

**SPECIAL MEETING – JULY 18, 2006**

**BE IT REMEMBERED, that on this 18<sup>th</sup> day of July, 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:**

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

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

**Ramon Garcia  
County Judge**

**Sylvia S. Handy  
Commissioner, Pct. #1**

**Joe M. Flores  
Commissioner, Pct. #3**



**Hector "Tito" Palacios  
Commissioner, Pct. #2**

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

**HIDALGO COUNTY  
COMMISSIONERS' COURT  
AGENDA**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on **TUESDAY, JULY 18, 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 Sheriff Academy, how bad the construction of the building is and the contract with Landmark.

Fern McClaugherty – Concerning bids from Pct. 1 for trucks, try to save taxpayers money.

**5. Approval of Consent Agenda**

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

**6. District Attorney's Office – Roy Cazares: (SEE EXHIBIT I)**

**A. Authorization and approval for the County Judge to sign the Federal Annual Certification Report and the Federal Equitable Sharing Agreement**

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

**7. County Clerk's Office – Arturo Guajardo: (SEE EXHIBIT J)****A. Selection of 2006 Grievance Committee, 2 members needed**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to appoint Michelle Maldonado and Uvaldo Ramirez.

At this time the Court moved to item #12.

**8. Urban County – Diana Serna: (SEE EXHIBIT K)****A. Public hearing for proposed budget and program amendment for Hidalgo County Precinct #3, Urban County Program Year 16 (2003). Precinct #3 will utilize recaptured funds from Commercial/Industrial Infrastructure Development line item to create a Public Facilities line item for the purchase of furnishings for the Granjeno Public Facility.**

At this time Judge Garcia opened the Public Hearing to the Public, no one responded.

At this time Judge Garcia proceeded to close the Public Hearing.

**B. Requesting approval of a Budget and Program Amendment for Hidalgo County Precinct #3 Urban County Program Year 16 (2003) to create a Public Facilities line item in the amount of \$40,000.00 to purchase furnishings for the Granjeno Public Facility.**

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

**C. Requesting approval to Re-Certify the Community Development Corporation of South Texas, Inc., and South Texas Economic Development Corporation, Inc. as Community Housing Development Organizations (CHDO's) within the County of Hidalgo for Fiscal Year 2006.**

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

**D. Request to Amend the original 2003 HOME Community Housing Development Organization (CHDO) Exhibit "A" Performance Statement presented by Community Hope Projects, Inc. (CHDO) from lot acquisition/construction of four (4) single family homes to acquisition of four (4) lots.**

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

**E. Request Approval to decrease the 2003 HOME contract with Community Hope Projects, Inc. (CHDO) from \$200,00 to \$50,000.**

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

- F. Approval of ORCA 2004 Colonia Construction Grant # 724065 Contract with The 5125 Company of Mission, Texas in the amount of \$ 95,555.55 for first time sewer improvements to 15 residents in Colonias Jackson New World in Pct. # 4.**

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

- G. Requesting authority to purchase through Hidalgo County's membership with TASB Buyboard to enter into a 60-month lease for one color digital copier through Dahill Industries/GE Commercial Finance an awarded vendor through TASB Buyboard contract 231-05 in the amount of \$426.00/month and a maintenance agreement of \$530.00/month for two copiers.**

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

- H. The Urban County Program is requesting to rescind the Construction Contract awarded to McAllen Refrigeration for the installation of air conditioning for the Expansion of the Hidalgo Public Library using the City of Hidalgo Urban County Program Public Facilities funding from Year 14 (2001), Year 17 (2004) and Year 18 (2005) in the amount of \$61,841.00.**
- I. The Urban County Program is requesting to rescind the Construction Contract awarded to BenRio Electric to do electrical work for the Expansion of the Hidalgo Public Library using the City of Hidalgo Urban County Program Program Public Facilities funding from Year 14 (2001), Year 17 (2004) and Year 18 (2005) in the amount of \$46,300.00.**
- J. The Urban County Program is requesting to rescind the construction contract awarded to Rio Grande Steel for the purchase and installation of foundation and masonry steel for the Expansion of the Hidalgo Public Library using the City of Hidalgo Urban County Program Public Facilities funding from Year 14 (2001), Year 17 (2004) and Year 18 (2005) in the amount of \$10,036.48.**
- K. The Urban County Program is requesting to rescind the construction contract awarded to Juan Moncivias for 40 custom made computer desks (includes materials, labor & installation), custom made kitchen cabinets (includes materials, labor & installation) and trim work (labor and installation only) for the Expansion of the Hidalgo Public Library using the City of Hidalgo Urban County Program Public Facilities funding from Year 14 (2001), Year 17 (2004) and Year 18 (2005) in the amount of \$17,200.00.**

NO ACTION taken on items H thru K.

