ANY/ALL REQUESTS FOR ACCEPTANCE AND APPROVAL OF CLAIMS/INVOICES UNDER THIS AGENDA WILL INCLUDE AUTHORITY FOR AUDITOR TO ISSUE PAYMENT AFTER REVIEW, AUDIT AND PROCESSING PROCEDURES ARE COMPLETED**
 - a) **The Purchasing Department does not participate in the acquisition or purchase of the good/services presented under this caption. The Purchasing Department merely facilitates the placement of such items since they deal with procurement related issues.**
 - b) **Departments/Programs and Vendors are all advised that acquisition of goods and/or services must be done in accordance with applicable laws/statutes and Hidalgo County Purchasing Policies & Procedures.**

A. HIDALGO COUNTY –

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

1. New Hidalgo County Jail:	Total inmate population:	<u>1131</u>
Physical Count:	<u>1101</u>	Males (in house) <u>1023</u>
Out of County Facility	<u>29</u>	Females (in house) <u>78</u>
La Villa.	_____	
Brook's Co.	_____	Federal Prisoners <u>12</u>
Frio Co.	_____	
Other: (n/c)	_____	
Adj. / Sentenced to TDC	<u>139</u>	Total Paper Ready TDC <u>73</u> No. over 45 days <u>15</u>
		Pending Paperwork/Courts _____
		Pending Charges/Courts _____

- 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) **Other related items;**

NO ACTION taken on item #4a & b.

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;**

NO ACTION taken on this item.

- b) **Requesting authority to advertise for the following sealed bid(s) for: Site Work for Hidalgo County:**
 - i) **Storm Drainage System –Drainage District No. 1 to provide all materials and reimburse County for labor portion of bid**
 - ii) **Domestic Sewer**
 - iii) **Water/Backflow Preventer**
 - iv) **Curb and Gutter**
 - v) **Sidewalks**
 - vi) **Electrical for site lighting****With Pavement Subgrade, Pavement Overlay and Pipe railing to be provided by Hidalgo County.**

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

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 #6a thru c.

7. Presentation for discussion, consideration and action including, but not limited to, the following items in connection with the Relocation of Jury Impanelment from the Edinburg City Auditorium to Hidalgo County Courthouse:

a) Report of Jury Impanelment Relocation Plan/Project to the Hidalgo County Courthouse Auditorium;

Presentation made by Martha Salazar.

At this time the Court moved to item #8.

b) Action necessary on time lines as to completion, including, but not limited to, the following:

i) Under Building & Grounds- the fencing of secured north parking lot area (at the Courthouse) with new re-assignment roster and installation of signs spaces;

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

Commissioner Garza – Abstain.

At this time the Court moved to adjourn.

ii) Security Services provider-proposed schedule as requested/required by Hidalgo County (through Risk Management and County Security Dept.)

NO ACTION taken on this item.

iii) Penalties and/or sanctions for violation of Commissioners Court Approved and Adopted Parking Plan;

NO ACTION taken on this item.

c) Approval of implementation date for newly approved Parking Plan for all parking areas (i.e. Courthouse, Courthouse Square, Adm. Bldg., Annexes, etc.);

NO ACTION taken on this item.

d) Other related issues;

NO ACTION taken on this item.

8. Requesting authority to advertise for: RFP-Hidalgo County – Excess Workers' Compensation Insurance Project.

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

- 9. Recommending bid award and approval of contract (subject to legal review) for: RFB “MS-1 Emulsified Asphalt – Hidalgo County” to sole bidder meeting all specifications and requirements. (Bid No. 2006-141-04-12-otm)**
- a) **Option 1: The term for the purchase of MS-1 Emulsion Asphalt required by Hidalgo County will be for three (3) months with the County’s sole discretion to extend the contract for an additional 3 (three) –three (3) month terms and contingent upon cost to remain unchanged and awarded vendor(s) to supply and deliver to Hidalgo County location(s) upon meeting all required insurances.**

NO ACTION taken on this item.

