

REGULAR MEETING – MAY 09, 2006

BE IT REMEMBERED, that on this 09th day of May, A.D., 2006, there was begun and held a REGULAR MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

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

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

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on **TUESDAY, MAY 09, 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 who arrived 5 minutes late.

2. Pledge of Allegiance

Commissioner Handy 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 Union meeting with the Commissioners.

Fern McClaugherty – Spending taxpayer's money.

Carol Montes – Concerning County Business and the Open Forum.

At this time Judge Garcia arrived.

5. Approval of Consent Agenda

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

6. Budget & Management – Valde Guerra: (SEE EXHIBIT H)**A. District Attorney:****1. Approval of budget amendment in the amount of \$ 1,705.62 DA LEOSE Acct.**

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

2. Approval to accept F.A.T.S. (firearms training system) that is being donated by Adolfo Balli and Jose Fiscsher

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 C.

B. Presentation and discussion of Workers' Compensation Statistical Comparison of 1st Quarter 2005 to 1st Quarter 2006

Presentation made by Valde Guerra.

At this time the Court moved to Executive Session.

C. Revision of Open Forum Policy

NO ACTION taken on this item.

D. Interfund transfer:**1. CO 2004 to TXDOT Projects Mile 2 West - \$ 13,488.00**

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

E. Interdepartmental transfers:

- 1. Co. Wide Adm. Cont. to GIS Project - \$ 2,637.50 (pending bill – GIS Phase I)**
- 2. Co. Wide Adm. Cont. to Texas State Guard - \$ 33,000.00 (funding assistance)**
- 3. Co. Wide Adm. Cont. to Elections Dept. - \$ 36,187.25 (overtime)**
- 4. Co. Wide Adm. Cont. to District Clerk - \$ 22,301.24 (temp. employees/fringes)**
- 5. Co. Wide Adm. Cont. to Direct Assistance - \$ 18,690.67 (temp. employees/fringes)**
- 6. Road. Adm. to Colonia Access Program - \$ 6,400.00 (operational funds)**
- 7. CO 2002 Various to CO 2002 Juvenile Dept. - \$ 15,148.54**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items #1 thru 7.

F. Health Insurance Division:

- 1. Requesting approval to increase Health Self-Funded Ins. Plan Fund 2201 revenues and expenditures in the amount of \$ 1,195,178.86**
- 2. Requesting approval of budget amendment to Fund 2201**
- 3. Discussion, consideration and approval to transfer \$ 398,341.71 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**
 - April 18, 2006 – April 24, 2006**
 - April 25, 2006 – May 01, 2006**
- 4. Approval of wire transfer to cover the claims paid**

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

G. County Court #2:

- 1. Discussion, consideration and approval to increase slot #022-004 from \$ 34,283.67 to \$ 36,821.47, an upgrade of \$ 2,537.80**

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

Commissioner Palacios – Abstain.

- 2. Discussion, consideration and approval to pay slot #022-004 Interpreter Pay in the amount of \$ 3,300.00**

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

Commissioner Palacios – Abstain.

- 3. Approval of Revised Salary Schedule**
- 4. Approval of line item transfer**

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

Commissioner Palacios – Abstain on items #3 &4.

H. Sheriff's Office:

- 1. Discussion, consideration and approval to disburse retroactive pay to employee no. 072028 in the estimated amount of \$ 973.03 due to 2006 change of status form not being submitted until 5/3/06**

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

- 2. Discussion, consideration and approval to disburse retroactive longevity pay to employee no. 101079 in the amount of \$ 600.00 – disbursement reflects payment for four (4) full service years of longevity back-pay**

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

- 3. Discussion, consideration and approval to upgrade vacant slot no. 044-010 from Security Specialist to Deputy Sheriff with its respective pay of \$ 34,060.00**

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

- 4. Approval of revised salary schedule**

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

- 5. Approval of interdepartmental transfer**

NO ACTION taken on this item.

- I. Approval of Agreement between Hidalgo County and Palmer Drug Abuse Program – McAllen, Inc. (PDAP) to provide substance abuse counseling and education services**

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

At this time the Court moved to item #8.

