

SPECIAL MEETING – MAY 16, 2006

BE IT REMEMBERED, that on this 16th day of May, 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

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, MAY 16, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

1. Roll Call

All Members of the Court were counted present with the exception of Commissioner Garza.

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 facility in San Carlos.

Fern McClaugherty – Concerning the Hidalgo County Jail.

Carol Montes – Concerning the county vehicles that are being taken home from each precinct.

At this time the Court moved to item #15-I.

5. Approval of Consent Agenda

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

6. Approval of Proclamation for Texas Visiting Nurse Service (TVNS) celebrating its 25th Anniversary – Vanessa O. Sandoval (SEE EXHIBIT F)

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

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

- A. City of Sullivan City is requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) for professional services with Dannenbaum Engineering in connection with FY 17 (2004) projects.**

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

- B. Requesting approval for professional service agreement with Dannenbaum Engineering in connection with City of Sullivan City Street improvement projects Yr. 17 (2004) in the amount of \$13,342.80.**

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

- C. The Urban County Program Administration requests approval for the forfeiture of \$9,414,859 in CDBG funds allocated to certain cities participating in the Urban County Program for failure to prepare and submit their certified city audits. Forfeited funds shall be transferred to the county precinct to which each city belongs.**

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

- D. The Urban County Program is requesting authorization for the County Judge to sign the Combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request for Release of Funds (RROF) for the 2005 Colonia EDAP Economically Distressed Area Program (EDAP) Grant #725305.**

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

- E. The Urban County Program is requesting authorization for the County Judge to sign the Combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request for Release of Funds (RROF) for the 2005 Colonia Construction Grant #725195.**

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

8. **County Judge's Office – Lorie Ochoa: (SEE EXHIBIT H)**

- A. Discussion, consideration and action to accept the 2006 Edward Byrne Memorial Justice Assistance Program in the amount of \$ 88,653.00**

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

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

A. Approval to appropriate monies received on a seizure award in the Sheriff's Inv. Fund 1227 in the amount of \$ 3,166.88

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

B. Approval to accept Sub-Recipient Award from the Governor's Division of Emergency Management (GDEM) for the 2005 Buffer Zone Protection Program (BZPP) in the amount of \$ 47,314.86

C. Approval of budget amendment (appropriation) in the amount of \$ 47,314.86 – Acct. #6-1283-421-10-280-034-7-

D. Authorization for County Judge to sign grant award notice

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

10. **Planning Department – Raul Sesin: (SEE EXHIBIT J)**

A. Final Approval:

1. Delta Lake Subdivision – Pct. 1 (Arturo Padron)

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

B. Reimbursement of a Cash Deposit:

1. Griselda Subdivision – Pct. 4 (Griselda Guerra)

2. La Familia Subdivision – Pct. 2 (Jose Castillo)

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

11. **Hidalgo County – Godfrey Garza: (SEE EXHIBIT K)**

A. Approval of TEDSI Infrastructure Group invoice #267267 on FEMA – MAS #2

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

12. **Fire Marshal – Victor Fonseca: (SEE EXHIBIT L)**

A. Discussion and approval of the following Year 2006 Rural Emergency Services Contracts:

- **City of Mission and City of Pharr**

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

13. Human Services – Rudy De La Viña: (SEE EXHIBIT M)

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

NO ACTION taken on this item.

14. 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**
- 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 to submit payment in the amount of \$ 561.12 as a claim to the original amount of \$46,678.00, which had previously been submitted for a PO increase on 12/14/05 due to work stoppage – submittal to Comm. Court for approval was unintentionally overlooked

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

15. Purchasing Department – Marty Salazar: (SEE EXHIBIT O)

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>1096</u>
Physical Count:	<u>1062</u>	Males (in house) <u>987</u>
Out of County Facility	<u>33</u>	Females (in house) <u>75</u>
La Villa.	<u>11</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>14</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>22</u>	
Adj. / Sentenced to TDC	<u>146</u>	Total Paper Ready TDC <u>75</u>
		No. over 45 days <u>14</u>
		Pending Paperwork/Courts <u> </u>
		Pending Charges/Courts <u> </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) **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 items a & b.