- b) **The term of the purchase of MS-1 Emulsion Asphalt required by Hidalgo County will be for Six (6) months with the County’s sole discretion to extend the contracts for an additional one (1) six (6) month term and contingent upon cost to remain unchanged and awarded vendor(s) to supply and deliver to Hidalgo County location(s) upon meeting all required insurances.**

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

- 10. Requesting exemption from competitive bidding requirements under TX. Local Gov’t Code 262.024(a) (4), a professional services (Registered Accessibility Specialist) Anthony Cavachovic to perform inspections as a result of potential imposition of a sanction/penalty and as required by Texas Dept. of Licensing and Regulations in connection with Texas Accessibility Standards for the Elsa Health Clinic & Justice of the Peace;**

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

- 11. Requesting approval to engage Mr. Cavachovic Registered Accessibility Specialist through the State of Texas’ Dept. of Licensing and Regulations to conduct a post construction inspection at the Elsa Health Clinic & Justice of the Peace, in an amount not to exceed \$ 350.00.**

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

At this time Commissioner Palacios returns to the Court.

At this time Commissioner Handy returns to the Court.

- 12. Presentation for discussion, consideration and action for Hidalgo County to exercise the option renew for an additional one (1) year term (as provided in contract) for : Property and Casualty Insurance Policies” (Property, Boiler & Machinery, Automobile, general Liability, Requested Coverage’s , Limits and Deductibles, Public Officials, Exports Package (Difference In Conditions) and Mexican Coverage’s or to send notice of intent not to renew for an additional year.**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to renew everything except auto liability and auto physical damage and send notices of non renewal.

At this time Judge Garcia steps out of the Court.

B. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Presentation for discussion, consideration, acceptance and approval of Request for Payment Invoice No. 1981 in the amount of \$ 14,096.40, from R. Gutierrez Engineering Corporation contracted engineer for Precinct No. 2, “I Rd.”**

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

- 2. Presentation for consideration, discussion, acceptance and approval of Work Authorization # 6 with R. Gutierrez Engineering Corporation to provide engineer services to Hidalgo County Precinct No. 2 for “McColl Rd- from SP 241 (Military Rd) to approx. 0.5 miles south.”**

On motion of Commissioner Garza, seconded by Commissioner Flores, 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 W.D. Moschel for the leasing of a tract of land.**

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

C. HIDALGO COUNTY PRECINCT NO. 4-

- 1. Presentation for discussion, consideration, acceptance and approval of request for payment invoice No. 19 ENG 812 in the amount of \$28,900.00 from J.E. Saenz & Associates, Inc. in connection with Contract No. C-00-057-02-01- “Landfill, Closure and CAP Construction, Phase II C” for Precinct No. 4.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval subject to the auditor’s review.

D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 4-

1. Pursuant to Article 14 (Subcontracting and Assignment) of contract # C-05-16-05-24 presentation for discussion, consideration, acceptance and approval of a request from contracted J.E. Saenz & Associates Engineering Firm to subcontract with Quintanilla, Headley & Associates and Raul Flores engineering in connection with Round II of the Border Colonia Access Program Projects.

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

E. HIDALGO COUNTY BUILDINGS AND GROUNDS –

1. Recommending of bid award and approval of contract to sole bidder meeting all specifications as attached hereto for: “HVAC Equipment Repair Parts and Supplies” RFB

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

F. HIDALGO COUNTY HEALTH DEPARTMENT –

1. Requesting authority to purchase computer equipment and software from CDW-G a CISV vendor through TBPC Catalogue Purchasing Program for Req #86227 in the total amount of \$7,819.99

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

G. 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 or Presiding Officer to execute necessary/required document(s)

NO ACTION taken on this item.

20. Budget & Management – Valde Guerra: (SEE EXHIBIT U)**A. Safety Division:**

1. Acceptance of check #028020 in the amount of \$ 250.00 from TAC Insurance Company for reimbursement of deductible for damages sustained to county vehicle (Pct.4), Claim #98-0862B
2. Acceptance of check #028019 in the amount of \$ 250.00 from TAC Insurance Company for reimbursement of deductible for damages sustained to county vehicle (Sheriff's), Claim #05-0259

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

B. Workers' Comp. Division:

- 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 \$43,949.35 for the period ending 3/16-31/06 including approval of wire transfer**

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

C. Approval of 2006 membership dues for the following:

- 1. South Texas County Judges & Commissioners Association - \$ 225.00 with authority for Auditor to issue payment**

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

D. Interdepartmental transfers:

- 1. Co. Wide Adm. Cont. to Tax Office - \$ 88,730.03 (funding of increases/new positions)**
- 2. Pct. #2 – CAP - \$ 25,481.02**

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

E. Presentation for discussion, consideration, acceptance and approval of request for payment of invoice #U0289.100-04 in the amount of \$ 12,294.66 from S & B Infrastructure, Ltd. for Geographic Information System (GIS) phase I (invoice period from Jan. 29, 2006 thru March 21, 2006

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

F. Health Insurance Division:

- 1. Discussion, consideration and approval to transfer \$ 386,378.27 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**
 - April 04, 2006 thru April 10, 2006**
 - April 11, 2006 thru April 17, 2006**
- 2. Approval of wire transfer to cover the claims paid**

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

At this time Judge Garcia returns to the Court.