- 7. 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 engineering services with Raul Flores Engineering for City of Penitas Street and Drainage Improvements. Urban County Program Year 18 (2005) funds will be utilized.**

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

- B. Approval of a professional engineering services contract between City of Penitas and Raul Flores Engineering for Street and Drainage Improvements to Martinez, Camargo and Barcelona Subdivisions and areas north of Expressway 83 utilizing UCP Year 18 (2005) Street Improvement funds in the amount of \$69,000.00**

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

- C. Requesting approval to cancel three (3) applications for Ramona Aguilar, Feliciano Tovar and Ramona Carapio at the request of HOME Staff.**

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

- D. Consider awarding bid for the demolition and the reconstruction of one (1) unit in the Countywide area in the total amount of \$47,000 to Rolando's General Construction.**

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 #9.

8. Tax Office – Armando Barrera: (SEE EXHIBIT J)

- A. Discussion, consideration and possible action on the following, but not limited to:**

- 1. Hiring freeze waiver request for slot #001-048, Tax Clerk/Cashier, to replace current vacancy in Weslaco Sub-Station Tax Dept.**
- 2. Hiring freeze waiver request for slot #001-114, Tax Clerk/Cashier, to replace current vacancy in McAllen Sub-station Auto License Dept.**

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

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

At this time Judge Garcia returns to the Court.

9. Head Start – Teresa Flores: (SEE EXHIBIT K)

- A. Discussion/approval of Proposal for One-Time Funding Projects allowed by the Department of Health and Human Services**

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 #11.

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

- A. Requesting authorization and approval to accept the attached Office of Border Health Grant Contract #74600071762006 Attachment #8 in the amount of \$ 10,600.00 for the period 3/15/06 to 9/30/06**
- B. Requesting authorization and approval of the attached Office of Border Health Grant Budget for the year 2006**

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

At this time the Court moved to item #12.

11. District Attorney's Office – Dick Wade/Amy Alaniz: (SEE EXHIBIT M)**A. Approval to authorize payment of claim for the following:**

- 1. James R. Wade in the amount of \$39.95 (inv. for LSOFT Technologies Inc.) & \$ 30.42 (inv. #25450277 IBM Corp.)**
- 2. Amy Alaniz in the amount of \$ 7.35 (inv. 8162583 for The University of Texas at Austin) & \$ 10.72 (inv. HC0859 for Pacer Service Center)**

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

At this time the Court moved back to item #10.

12. Planning Department – Raul Sesin: (SEE EXHIBIT N)**A. Preliminary Approval:**

- 1. Mid-Valley Meadows Phase 1 – Pct. 1 (Tim Gearhart)**
- 2. Mid-Valley Meadows Phase 2 – Pct. 1 (Tim Gearhart)**

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

B. Final Approval:

- 1. Rosa Flor Subdivision – Pct. 1 (Paula Faz & Jose Campos)**

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

13. Right of Way – Joe Pena: (SEE EXHIBIT O)**A. Authorization to accept donation of an easement from Delta Lake Irrigation District for Hidalgo County Road 1422 – Bridge Replacement**

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

B. Authorization for surveys, title report, appraisals, and acquisition of additional right of way for Teresa St. Rd. Project west of Los Ebanos Rd.

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

14. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT P)**Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:****A. Status of renovations of administration building**

NO ACTION taken on this time.

- 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.

- D. Requesting acceptance and approval of Invoice for Rike Ogden Figueroa for Acct. #6-1301-423-20-320-017-0-720 on PO 556501 in the amount of \$ 5,144.00 with authority for Auditor to issue payment after review, audit and processing procedures are completed**

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

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

- A. Approval to name a road as requested by LRGVDC-911 Department:**

- 1. a road out of FM 88, between Mile 11 North and Mile 12 North on the east side of FM 88 next to Tahiti St. - this road is to be name: “Nice and Cozy Lane”**

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

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

- A. Discussion and approval to office Hidalgo County Right of Way Department (ROW) staff at the North San Juan Community Resource Center**

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

- B. Request authorization to rescind action taken on Comm. Court meeting of 5/2/06 for the following items:**

- 1. Discussion and possible action for approval for County Judge to sign Petition for Exclusion to provide North Alamo Water Supply 3.98 acres out of Hidalgo County Community Resource Center Subdivision (20 acre tract) for water rights**

NO ACTION taken on this item.