**9. Planning Department – Raul Sesin: (SEE EXHIBIT L)**

**A. Preliminary Approval:**

- 1. Eduardo's No. 7 Subdivision – Pct. 3 (Anicieto Izaguirre)**
- 2. Eduardo's Estates Subdivison – Pct. 3 (Martin Lopez)**
- 3. Spring Vistas Subdivision – Pct. 1 (Luis Sanchez)**
- 4. Angelica Subdivision – Pct. 1 (Angelica Reyes)**
- 5. Paloma Del Valle Phase 3 – Pct. 4 (Jane Cross)**
- 6. Shawne Village Phase I – Pct. 1 (Todd C. Bookout)**

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

At this time the Court moved to item #9-C.

**B. Final Approval with a Cash Deposit:**

**1. MGM Grand Ranches Phase IV-A – Pct. 4 (Richard Garza)**

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

Commissioner Garza – Abstain.

At this time the Court moved to item D.

**C. Reimbursement of a Cash Deposit:**

**1. Citrus Tree Estates Subdivision – Pct. 2 (Marjorie Blacklaws)**

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

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

**D. Discussion and possible action on escrowing of Right-of-Way acquisition funds in lieu of dedication of Right-of-Way for proposed La Puerta Subdivision Phase I**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to accept a donation from the developers of La Puerta Sub. to reimburse us 100% on acquisitions of the additional Right-of Way of the East side of the frontage rd.

At this time Commissioner Flores steps out of the Court.

At this time Commissioner Flores returns to the Court.

**10. Human Resources/Civil Services – Leigh Ann Godinez/Dairen Cedillo: (SEE EXHIBIT M)**

**A. Presentation for discussion and approval of Work-Site Agreement (Good Samaritan Community Services GET2WORK Project) funded by WorkFORCE Solutions**

NO ACTION taken on this item.

At this time the Court moved to item #11-B.

**11. Pct. #2 – Comm. Palacios: (SEE EXHIBIT N)**

**A. Discussion, consideration and action on appointment to the Hidalgo County Regional Mobility Authority (RMA)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on appointing Ruben Serna from Pct. #2.

At this time the Court moved to item #14.

**B. Discussion and possible action for approval of Interlocal Cooperative Agreement between City of San Juan and County of Hidalgo:**

1. **Expand Ridge Rd. from Raul Longoria east to Stewart Rd.**
2. **Expand and Reconstruct 1<sup>st</sup> and 2<sup>nd</sup> Street from Wyoming east to Stewart Rd.**

NO ACTION taken on items #1 & 2.

At this time the Court moved to item #13.

**12. Pct. #4 – Comm. Garza: (SEE EXHIBIT O)**

**A. Requesting authorization to rename the following County dedicated roads, located on E. of San Francisco St. to F.M. 2812 (West of F.M. 493):**

- **From: Pinkston Road & Mile 20.5 (previously Mile 21) to Benito A. Ramirez Rd.**

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

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

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

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

Presentation made by Rudy De La Vina.

At this time the Court moved back to item #11-A.

**14. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT Q)**

**Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:**

**A. Renovations of administration building**

NO ACTION taken on this item.

At this time Commissioner Palacios steps out of the Court.

**B. Other ongoing county owned building construction, renovation repair projects**

**C. Emergency situations occurring since last agenda meeting**

Presentations made by Daniel Flores on items B & C.

At this time Judge Garcia steps out of the Court.

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

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>1106</u>
Physical Count:	<u>1083</u>	Males (in house) <u>1011</u>
Out of County Facility	<u>23</u>	Females (in house) <u>72</u>
La Villa.	<u>8</u>	
Brook’s Co.	<u>          </u>	Federal Prisoners <u>13</u>
Frio Co.	<u>          </u>	
Other: (n/c)	<u>15</u>	
Adj. / Sentenced to TDC	<u>142</u>	Total Paper Ready TDC <u>85</u> No. over 45 days <u>10</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 item #5a & b.