G. Constable Pct. #3 – Project Stop Grant:

1. Discussion, consideration and action to continue funding from general fund for the Project STOP Grant (3 positions) which expires on Aug. 31, 2006 and will not renew
2. Approval to enter into an Interlocal Agreement with the La Joya ISD and Sharyland ISD for the purpose of funding two positions at 50% currently funded by the grant

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

H. Pct. #1 – TXDOT Projects:

1. Requesting acceptance and approval of Economically Disadvantaged County Program Application (FM 88, CSJ 0698-03-080 from Mile 16 North to Mile 12 North
2. Authorization for County Judge to sign the Affidavit, representing the County of Hidalgo
3. Requesting acceptance and approval of Economically Disadvantaged County Program Application (FM 88, CSJ 0698-02-043, from North of FM 1925 to SH 107)
4. Authorization for County Judge to sign the Affidavit, representing the County of Hidalgo

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

At this time the Court moved back to item #19-A-7.

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

21. Closed Session: (SEE EXHIBIT V)

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. Jose Luis Ramirez and Rosemary Ramirez, each individually vs. John Deere Company, et.al

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

22. 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. Jose Luis Ramirez and Rosemary Ramirez, each individually vs. John Deere Company, et.al

NO ACTION taken on items A thru D.

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

23. Closed Session:

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

24. Open Session:

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

25. Adjourn

On motion of Commissioner Handy, seconded by Commissioner Palacios, 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, APRIL 25, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of item #2J.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. Probate Court**
 - B. County Court #1**
 - C. Courthouse Parking Lot**
 - D. Right of Way**
 - E. HIDTA – 2004 Grant**
 - F. HIDTA – 2006 Grant**
 - G. J.P. Pct. #2, Pl. 2**
 - H. County Clerk (2)**
 - I. 389th District Court**
 - J. CO 2004 – B & G – NO ACTION taken on this item.**
 - K. Buildings & Grounds**
 - L. Human Resources (2)**
 - M. Elections Department (2)**
 - N. IT Department**
 - O. Health – Clinics**
 - P. Health – Adm. Prog. Income**
 - Q. WIC**
 - R. Planning Department**
 - S. County Court #4**
 - T. Public Defenders**
 - U. Adult Probation**
 - V. 370th District Court**
 - W. Pct. #1 – Sanitation**
 - X. Pct. #1 – Parks**
 - Y. Pct. #2 – Grant NSJ**
 - Z. Pct. #2 – CAP**
 - AA. Pct. #2 – Adm.**
 - BB. Pct. #2 – Parks (2)**
 - CC. Pct. #3 – Parks**
 - DD. Pct. #3 – Sanitation**

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. **Tax Refunds: (SEE EXHIBIT D)**

A. Logicorp Enterprises LLC	Logicorp	\$18,481.57
B. Graham Central Station	Graham Central	\$ 5,707.17
C. International Bank of Commerce	IBC	\$ 5,684.45
D. Prestia & Ornelas Trust	Prestia & Ornelas	\$ 3,952.75

5. **Right of Way – Permits: (SEE EXHIBIT E)**

- A. Greenhey & Co. – Old Military Hwy. On Sam Fordyce Rd.**
- B. Smith Production – Moorefield Rd. north of 5 Mile Line**
- C. Chesapeake Energy Corp. – Rooth Rd. & Mile 13 Rd.**
- D. Shell Exploration – FM 490 & 681**
- E. Southwestern Bell – along Stewart Rd.**
- F. Southwestern Bell – along Los Venados Dr.**
- G. Southwestern Bell – along Western Rd. & Mile 4 Rd.**

