

SPECIAL MEETING – JULY 25, 2006

BE IT REMEMBERED, that on this 25th 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:

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

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

Ramon Garcia
County Judge

Sylvia S. Handy
Commissioner, Pct. #1

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

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

HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on **TUESDAY, JULY 25, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

1. Roll Call

All Members of the Court were counted present with the exception of Commissioner Garza who arrived 10 minutes late.

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 CIP.

Fern McClaugherty – Concerning the Workshops on the CIP and the tax rate.

5. Approval of Consent Agenda

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

At this time the Court moved to item #11.

6. Tax Office – Armando Barrera: (SEE EXHIBIT F)

A. Approval of Interlocal Cooperation Agreements for Tax Assessment and Collection of Taxes between: City of Granjeno and County of Hidalgo

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

7. County Auditor – Ray Eufrazio: (SEE EXHIBIT G)**A. Presentation of the results of the Tax Abatement Review**

Presentation made.

B. Discussion, consideration and possible action regarding:

- 1. Recapture of current and prior year taxes abated**
- 2. Designation of the county department responsible for the management of the tax abatement program**
- 3. Proposed changes to the Guidelines and Criteria for Granting Tax Abatements in Hidalgo County, Texas**
- 4. Revised Tax Abatement Application**

NO ACTION taken on items #1 thru 4.

At this time Commissioner Flores steps out of the Court.

8. Tropical Texas MH/MR – Terry Crocker: (SEE EXHIBIT H)**Presentation of the following:**

- A. Construction project updates**
- B. Agency name change being considered**
- C. Financial Status – FY 07 funding request**
- D. Collaborative efforts**
- E. Other successes**
- F. Upcoming/future challenges**

Presentation made by Terry Crocker on items A thru F.

9. Texas Department of Family and Protective Services – Julie Smith: (SEE EXHIBIT I)**A. Discussion, consideration and possible action on appointing individuals to serve as standing members of an Adult Protective Services Special Task Unit (STU) as per Senate Bill 6, Chapter 48, Section 48.1521**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on appointing Hilda Garcia, Sgt. Joe Rodriguez, Michelle Smith, Mary Garza Cummings, Deanette Cortez and Jessica Ochoa.

10. Urban County – Diana Serna: (SEE EXHIBIT J)**A. Hidalgo County Precinct #1 requests approval of payment, in the amount of \$155,700.00, to Ferguson Service Systems, Inc. (FSSI) for City of Edcouch Water/Sewer Improvements. Urban County Program Year 16 (2003) and Year 17 (2004) Water/Sewer Improvements recaptured funds will be utilized.**

SEE ITEM H.

- B. Approval to execute 2006 HOME contracts with the Community Development Corporation of South Texas, Inc. and the South Texas Economic Development Corporation, Inc. contingent upon receipt of HUD-HOME funding for Fiscal Year 2006. These agencies have already been certified as Community Development Housing Organizations (CHDOs) within the County of Hidalgo.**

SEE ITEM H.

- C. Resolution: Office of Rural Community Affairs (ORCA) 2007 Colonia Construction Funds Application**

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

- D. Approval of Disclosure and Acquisition Update Reports for all Office of Rural Community Affairs (ORCA) grants.**

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

- E. 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.**
- F. 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.**
- G. 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.**
- H. 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.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items A, B, E, F, G & H.

At this time the Court moved to item 13.

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

Presentations made by Rudy De La Vina and the Health Services District Board Members.

At this time Commissioner Garza arrived.

At this time Commissioner Handy steps out of the Court.

At this time Commissioner Flores steps out of the Court.

B. Discussion, consideration and action on issues related to the Indigent Health Care Program and the Contract between Hidalgo County and the Rio Grande Valley Health Services District

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval that the County will cover ½ million dollars worth of bills through the end of August 15, 2006.

At this time the Court moved to Executive Session.

12. Buildings & Grounds – Daniel Flores: (SEE EXHIBIT L)

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

- A. Renovations of administration building**
- B. Other ongoing county owned building construction, renovation repair projects**
- C. Emergency situations occurring since last agenda meeting**

NO ACTION taken on items A thru C.

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

- 1. Corin Estates Subdivision – Pct. 4 (Saul Ortega)**
- 2. The Estates at Santa Cruz Ranches Subdivision – Pct. 4 (Kyle Ruppert)**
- 3. Evergreen Valley Estates Ph. 3 – Pct. 4 (Tillman Welch)**
- 4. La Puerta Phase I Subdivision – Pct. 4 (Antonio Aguirre Jr.)**
- 5. Oak Hill Ranch Phase I Subdivision – Pct. 1 (Jack McClelland) – NO ACTION taken on this item.**
- 6. Guerra's Acres Subdivision – Pct. 4 (Andrea Guerra)**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items #1, 2, 3, 4 & 6.