- c) Approval of Request for Payment Invoice No. 6003 in the amount of \$6,028.17 from L&G Engineering Laboratory, LLC, contracted Material Testing Engineer for “New Adult Probation Facility” and certified for payment by project architect, Rike Ogden Figueroa Alex Architects Inc.; C#06-096-12-20.**

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

- d) Approval of Request for Application No. 6 in the amount of \$151,048.00 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 Flores, seconded by Commissioner Garza, 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) Other related issues;**

NO ACTION taken on item #6a & b.

- 7. Presentation for discussion, consideration, acceptance, and approval of a 30 day notice of termination by contracted vendor Oil Patch Fuel & Supply, Inc. for “Lubricants, (Grease, Oil, Hydraulic Fluids)”**

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

- 8. Requesting approval to advertise and approval of draft specifications as attached hereto for “Lubricants, (Grease, Oil Hydraulic Fluids),”**

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

9. **Requesting approval to reject sole proposal received with authority to re-advertise project for “Lease/Occupancy of Building (Old Jail/ Restitution Facility) to a Non-Profit Organization”.**

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

10. **Requesting authority to award bid and approval of contract to low bidder meeting all requirements/specifications for “Repairs, Removal and Installation of Radios and Other Emergency Equipment”.**

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

#### **B. HIDALGO COUNTY PRECINCT NO. 1-**

1. **Presentation for discussion, consideration, acceptance and approval of request for payment for invoice no. 11321884 in the amount of \$18,253.05 submitted by L&G Consulting Engineers 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.

2. **Approval of a professional engineering service contract with Rodriguez Engineering for Hidalgo County Precinct No. 1 for various road and bridge and C.I.P. projects**

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

3. **Presentation for discussion, consideration, acceptance and approval of Work Authorization No. 1 from project engineer, Rodriguez Engineering.**

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

4. **Presentation for discussion, consideration and approval to reject sole bid received with authority to re-advertise for request for bids for “One (1) 2006 New or Newer (Unused) ¼ ton Truck and One (1) 2006 New or Newer (Unused) 4x2, ½ ton Truck, due to noncompliant bid.**

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

5. **Presentation of a request from Border Visions Consulting Group, LLC and pursuant to Article 8 of the current agreement, requesting approval of assignments 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 Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

**C. HIDALGO COUNTY PRECINCT NO. 2-**

1. **Presentation for discussion, consideration, acceptance and approval of Request for Payment for invoice no. 2034 (Revised) in the amount of \$22,578.85 from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, “McColl Rd II (Military to Irrigation Ditch” with authority for Auditor to issue payment after review, audit and processing procedures completed C#05-229-06-21**

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 application no. 4 (Final) in the amount of \$7,066.57 and payment application no. 5 (Retainage Release) in the amount of \$20,447.22, from J.M. Construction, contracted vendor for “Anaya Road” and certified for payment by project engineer, R. Gutierrez Engineering Corporation. C#06-079-02-28**

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

3. **Approval for request for payment no. 2 in the amount of \$84,848.44 from Oscorp Construction and Development, Inc., contracted vendor for “Construction of Two Restrooms and One Concession Stand for Hidalgo County Pct. N. San Juan Park” and certified for payment by project architect, V-A Architecture; C# 06-062-03-21**

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

4. **Requesting change order no. 1 – Bid No. 06-207-03-14 with Mission Paving for “Construction of Lime Treated Flexible Base, Hot-Mix Asphaltic Concrete Pavement, Concrete Curb & Gutter, Pavement Markings, Signing and Miscellaneous Items for McColl Road” as submitted and recommended by project engineer, R. Gutierrez Engineering.**

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

**D. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO. 1 –**

- 1. Presentation for discussion, consideration and acceptance and approval (through project engineer, TEDSI Infrastructure Group) of Payment Application # 1 in the amount of \$52,761.81 submitted by IOC Company , LLC. In connection with contract # 1 C-CAP-06-001-02-28- Road Construction of: “Capisallo Park Subdivision(s)”**

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

- 2. Requesting authority to advertise for: “Road & Drainage Construction of Barr III, Cana De Azucar, Rosedale Heights, & Old Rebel Heights I & II Subdivision(s)” a (B.C.A.P. Project) – (TEDSI Infrastructure Group, Inc)**