- c) **Approval of request for payment No. 4 in the amount of \$398,880.00 from Descon Constructions, L.P., contracted vendor for “New Adult Probation Facility “ and certified for payment by project architect, Rike Ogden Figueroa Alex Architects Inc.; C#05-026-10-26**

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

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 items;**

NO ACTION taken on item #6a thru c.

7. Requesting authority to advertise and approval of draft specifications for: “Tire Disposal Services”.

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

8. Requesting authority to award bid and approval of contract to low bidder (The Tire Corral) meeting all requirements/specifications for “Tire for County Vehicles” identified in Attachment “A”

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

9. Requesting authority to re-advertise all items listed in Attachment “B” for “Tires for County Vehicles” due to no bids received.

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

10. Requesting approval of membership to National Association of Counties (NACo) for purposes of including, but not limited to, utilizing the awarded contracts as an additional resource for procurement purposes; applying for grants that have the potential of partial funding of the County’s GIS Project

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

11. Recommending bid award and approval of contract (subject to legal review) to the sole bidder meeting all requirements and/or specifications for: RFB No. 06-086-05-03-CGV “Vending Machine Services”

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

12. Requesting authority to re-advertise request for bids due to no bids received for: “Free Standing Candy Machine & Newspaper and Periodicals” (Bid No. 06-198).

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

At this time Commissioner Palacios steps out.

13. 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 the Hidalgo County Courthouse:

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

Presentation made.

- b) **Approval of roster of parking areas or buildings and detailed in attached Exhibit 1 for the provision of necessary security services by contracted vendor, Valley Metro Security;**

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

- c) **Approval of towing of vehicles as penalty and/or sanction for violation of Commissioners Court Approved and Adopted Parking Plan;**

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

- d) **Other related issues;**

NO ACTION taken on this item.

14. Presentation for discussion, consideration and approval to advertise a Request for Bid or Request for Proposals (whichever is applicable) for an “Actuarial Study” for purposes of compliance with GASB Statement 43 and 45.

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

B. HIDALGO COUNTY PRECINCT NO. 1-

1. Presentation for discussion, consideration and approval to purchase (06-1999) through the participation/membership with TASB (Buyboard) for an oil storage tank through Duraco Industries as follows:

- a) **One New 5,000 gallon insulated oil storage tank\$30,010.32**
- b) **Freight\$ 3,500.00**
- c) **PDI/Warranty Reserve/Set Up Fee\$ 2,000.00**
- Sub Total \$35,510.32**
- d) **2% Buy Board Fee \$ 710.21**
- e) **Total Delivered Price (60 days) \$ 36,220.53**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Requesting authority to re-advertise and approval of draft specifications for RFP- "Lease of Land (with improvements) to a Non-Profit Organization" due to no proposals received.**

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

- 2. Presentation for discussion, consideration, acceptance and approval of request for payment:**
 - a) Invoice No. 1997 in the amount of \$ 248.05**
 - b) Invoice No. 1998 in the amount of \$ 966.14**
 - c) Invoice No. 1999 in the amount of \$270,716.97****From R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2 "N. San Juan Park; Anaya Rd.; I Rd" with authority for auditor to issue payment after review, and audit and processing procedures completed C # 03-167-06-03; C-02-137-06-04**

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

D. HIDALGO COUNTY PRECINCT NO. 3 –

- 1. Requesting authority to purchase five (5) computer hardware and peripherals from Dell Marketing through their contract with the State of Texas DIR program on Req #89596 in the total amount of \$6,025.56.**

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

E. HIDALGO COUNTY PRECINCT NO. 4 –

- 1. Requesting acceptance and approval of Change Order No. 1 with G.O. Excavating & Construction in connection with Morningside Estate Outfall Improvement Project as presented/recommended by TEDSI Infrastructure Group, project engineer.**