6. **Purchasing Department: (SEE EXHIBIT F)**A. **HIDALGO COUNTY –**

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

Req	Department	Vendor	Amount	Account Number
State of Texas DIR Program				
<u>The State of Texas DIR Program</u>				
88317	District Attorney	CDW-G	\$47.00	6-1223-412-00-080-007-0-664
Notebook Case				
88317	District Attorney	CDW-G	\$870.00	6-1223-412-00-080-007-0-665
Accessories for the Notebook				
88317	District Attorney	CDW-G	\$1,790.99	6-1223-412-00-080-007-0-745
HP Business Notebook				
<u>TBPC CISV Program</u>				
86938	ROW	Tech Depot	\$1,996.00	6-1200-431-00-260-001-0-661
HP Color Laser Jet 3600N Printer				
87523	Indigent Defense	Calence LLC	\$4,964.00	6-1100-412-00-009-003-0-748
Camera equipment for video conferencing				
87689	Co Clerk	CDW-G	\$374.99	6-1100-415-40-180-001-0-665
Microline Printer				
88158	I.T. Dept	Dell	\$1,918.82	6-1100-415-00-200-002-0-745
Intel Core Duo Processor				
88229	District Attorney	CDW-G	\$269.37	6-1223-412-00-080-007-0-667

Macromedia Self Training Course Software			
88426 Pct #1	CDW-G	\$1,189.00	6-1211-452-00-121-013-0-745
Computer			
88441 Sheriff's	HP Direct	\$349.00	6-1100-421-00-280-001-0-665
Jetdirect Printer			
88442 Sheriff's	CDW-G	\$191.99	6-1100-421-00-280-001-0-665
Epson Photo Inkjet Printer			
88452 Sheriff's	CDW-G	\$192.28	6-1100-421-00-280-001-0-665
88462 I.T. Dept	CDW-G	\$1,644.00	6-1100-415-00-200-002-0-661
Epson Photo Inkjet Printer			
Feeder Trays			
88503 Health Dept	CDW-G	\$64.85	6-1100-441-00-340-001-0-601
Packup Tape			
88503 Health Dept	CDW-G	\$73.24	6-1100-441-00-340-001-0-664
Power Supply			

B. HIDALGO COUNTY ELECTIONS DEPARTMENT –

- 1. Requesting authority to enter into a one year Alarm Monitoring Agreement with Superior Alarms for the San Carlos Building on Req #88582 in the amount of \$15.00/mo.**

**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, APRIL 25, 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 W)

1. Roll Call

All Members of the Board were counted present with the exception of Commissioner Flores.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

4. Approval of proposed TXDOT state highway improvement plans for FM 1015 (from Mile 12 North to Mile 9 North)

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

5. Approval to accept appraised value as submitted by Hidalgo County for parcel #25 and parcel #26 as they relate to FM 2061 (Jackson Rd. project)

NO ACTION taken on this item.

6. Approval of Change Order #1, increase of \$ 4,560.00 and time (21 days) for JVL Utility Construction LLC, on US 281 Outfall Irrigation line adjustment

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

7. Approval of pay request #1 to JVL Utility construction, LLC in the amount of \$ 85,500.00 for US 281 Outfall Irrigation line adjustment & issue manual check

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

8. Approval of pay request #2 (final) retainage release, in the amount of \$ 6,300.00 for US 281 Outfall Irrigation line adjustment & issue manual check

NO ACTION taken on this item.

9. Workers' Comp. Division – Valde Guerra:

A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 203.74 for the period ending 3/16-31/06 including approval of wire transfer

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

10. Purchasing Department:

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. Approval to include Hidalgo County Drainage District No. 1 in Hidalgo County's sealed bid project for the "Construction of the New Adult Probation Facility", with District providing all materials and reimbursing Hidalgo Count for site work labor costs.

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

2. Requesting approval to advertise and approval of draft specifications as attached hereto for "Three (3) 2006 Or Newer ¾ Ton – 4x4 Regular Cab Trucks.

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

3. Presentation for consideration, discussion, acceptance and approval to solicit proposals from Centennial and Jamail (awarded area job order contractors (AJOC) through the Drainage District's participation/membership with TASB (buy board) and County's participation /membership with TCPB for the provision of plans, labor , materials and construction of additional office spaces to the District s existing building.

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

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

11. 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**

12. Open Session:

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

13. Closed Session:

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

14. Open Session:

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

15. Adjourn

On motion of Commissioner Garza, 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, APRIL 25, 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 Palacios, 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. Utility Permit:**
 - A. Smith Production Inc. – Moorefield & 5 Mile Line**
- 3. Discharge Permit:**
 - A. Tim Gearhart – Mid Valley Phase I & II**
- 4. Line item transfers:**
 - A. Administration**
 - B. M & O**

There being no further business to come before said Court, the meetings of the Commissioners' Court and the Drainage District #1 Board are now hereby adjourned.

Dated this the 25th day of April, 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 April 25, 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