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

**E. HIDALGO COUNTY COLONIA ACCESSS PROGRAM PRECINCT NO. 2-**

- 1. Presentation for discussion, consideration, acceptance and approval (through project engineer, R. Gutierrez Engineering Inc.) of payment application # 9 in the amount of \$78,41.59 submitted by D.M. Roth, Inc., in connection with contract # C-CAP 05-008-06-15 Road Construction of: “South Tower Estates Subdivision(s)”**

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

- 2. Presentation for discussion, consideration, acceptance and approval (through project engineer, R. Gutierrez Engineering Inc.) of Final Payment Application with Retainage in the amount \$10,211.26 submitted by S&G Paving Co. in connection with contract #C-CAP-04-013-05-28 Road Construction of: “Country Living Estates Subdivision(s)”**

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

**F. HIDALGO COUNTY COLONIA ACCESSS PROGRAM PRECINCT NO. 3-**

- 1. Requesting authority to advertise for: Road & Drainage Construction of Paraiso, Sol # 1 & 2, Villa De Capri, & Hilda Subdivision(s)” a (B.C.A.P. Project) – (Project Carried By: Javier Hinojosa Engineering)**

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

**G. HIDALGO COUNTY ADULT PROBATION –**

- 1. Requesting authority to advertise for RFP: “Treatment for Alternatives to Incarceration Program (Assessment, Outpatient & Residential Services)”.**

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

**H. HIDALGO COUNTY JUVENILE PROBATION –**

- 1. Requesting authority to exercise a one (1) year extension as provided under the current contract for “Juvenile Justice Alternative Education Program” with Key Program, Inc. through August 31, 2007; and if approved**

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

- 2. Requesting authority to cancel the advertisement for RFP- “Juvenile Justice Alternative Education Program” as previously approved through Commissioner’s Court on June 20, 2006.**

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

**I. HIDALGO COUNTY SHERIFF’S OFFICE –**

- 1. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Section 262.024(a) (7) (A), “items for which competition is precluded because of existence of patents, copyrights, secret processes...” for Enforcement Technology Group for the Sheriff’s Departments.**

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

- 2. Requesting authority to purchase Direct-Link 007 Crisis Response Throw Phone System in the total amount of \$23,499.99.**

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

**J. HIDALGO COUNTY WIC PROGRAM –**

- 1. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) years term (as provided in contract) with Dr. Ralph H. Jackson for rental space in the City of Edinburg.**

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

**K. 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 S)****A. Inter-Fund Transfers:****1. Co. Wide Adm. to Pct. #4 - \$ 23,000.00 (contractual services)**

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

At this time Judge Garcia returns to the Court.

**B. Interdepartmental Transfers:****1. C.O. 2001 Pct. 2 to C.O. 2001 Pct. #2 Parks - \$29,592.86**

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

**2. C.O. 2004 Pct. #4 to C.O. 2004 Pct. #4 Trenton Road – U.S. 281 to FM 491 - \$500,000.00**

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

**3. Co. Wide Adm. To Auxiliary Court - \$1,450.00****4. Pct. #2 – CAP (various accts.) - \$ 10,271.84 – NO ACTION taken on this item.****5. Pct. #3 – CAP (Los Ebanos to Trevinos 4) - \$ 304,834.34****6. Co. Wide Adm. Cont. to Pct. #1 (Elkins Property – Land) - \$ 1,810.17**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items #3, 5 & 6.

**C. Budget Amendments:****1. Grand Jury - \$ 24,000.00 (jury duty fees)****2. Juvenile Justice Center - \$ 100,000.00 (Tele-Data Infrastructure at Juv. Det. Ctr.)**

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

**D. 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 \$ 44,488.85 for the period ending 6/16-30/06 including approval of wire transfer**

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

2. **Discussion, consideration and action authorizing County Judge to sign The Electronic Data Interchange (EDI) Trading Partner Application and Profile. This is a Department of Insurance/Workers' Comp. Division form used to inform the Division of the party who will be reporting the medical bill information electronically to the State. The Party reporting to the State is injury Management Organization (IMO) who is subcontracted by Tristar Risk Management, the County's Third Party Administrator for Workers' Comp.**

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

**E. Health Insurance Division:**

1. **Discussion, consideration and approval to transfer \$ 387,288.43 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**
  - **June 27, 2006 thru July 03, 2006**
  - **July 04, 2006 thru July 10, 2006**
2. **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 & 2.