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

- 2. Pursuant to Article 19, of current professional engineering service agreement (C-02-281-12-10) with J.E. Saenz & Associates, Inc., requesting approval to issue written notice of termination services for various roads and bridge type projects**

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

3. **Requesting exemption from competitive bidding requirements under the Texas Local Government code, Section 262.024 (A) (4) ‘ a Professional Service’ with Triple “R” Realty & Appraisal Services, Inc., for “Mile 19 Extension Project” for Hidalgo County Pct 4.**

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

4. **Approval of a Professional Appraisal Service Contract (subject to legal review) with Triple “R” Realty & Appraisal Services, Inc., for “Mile 19 Extension Project” for Hidalgo County Pct # 4**

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

5. **Presentation for consideration, discussion acceptance and approval of CORRECTED Work Authorization # 15 in the amount of \$2,000.00 with T.E.D.S.I. Infrastructure Group to provide engineering services to Hidalgo County Precinct No. 4 in connection with Contract No. C-03-270-09-02 for “Traffic Engineering Studies”**

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

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

1. **Presentation for discussion, consideration, acceptance and approval of request for payment of Invoice # ENG 835 in the amount of \$61,326.00 From J.E. Saenz and Associates contract engineer for Precinct No. 4, to Proposition 2 Colonia Roads Project. (CAP -05-016-05-24)**

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

G. HIDALGO COUNTY BUILDINGS AND GROUNDS –

1. **Pursuant to 262.026 (a) requesting approval of a extension (as recommended by project architect, George A. Garcia from AGADC) of bid opening date by two (2) more weeks, (from May 24, 2006 to June 07, 2006) due to lack of interest and participation from local contractors for the “Repair (Re-Gasket) of windows at the Administration Building Project”**

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

2. **Presentation for consideration, discussion, acceptance and approval to solicit/request proposal from Weatherproofing Technologies Inc., a service division of Tremco Inc., (awarded contractor through the County's participation/membership with TCPN) for the provision of labor and materials for roof repair services at:**
 - a) **Bennet Building**
 - b) **Pct maintenance building**
 - c) **Edinburg WIC building**
 - d) **Mission WIC building**

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

H. HIDALGO COUNTY CLERK'S OFFICE –

1. **Presentation for discussion, consideration, acceptance and approval of the scoring/evaluation grid (for the purpose of ranking by Commissioners' Court) the "Best Value Proposals" submitted in response to the RFP project advertised for "Scanning and Indexing for Probate Books" for Hidalgo County Clerk's Office.**

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

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to rank ACS as #1 and Landata as #2.

2. **Requesting authorization for Purchasing Department to negotiate a contract with the number one (1) ranked proposer for Hidalgo County project RFP- "Scanning and Indexing for Probate Books" for Hidalgo County Clerk's Office.**

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 #15-J.

I. HIDALGO COUNTY ELECTIONS DEPARTMENT –

1. **Presentation for discussion, consideration and approval of an Interlocal Agreement between the Secretary of State of Texas and the County of Hidalgo on behalf of the County Voter Registration System (TVRS) which has the capability to perform various functions including but not limited to: automatic assignment of precinct and jurisdictions; searches by almost every field of the voter registration application; street standardization; bar coding and other provisions described in agreement.**

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

- 2. Ratify acquisition of additional state certified Electronic Voting System (Precinct Printers) awarded to Election Systems & Software, Inc. (ES&S) through TBPC non-automated contract 578-N1 in the amount not to exceed \$47,475.00 (previously approved in CC on April 4, 2006 for \$45,975.00)**

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

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

J. HIDALGO COUNTY HEALTH DEPARTMENT –

- 1. Pursuant to action taken by CC on 4-18-06, requesting approval of a P.O. 566346 increase in the amount of \$49,765.75 (new P.O. total amount of \$533,830.85) to reflect three vehicles approved for purchase by CC on 5-02-06 for the Health Department through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC) Philpott Motor Co, Port Neches , Texas and thus incurring no additional administrative fees for:**

One (1) New Model 2006 V6 Regular Van Truck	\$19,055.25
One (1) New Model 2006 Regular 15-P Club Wagon	\$18,481.25
One (1) New Model 2006 V6 Long Bed ½ Ton Regular Cab Pick-up Truck...	\$12,229.25
Total Amount FOB Health Dept.	\$49,765.75

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

K. HIDALGO COUNTY INFORMATION TECHNOLOGY DEPARTMENT –

- 1. Recommending bid award and approval of contracts for Bid 2006-174-05-03 LRM for “Cabling Installation Services, Time & Materials” to the lowest and second lowest vendors, meeting all specifications and requirements as attached here to;**

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

At this time Commissioner Palacios returns to Court.