B. Final Approval:

1. **Frontera Heights East Ph. 3 Subdivision – Pct. 1 (Tony Gray)**
2. **Aziz Sharyland Subdivision – Pct. 3 (Dagoberto Trevino)**
3. **Jackson Village Phase II Subdivision – Pct. 4 (Monzer H. Yazji)**

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

C. Release of Letter of Credit:

1. **La Gloria Subdivision Phase II – Pct. 1 (Atanacio Hinojosa)**

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

D. Discussion and possible action on residential subdivisions located within La Joya Water Supply Corporation CCN Area:

1. **Watson Heights Subdivision – Pct. 3 (Paul Daniec)**
2. **Pueblo De Palmas Phase 6 – Pct. 3 (J. Gary Frisby)**

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

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

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

2. **Expand and reconstruct 1st and 2nd St. from Wyoming east to Stewart Rd.**

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

3. **Approval of Intradepartmental transfers**

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

B. Discussion, consideration and approval of claim/invoice with authority for Auditor to issue payment of the following:

Invoice from H & V Equipment in the amount of \$ 1,850.00 dated 1/12/06

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

15. Colonia Access Program – Agapito Vargas: (SEE EXHIBIT O)

A. Discussion and possible action authorizing an amendment to the Texas Department of Transportation Border Colonia Access Program Colonia Funding Agreement (first call)

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

At this time Commissioner Flores returns to the Court.

16. Pct. #3 – Comm. Flores: (SEE EXHIBIT P)

A. Requesting approval to increase vacant slot #005-036 to \$ 20,800.00

B. Approval of revised salary schedule

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

17. Purchasing Department – Marty Salazar: (SEE EXHIBIT Q)

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>1118</u>
Physical Count:	<u>1094</u>	Males (in house) <u>1024</u>
Out of County Facility	<u>24</u>	Females (in house) <u>78</u>
La Villa.	<u>07</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>12</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>17</u>	
Adj. / Sentenced to TDC	<u>121</u>	Total Paper Ready TDC <u>58</u> No. over 45 days <u>8</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.

- c) **Approval to execute AIA Document A101 awarded by CC on 06-20-06 for the, “Renovation of the Property Formerly known as the K-Mart Building,” for the Hidalgo County and to authorize project architect, Rike Ogden Figueroa Architects Inc. to issue and forward “notice to Proceed” to contractor, Joe Williamson Construction Company.**

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

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) Acceptance and approval of, including but not limited to, the following payment requests;

- i) Approval of request for payment no. 12 in the amount of \$1,164.655.00 from Descon Constructions, L.P., contracted vendor for “Juvenile Justice Center” and certified for payment by project architect, V-A Architecture; C#06-007-08-02**

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

- ii) Approval of Request for payment invoice no. 6004 in the amount of \$12,852.12 form L&G Engineering Laboratory LLC, 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 Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

- iii) Approval of request for payment invoice no. 33 in the amount of \$16,523.21, from V-A Architecture, contracted architect for “Juvenile Justice Center”; C#00-117-04-10**

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

c) Other related issues;

NO ACTION taken on this item.

- 7. Presentation for discussion, consideration and approval of and authority for County Judge or Presiding Officer to execute AIA Contract Document with Spacemaker Construction A101 awarded by CC on 06/20/06 for the, “Construction of Sally Port with Back up Power Project” for Hidalgo County and to authorize project architect, Alcocer Garcia Associates Design Consulting, to issue and forward “Notice to Proceed” contractor.**

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

- 8. Presentation for discussion, consideration and authority to cancel the following project (previously approved to re-advertise on 07/18/06): RFP-Hidalgo County “Lease/Occupancy of Building (Old Jail/Restitution Facility) to a Non-Profit Organization”.**

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

- 9. Requesting recession of action taken by CC on 2/21/2006 to surplus the property described as “Old Hidalgo County Jail/Restitution Center located at Loeb Street Edinburg, Texas.**

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

- 10. Presentation by Right of Way Department for discussion, consideration, acceptance and approval of a claim from Remora Oil & Gas in the amount of \$1,988.65 for follow-up training for staff with authority for auditor to issue payment for the items detailed in “Exhibit A” as attached hereto.**

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 11321903 in the amount of \$31,567.27 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-06-145-03-06 (PO#569911) for “FM 88 ROW Mile 12 Road North to FM 1925”**

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

At this time Judge Garcia steps out of the Court.

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Presentation for discussion, consideration, acceptance and approval of request for payments of;**
- a) Invoice No. 2046 in the amount of \$40,857.00 (S. Tower Estates)**
 - b) Invoice No. 2047 in the amount of \$ 5,600.00 (Campo Alto Subdivision)**
 - c) Invoice No. 2058 in the amount of \$42,289.20 (N. “I” Rd.)**
- from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2, “S. Tower Estates Campo Alto Subdivision; N. “I” Rd.” 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 on items a thru c.