- C. Request authorization for 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 Hidalgo County Irrigation District No. 2**

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

18. 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>1092</u>
Physical Count:	<u>1066</u>	Males (in house) <u>981</u>
Out of County Facility	<u>25</u>	Females (in house) <u>85</u>
La Villa.	_____	
Brook’s Co.	_____	Federal Prisoners <u>13</u>
Frio Co.	_____	
Other: (n/c)	_____	
Adj. / Sentenced to TDC	<u>140</u>	Total Paper Ready TDC <u>77</u> No. over 45 days <u>12</u>
		Pending Paperwork/Courts <u>31</u>
		Pending Charges/Courts <u>32</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 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;**
 - 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;**

NO ACTION taken on this item.

- b) **Status of pending payment requests;**
 - i) **Approval of Request for payment no. 5928 in the amount of \$15,107.97 from L&G engineering, contracted vendor for “Juvenile Justice Center” and certified for payment by project architect, V-A Architecture; C # 05-299-08-16**

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

- c) **Other related items;**

NO ACTION taken on this item.

7. **Presentation for discussion, consideration and approval for a “Resolution with Respect to Financing Certain Facilities for Rio Grande Valley Sugar Growers, Inc., in Hidalgo County, Texas by the Rio Grande Regional Water Economic Development Corporation”.**

NO ACTION taken on this item.

8. **Requesting approval of an Interlocal Agreement between Hidalgo County Drainage District No. 1 and the County of Hidalgo as previously approved Commissioners’ Court and Board of Directors’ on April 25, 2006, 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 the District providing all materials and reimbursing Hidalgo County for site work labor cost.**

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

9. **Presentation of a request from Border Visions Consulting Group, LLC and pursuant to Article 8 of the current agreements, requesting approval of assignment that proceeds from contract C-04-181-09-07 be made payable to Border Visions Consulting Group, LLC and Texas National Bank.**

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

At this time Judge Garcia left the Court.

B. HIDALGO COUNTY /ALL FUNDING SOURCES –

1. **Requesting authority to advertise and approval of specifications and request for bids “CRS-2 (Cationic Rapid Setting) Emulsified Asphalt” RFB to include all funding sources (i.e. R&B, CIP and CAP). Bid No. 2006-187-05-31-MSS**

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

C. HIDALGO COUNTY PRECINCT NO. 1-

1. **Requesting authority to advertise a request for “One (1) 2006 New or Newer (Unused) ¼ ton Truck and One (1) 2006 New or Newer (unused) 4x2, ½ ton Truck.**

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

2. **Presentation for discussion, consideration, acceptance and approval of request for payment for Invoice No. 11321839 in the amount of \$57,000.59 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.

D. HIDALGO COUNTY PRECINCT NO. 2-

1. **Presentation for discussion, consideration, acceptance and approval of request for Payment Application No. 1 in the amount of \$185,458.95 from J.M. Construction contracted vendor for “Anaya Road” and certified for payment by project engineer, R. Gutierrez Engineering Corporation. C# 06-079-02-08.**

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

E. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Presentation for discussion, consideration, acceptance and approval of Work Authorization No. 3 from project engineer, Hinojosa Engineering, Inc., in connection with engineering services for Taylor Road from 3 Mile Line to 5 Mile Line.**

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

- 2. Acceptance and approval of Invoice # 11321837 dated 04/30/06 in the amount of \$64,965.08 as submitted by L&G Consulting Engineering, 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.

- 3. Acceptance and approval of Invoice # 405053/06/XV dated 04/27/06 in a amount of \$ 837.20 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.

- 4. Requesting authority to purchase a Toshiba E-Studio Copier from Office Communications Systems, Inc through their Contract #231-05 with TASB-Buyboard on Req #89095 in the total amount of \$9,075.00.**

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

F. HIDALGO COUNTY PRECINCT NO. 4 –

- 1. Requesting acceptance and approval of Change Order No. 1 (increase) with G.O. Excavating & Construction in the amount of \$480.00 in connection with Morningside Estate Outfall Improvements Project as presented by TEDSI Infrastructure Group.**

NO ACTION taken on this item.

G. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 2-

- 1. Pursuant to Article 14 (Subcontracting and Assignment) of contract # C-05-12-06-01 presentation for discussion, consideration, acceptance and approval of a request from contract engineer R. Gutierrez Engineering to subcontract with Javier Hinojosa Engineering , Inc., Hinojosa Engineering, Inc., Noe Garza Engineers, Inc., and Alpa American Engineering, Inc., in connection with the Round II of the Border Colonia Access Program Projects.**

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

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

- 1. Presentation for discussion, consideration, acceptance and approval (through project engineer, Javier Hinojosa Engineering) of Final Payment Application with retainage in the amount of \$28,868.34 submitted by Juan Mendoza Corporation dba J.M. Construction of: “Groveswood Estates and Perlas De Naranjas Subdivision(s)”.**

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, Javier Hinojosa Engineering) of final payment application with retainage in the amount of \$28,063.16 submitted by Juan Mendoza Corporation dba J.M. construction in connection with contract # C-CAP-05-021-08-02 Road Construction of: “Basham No. 12, Basham No. 13, and Basham No. 16 subdivision(s)”**

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 (through project engineer, Javier Hinojosa engineering) of final payment application with retainage in the amount of \$31,076.59 submitted by Juan Mendoza Corporation dba J.M. Construction in connection with contract # C-CAP-05-022-09-06 Road Construction of: “Carlos Acres & Vales Subdivision(s)”**

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

I. HIDALGO COUNTY BUDGET & MANGEMENT SAFETY DIVISION –

- 1. Recommending award of proposal and approval of contracts for RFP 2006-097-03-22-LRM for “Equipment Operator Training” to sole bidder received, meeting all specifications and requirements as attached here to;**

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

J. HIDALGO COUNTY BUILDINGS AND GROUNDS –

- 1. Approval of Request for payment invoice no. two (2) in the amount of \$15,519.00 from Alcocer Garcia Associates Design Consulting, contracted architect for the “Sally Port Project for Hidalgo County Courthouse” C#04-116-03-23**

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

K. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Presentation for consideration, discussion, acceptance and approval of Fleet Fueling System Application (Original) to be forwarded to Arguindegui Oil Co. II, Ltd. As submitted by Hidalgo County Health Department and detailing the “holder and user” of fleet fuel card under awarded contract for “Gasoline, On & Off Highway Diesel Fuel”.**

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

L. HIDALGO COUNTY IT DEPT./PCT # 2-

- 1. Pursuant to Hidalgo County 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
Precinct No. 2	Guadalupe Rodriguez, ROW Agent	\$33.75	500	SanyoRL4920-Free Phone
Precinct No. 2	Luis Garza, Area Facility Superior	\$33.75	500	Sanyo RL4920-Free Phone

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

M. HIDALGO COUNTY SHERIFF’S OFFICE –

- 1. Requesting authority to purchase five (5) laptops and cases from Portable Computer Systems, Inc a CISV vendor through TBPC Catalogue Purchasing Program for Req #88084 in the total amount of \$8,370.00.**

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

N. 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.

At this time the Court moved to the Addendum.

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

19. Closed Session: (SEE EXHIBIT U)

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**

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

At this time Commissioner Palacios left the Court.

At this time Judge Garcia steps out of the Court.

20. Open Session:

- A. Real Estate Acquisition**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on parcel #89 to settle in the amount of \$3,000.00.

- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**

NO ACTION taken on items B & C.

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

21. Closed Session:

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

22. Open Session:

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

23. 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, MAY 09, 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.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. 332nd District Court**
 - B. Public Defenders**
 - C. HIDTA – Task Force**
 - D. 370th District Court**
 - E. 206th District Court**
 - F. D.A. Inv. Fund**
 - G. D.A. Hot Checks**
 - H. Safety Division**
 - I. Civil Service**
 - J. Tax Office**
 - K. Health – Adm.**
 - L. B & G 2004 CO's**
 - M. Buildings & Grounds**
 - N. Constable Pct. #1**
 - O. 398th District Court**
 - P. Elections – HAVA**
 - Q. Elections Department**
 - R. Law Library**
 - S. Constable Pct. #3 (2)**
 - T. IT Department**
 - U. Pct. #1 – Parks**
 - V. Pct. #1 – Sanitation**
 - W. Pct. #3 – Adm.**
 - X. Pct. #3 – Parks**
 - Y. Pct. #4 – Landfill**

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 – Humphrey St. on 83rd St.**
- B. **North Alamo Water Supply – Hwy 107 on Valverde Rd.**
- C. **North Alamo Water Supply – Hwy 107 & FM 1423**
- D. **North Alamo Water Supply – Valverde Rd. & Mile 21 North**
- E. **North Alamo Water Supply – Ramseyer Rd. & Gwin Rd.**
- F. **North Alamo Water Supply – “I” Rd. & Minnesota Rd.**
- G. **Kerr McGee Oil and Gas Onshore L.P. – Texas Rd. between 4 Mile Line & 5 Mile Line**
- H. **Southwestern Bell – along Minnesota Rd. west of Cesar Chavez Rd.**
- I. **Antonio Villarreal/Melden & Hunt – “I” Rd. north of Trenton Rd.**
- J. **Todd Bookout/Melden & Hunt – Mile 6½**