L. HIDALGO COUNTY IT DEPT. / PRECINCT NO. 1-

- 1. Presentation for discussion, consideration and approval of request to re-assign two(2) existing cellular phones, as follows: a) from Frank Suarez to Martin Chavez; b) from Ralph Vicencio to Claudia Sanchez, pursuant to the Hidalgo County Cellular Phone Policy, (as per precincts request).**

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

M. 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.

16. Budget & Management – Valde Guerra: (SEE EXHIBIT P)

- A. Presentation for discussion, consideration, acceptance and approval of request for payment of invoice #U0289.100-03 in the amount of \$ 2,637.50 from S & B Infrastructure, Ltd. for Geographic Information System (GIS) Phase I (invoice period from 12/25/05 through 1/28/06)**

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

B. Revision of Open Forum Policy

NO ACTION taken on this item.

C. Discussion, consideration and action on City of Donna's Request for a Proposed Tax Increment Reinvestment Zone – Red River Phase I & II Projects

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

D. Request for Waiver of 60-day Notice Requirement as provided for in Ch. 311.003(e) – City of Donna

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

E. Approval and ratification of the representative that has been designated to meet with the City pursuant to Ch. 311.003(g) – City of Donna

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to appoint Noe Montez and Valde Guerra from the Budget Office

At this time Judge Garcia left the Court.

F. Workers' Compensation 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 \$43,772.43 for the period ending 4/16-30/06 including approval of wire transfer**

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

G. Interdepartmental transfers:

1. **CO 2001 to CO 2001 Courthouse Parking Garage - \$ 185.28**
2. **CO 2000 to CO 2000 – Sheriff Adm. Bldg. - \$ 5,208.13**
3. **CO 2004 to CO 2004 B & G – Sally Port - \$ 305,300.00**
4. **CO 2004 to CO 2004 Juvenile Dept. - \$ 163,000.00**
5. **CO 2004 to CO 2004 Constable Pct. 2 & 5 - \$ 700.25**
6. **Co. Wide Adm. Cont. to Courthouse Parking Lot - \$ 2,500.00**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #1 thru 6.

H. Budget Amendments (appropriating funds):

1. **Courthouse Security Fund - \$ 5,593.77**
2. **Sheriff Adm. Bldg. Fund 1330 - \$ 74,590.04**
3. **Courthouse Parking Garage Fund 1331 - \$ 73,002.42 (eng.&arch.)**

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

I. Pct. #3 – TXDOT Projects:

1. **Requesting approval of Interfund transfer from Fund 1203 to Fund 1315 TXDOT Project**
2. **Requesting authorization for Hidalgo County Auditor to remit check to TXDOT for the Safe Routes to School Project CSJ: 0921-02-109 and CSJ: 0921-02-110 in the amount of \$ 82,619.78**

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

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

17. Closed Session: (SEE EXHIBIT Q)

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.

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

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to issued a check to Eddie Trevino, County Clerk, in the amount of \$52,150.00 to close this case.

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.

19. Closed Session:

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

20. Open Session:

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

21. Adjourn

On motion of Commissioner Flores, 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, MAY 16, 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.