**F. Pct. #1:**

1. **Presentation for discussion, consideration, acceptance and approval of payment to Leonel Garza and Associates for Invoice #414 in the amount of \$850.00, for services rendered in relation to the purchase of the Elkins property, with authority for County Auditor to process payment after review and auditing procedures are completed**
2. **Presentation for discussion, consideration, acceptance and approval of payment to Atlas & Hall, L.L.P. for three invoices, File Number HC0001-9081, totaling \$960.17, for services rendered in relation to the purchases of the Elkins property, with authority for County Auditor to process payment after review and auditing procedures are completed.**

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

At this time the Court moved to item H.

**G. Discussion, consideration and action on setting County Road & Bridge Fee and/or Child Safety Fund Fee**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval for the amount of \$10.00 and no Child Safety Fund Fee.

At this time the Court moved to item #17.

**H. Discussion, consideration and action on payment to Torres, Cantu & Aliseda, P.C. in the amount of \$ 3,202.00 for services rendered as grievance officer for Hidalgo County in connection with employee grievance with authority for County Auditor to issue payment after review and auditing procedures are completed**

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

At this time the Court moved back to item G.

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

**17. Closed Session: (SEE EXHIBIT T)**

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

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

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

At this time Commissioner Palacios returns to the Court.

**18. Open Session:**

**A. Real Estate Acquisition**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to settle on parcel #59 in the amount of \$7,000.00, parcel #63 in amount of \$3,500.00 and parcel #60 in amount of \$10,000.00.

**B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**

NO ACTION taken on this item.

**C. Pending and/or potential litigation**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to allow the Firm of Atlas & Hall to proceed to represent Velasco Construction Co. whom has a claim pending the County of Hidalgo.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to consider exempting from competing bidding and appointing the Law Firm of Thornton, Biechlin, Segrato, Reynolds and Guerra to represent the County pertaining to Solis, Peralez, Caballero, Hernandez vs Hidalgo County as Administrators of the Head Start Program.

**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 Palacios, seconded by Commissioner Handy, 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, JULY 18, 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. Constable Pct. #1**
- B. Constable Pct. #2 (2)**
- C. Constable Pct. #3**
- D. CO 2004 - B & G**
- E. Health Dept. – Adm.**
- F. Health Dept. – OPHP Grant**
- G. Health Dept. – SDI Grant**
- H. Health Dept. – Clinics**
- I. Pct. #1**
- J. Pct. #1 – R & B**
- K. Pct. #1 - Parks**
- L. Pct. #2 – R & B**
- M. Pct. #2 - CRC**
- N. Pct. #3 – Landfill**
- O. Pct. #3 – FM 681**
- P. Planning Dept.**
- Q. Elections**
- R. Elections – HAVA**
- S. WIC**
- T. District Attorney (2)**
- U. Master Court #2**
- V. Probate Court**
- W. Juvenile Justice Court**

**3. Tax Refunds: (SEE EXHIBIT C)**

<b>Taxpayer</b>	<b>Payer</b>	<b>Amount</b>
<b>A. He Vogel</b>	<b>CPG Mercedes</b>	<b>\$3,616.51</b>
<b>B. Ivan &amp; Hilda Solis</b>	<b>Citimortgage</b>	<b>\$5,212.50</b>
<b>C. Bobby &amp; Veronica Bazan</b>	<b>Washington Mutual</b>	<b>\$3,637.69</b>
<b>D. William &amp; Cheryl Lewis</b>	<b>Valley Mortgage</b>	<b>\$3,367.58</b>
<b>E. Leonel &amp; Rosalinda Villarreal</b>	<b>Wells Fargo</b>	<b>\$3,562.62</b>
<b>F. Fernando &amp; Yolanda Gutierrez</b>	<b>GMAC</b>	<b>\$14,561.40</b>

<b>G. Abundio III Mendiola</b>	<b>GMAC</b>	<b>\$5,574.83</b>
<b>H. Springfield Plaza Pharmacy</b>	<b>L G B &amp; S</b>	<b>\$4,444.17</b>
<b>I. Steven L. Smith</b>	<b>Steven L. Smith</b>	<b>\$2,557.16</b>