5. **Tax Refunds: (SEE EXHIBIT E)**

Taxpayer	Payer	Amount
A. Willard H. Hammonds	Davis Penn Mortgage	\$17,346.93
B. McAllen Plaza Inc.	Four Points by Sheraton	\$56,412.15

6. **County Auditor: (SEE EXHIBIT F)**

- A. **Approval of Financial Report for the month of April**

7. **Purchasing Department: (SEE EXHIBIT G)**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
<u>TBPC CISV Program</u>				
89196	District Attorney	CDW-G	\$ 133.99	6-1223-412-00-080-007-0-667
Total Training Advanced Dreamweaver 8				
89230	Law Library	S.J.S.	\$ 365.00	6-1247-412-50-100-001-0-661
Microsoft Office 2003 – Software				
<u>The State of Texas DIR Program</u>				
88443	Sheriff's	HP Direct	\$1,673.00	6-1100-421-00-280-001-0-745
HP Compaq Notebook and accessories				
88935	I.T. Dept	Dell	\$2,183.45	6-1100-415-00-200-002-0-745
Latitude D620 Intel Core Duo T2500, Dual Core				
88972	Sheriff's	HP Direct	\$1,896.00	6-1100-421-00-280-001-0-745
HP Workstation				
86688	District Clerk	CDW-G	\$ 447.00	6-1100-412-00-090-001-0-665
HP Laserjet 1320n				
87415	Health Dept	Compusa	\$ 299.99	6-1100-441-00-340-003-0-665
HP Scanjet 5590 Flatbed				

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

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

NOTICE

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, MAY 09, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

(SEE EXHIBIT V)

1. Roll Call

All Member of the Board were counted present with the exception of Judge Garcia and Commissioner Palacios.

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 TEDSI Infrastructure Group invoice #267267 on FEMA – MAS #2

NO ACTION taken on this item.

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. Requesting approval of an Interlocal Agreement between Hidalgo County Drainage District No. 1 and the County of Hidalgo as previously approved by the Board of Director’s and Commissioners’ Court on April 25, 2006, 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 the District providing all materials and reimbursing Hidalgo County for site work labor costs.**

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.

6. 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**

7. Open Session:

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

8. Closed Session:

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

9. Open Session:

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

10. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MAY 09, 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. Utility Permit:**
 - A. Smith Production Inc. – Moorefield & 5 Mile Line**
- 3. Discharge Permit:**
 - A. San Jacinto Enterprises, LLC – San Jacinto Plaza Subdivision**

**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, MAY 09, 2006 at 12:00 P.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:

ADDENDUM

1. Hidalgo County – Purchasing Department: (SEE EXHIBIT W)

A. Presentation for discussion, consideration and action on recommendation to extend Hidalgo County's RFQ for: "Architectural Services for a Multi-level Parking Structure" project acceptance date from May 17, 2006 to May 31, 2006 (as permitted under 262.026 (a) to allow participants more time to forward any inquiries/clarifications and thus permit County to respond on a timely basis; or in the alternative,

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

B. Requesting authority to re-advertise the RFQ for: "Architectural Services for a Multi-level Parking Structure" project for Hidalgo County

NO ACTION taken on this item.

C. Presentation for discussion, consideration and action on recommendation to extend Hidalgo County's RFP for: "Excess Workers' Compensation Insurance" project acceptance date from May 17, 2006 to May 31, 2006 (as permitted under 262.026 (a) to allow the County more time to provide complete information to participants and allow sufficient time to participants to forward any inquiries/clarifications and thus permit County to respond on a timely basis

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

2. Hidalgo County – Budget Office/Safety Division and Purchasing Department:

- A. Presentation for discussion, consideration and action on “Amendment” to Hidalgo County’s Personnel Policy, aka Brown Book to reflect that “EXEMPT STATUS” employees will be compensated on an hourly wage basis for “Pre and Post Disaster/Emergency” events in order to permit County to qualify for reimbursement by FEMA or applicable federal and/or state agencies**

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

At this time the Court moved to adjourn.

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 09th day of May, 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 May 09, 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