- 1. Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
- 2. Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. District Clerk**
 - B. Civil Service**
 - C. Historical Commission**
 - D. County Clerk**
 - E. County Court #5**
 - F. J.P. Pct. #2, Pl. 2**
 - G. WIC – Adm.**
 - H. Health – Adm. Prog. Income**
 - I. J.P. Pct. #3, Pl. 2**
 - J. Sheriff's Office**
 - K. County Court #1**
 - L. Elections – HAVA**
 - M. Constable Pct. #2**
 - N. Pct. #1 – Sanitation**
 - O. Pct. #1 – Parks**
 - P. Pct. #2 – R & B**
 - Q. Pct. #3 – Parks**
 - R. Border Colonia Access Program**
- 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. Monthly Fee Reports – April: (SEE EXHIBIT D)**
 - A. County Clerk - \$ 685,142.85**
 - B. District Clerk - \$ 359,340.30**

5. **Purchasing Department:** (SEE EXHIBIT E)

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>				
89076	I.T. Dept	CDW-G	\$367.99	6-1242-412-00-060-001-0-665
Microline Matrix Printer				
89254	I.T. Dept	CDW-G	\$219.99	6-1100-415-00-200-002-0-661
Mini portable hard drive				
89305	I.T. Dept	Dell	\$195.72	6-1100-415-00-200-002-0-664
Hard drive				
89531	District Atty	CDW-G	\$156.49	6-1223-412-00-080-007-0-667
Total Training advanced flash professional				
<u>The State of Texas DIR Program</u>				
89252	I.T. Dept	Dell	\$2,130.55	6-1100-415-00-200-002-0-745
Intel Pentium Processor				

B. HIDALGO COUNTY TREASURER OFFICE –

1. Requesting authority to enter into a 36 month lease for two Digital Photocopiers with Xerox through their TBPC State Contract 985-A3 on Req #89202 in the amount of \$134.38/month

**DRAINAGE DISTRICT BOARD OF DIRECTORS
AGENDA**

**Ramon Garcia
Chairman**

**Sylvia S. Handy
Board Member**

**Joe M. Flores
Board Member**



**Hector "Tito" Palacios
Board Member**

NOTICE

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, MAY 16, 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 R)

1. Roll Call

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

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. Workers' Comp. Division – Valde Guerra:

A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$915.65 for the period ending 4/16-30/06 including approval of wire transfer

On motion of Commissioner Flores, seconded by Commissioner Palacios, 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

Pursuant to Texas Water Code, Title 4(General Law District), Chapter 49, Section 226 (Sale or Exchange of Surplus Land, Right of Way, Easements or Personal Property’), requesting consideration, discussion and approval of, but not limited to the following:

- 1. Requesting clarification and confirmation of action taken on 1-31-06 by the “Board” of Hidalgo County Drainage District No. 1 for the property, right of way and/or easement(s) described as “... excess drainage easement across Lot 1, as requested by owner (Lot 1, Vol. 2706, Pg. 388, Deed Records, Hidalgo County) and as further described as follows;**
 - a. Parcel I: “A 0.33 acres tract of land” as further detailed in Exhibit 1, attached herein;**
 - b. Parcel II: “A 2.3 acre strip of land located on the north side of SH 107, across from La Lomita Road, Hidalgo County, Texas; as further detailed in Exhibit 2, attached herein, and if approved;**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Board made a UNANIMOUS vote of approval on items a & b.

- 2. Requesting approval of the “Order” by the “Board” authorizing the disposition of the surplus property/land, right of way and/or easements described above by:**
 - a. private or public sale;**

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

- b. sale and/or exchange for other land, interest in land or personal property, right of way and/or easements needed by the district**

NO ACTION taken on this item.

- 3. Approval of the minimum bid amount as per the “fair market value” appraisal as required by the “code” for Parcel I: \$ 25,156.00 ; Parcel II: \$ 182,952.00 ; therefore;**

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

- 4. Authority to publish a public sale and/or exchange for other land, interest in land or personal property, right of way and/or easements describe above herein;**

On motion of Commissioner Flores, seconded by Commissioner Palacios, 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 Palacios, 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, MAY 16, 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 Flores, 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. Discharge Permits:**
 - A. City of Edinburg – The Boardwalk Subdivision**
 - Chapin Crossing (400)**
 - Chapin Crossing (1200')**

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 16th 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 16, 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