**4. Monthly Fee Reports – May/April: (SEE EXHIBIT D)**

<b>A. J.P. Saenz</b>	<b>\$ 34,967.28</b>	
<b>B. J.P. Morales</b>	<b>\$ 24,749.00</b>	
<b>C. J.P. Contreras</b>	<b>\$ 46,818.03</b>	
<b>D. J.P. Trevino</b>	<b>\$ 76,753.75</b>	
<b>E. J.P. Garza</b>	<b>\$ 78,598.65</b>	
<b>F. J.P. Ochoa</b>	<b>\$ 70,937.00</b>	
<b>G. J.P. Espinoza</b>	<b>\$114,893.41</b>	
<b>H. J.P. Palacios</b>	<b>\$ 71,026.30</b>	<b>April</b>
<b>I. J.P. Palacios</b>	<b>\$ 84,747.77</b>	
<b>J. J.P. Jackson</b>	<b>\$ 25,851.98</b>	
<b>K. Law Library</b>	<b>\$ 1,815.75</b>	
<b>L. Sheriff Trevino</b>	<b>\$106,558.82</b>	<b>April</b>
<b>M. Sheriff Trevino</b>	<b>\$104,671.43</b>	
<b>N. Anzalduas Park</b>	<b>\$ 2,712.00</b>	
<b>O. Delta Lake</b>	<b>\$ 998.00</b>	
<b>P. Constable Avila</b>	<b>\$ 1,308.00</b>	
<b>Q. Constable Alaniz</b>	<b>\$ 320.00</b>	
<b>R. Constable Gallardo</b>	<b>\$ 745.00</b>	
<b>S. Constable Rios</b>	<b>\$ 1,720.00</b>	
<b>T. Constable Bazan</b>	<b>\$ 350.00</b>	
<b>U. Fire Marshal</b>	<b>\$ 3,375.50</b>	

**5. Monthly Fee Reports – June: (SEE EXHIBIT E)**

- A. County Clerk - \$737,246.15**
- B. District Clerk - \$338,896.66**

**6. Processing Fee Report – June: (SEE EXHIBIT F)**

- A. District Attorney - \$ 299,361.43**

**7. Planning Department: (SEE EXHIBIT G)**

**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)**

**8. Purchasing Department: (SEE EXHIBIT H)****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;**

<b>Req</b>	<b>Department</b>	<b>Vendor</b>	<b>Amount</b>	<b>Account Number</b>
<b><u>TBPC CISV Program</u></b>				
91904	District Attorney	Dell	\$973.70	6-1223-412-00-080-007-0-665
92568	Indigent Defense	Dell	\$3,645.98	6-1282-412-30-085-002-6-745
92660	I.T. Dept	CDW-G	\$2,134.98	6-1100-415-00-200-002-0-745
92677	Pct #4	Rio Radio	\$510.00	6-1204-431-00-124-007-0-664
92758	Pct #3	Rio Radio	\$620.00	6-1100-432-00-123-001-0-664
92833	Health Dept	Compusa	\$299.70	6-1293-441-00-340-018-6-601
92833	Health Dept	Compusa	\$919.90	6-1293-441-00-340-018-6-661
92833	Health Dept	Compusa	\$2,959.80	6-1293-441-00-340-018-6-665
92841	I.T. Dept	S.J.S.	\$42.00	6-1100-415-00-200-002-0-665

**B. HIDALGO COUNTY TAX ASSESSOR –**

- 1. Requesting authority to enter into a maintenance agreement for a Cash Register and printer with Jones & Cook on Req #92711 in the total amount of \$205.00/year.**

**DRAINAGE DISTRICT BOARD OF DIRECTORS  
AGENDA**

**Ramon Garcia  
Chairman**

**Sylvia S. Handy  
Board Member**

**Joe M. Flores  
Board Member**



**Hector "Tito" Palacios  
Board Member**

**NOTICE**

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

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JULY 18, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

(SEE EXHIBIT U)

**1. Roll Call**

All Members of the Board were counted present.

**2. Open Forum**

No presentations made under Open Forum.

**3. Approval of Consent Agenda**

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

**4. Workers' Comp Division – Valde Guerra:**

- A. Update on Workers' Compensation claims paid by TriStar Risk Management in the amount of \$ 0.00 for the period ending 6/16-30/06 including approval of wire transfer**

Presentation made by Valde Guerra.

**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 authority to advertise and approval of draft specifications as attached hereto for "Hauling Services for Millings"**

On motion of Commissioner Flores, seconded by Commissioner Handy, 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 Handy, 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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JULY 18, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

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

**DRAINAGE DISTRICT**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Board made 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 Permit:**
  - A. City of San Juan – VIP East II Subdivision**
- 3. Line Item Transfer:**
  - 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 18<sup>th</sup> day of July, 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 July 18, 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