- 2. Presentation for discussion, consideration, acceptance and approval of request for payment application no. 1 in the amount of \$28,692.00 and request for payment no. 2 in the amount of \$28,692.00, form Van Tech Landscaping & Erosion Control, Inc., contracted vendor for “Pond/Wetland Construction for the North San Juan Park” and as certified/recommended for payment by project engineer, R. Gutierrez Engineering Corporation. C-06-098-03-21**

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

D. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Presentation for discussion, consideration and approval of with authority for County Judge or Presiding Officer to execute AIA Contract Document A101 awarded by CC on 06-26-06 with Joe Williamson Construction Company for the, "Construction of a Motor Pool Building," for Precinct No. 3 and to authorize project engineer, Hinojosa Engineering, Inc., to issue and forward "Notice to Proceed" to contractor.**

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

- 2. Acceptance and approval of invoice # 06-202 dated 06-21-2001 in the amount of \$11,029.50 as submitted by Hinojosa Engineering, Inc. in connection with engineering services for the Goodwin Acres Road Improvements with authority for auditor to issue payment**

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

E. HIDALGO COUNTY PRECINCT NO 4 RIGHT A WAY DEPARTMENT –

- 1. 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 "Rooth Road Land Acquisition Projects" for Hidalgo County Pct 4 (R.O.W. Department).**

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

- 2. Authority to negotiate a "Professional Appraisal Services Contract" with the no 1 ranked: Triple "R" Realty & Appraisal Services, Inc. for "Rooth Road Land Acquisition Projects" for Hidalgo County Pct. 4 (R.O.W. Department).**

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

F. HIDALGO COUNTY JP PRECINCT 2 PLACE 2 –

- 1. Requesting authority to advertise and approval of draft specifications as attached hereto for "Hidalgo Count –Lease of Office Space for Hidalgo County JP Precinct 2 Place 2" project.**

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

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

- 1. Requesting authority to advertise for: "Road and Drainage Construction of Roadrunner # 2, Country Living Estates, LJ #1 & Primavera # 1 Subdivision(s)" a (B.C.A. P. project) project engineer R. Gutierrez Engineering)**

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 as recommended by project engineer, R. Gutierrez Engineering Inc, of Payment Application # 4 in the amount of \$55,963.23 submitted by D.M. Roth, Inc. in the connection with contract # C-CAP-05-005-06-01- Road Construction of: “Campo Alto Subdivision(s)**

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

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

1. **Requesting authority to advertise for: “Road and Bridge Construction of Los Trevino’s Subdivision(s)” a (B.C.A.P. project through engineer : Javier Hinojosa Engineering)**

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

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

1. **Requesting authority to advertise for: “Road & Drainage Construction of Colonia Big 5 Road and Colonia Big 5 Subdivision(s)” a (B.C.A.P. Project) – (project engineer: R. Gutierrez Engineering)**

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

J. HIDALGO COUNTY BUILDINGS AND GROUNDS –

1. **Presentation for consideration, discussion acceptance and approval of proposal from Jamail Construction (awarded area job contractor (AJOC) through the County’s participation/membership with TASB) for the provision of labor and materials (6-255 as attached hereto) not to exceed \$29,551.55 with authority to issue purchase order for: “Upgrade Service Turnkey Septic Tank System” for the facility located at 2401 N. Moorefield Rd. (housing the Hidalgo Count Department of Human Services) for the purposes of complying with Health Department regulations**
2. **Presentation for consideration, discussion, acceptance and approval of proposal from Jamail Construction (awarded area job contractor (AJOC) through the County’s participation/membership with TASB) for the provision of labor and materials (6-202 as attached hereto) not to exceed \$37,209.25 with authority to issue purchase order for the Upgrade of Electrical Service to the Delta Building (onsite at the former Hidalgo County Jail)**
 - a) **Build new stand alone electrical service including, but not limited to:**
 - i) **Install 600 AMP Service**
 - ii) **Demolish and remove existing Main Distribution Panel and complete replace with a new at electrical room**
 - iii) **Remove and replace one 200A electrical panel at main electrical room**
 - iv) **Remove and replace one (1) 30KVA floor transformer at main electrical room**
 - v) **Replace two (2) 15KVA wall mount transformers at two (2) electrical rooms**

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

At this time Judge Garcia returns to the Court.

3. **Recommending (6-236) award of bid and approval of contract (subject to legal review) and presented to the lowest bidder meeting all specifications attached hereto for: “Repair (Re-Gasket) of Windows at the Administration Building” as tabulated, reviewed and recommended by project architect, George A. Garcia, AGADC.**

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

K. HIDALGO COUNTY SHERIFF DEPARTMENT –

1. **Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in current contract) with O.E. Investments, Inc. for the “Lease of the Tower Space”.**

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

L. HIDALGO COUNTY TAX OFFICE –

1. **Recommending of bid (6-243) award and approval of contract (subject to legal review) to the lowest bidder meeting all requirements and specifications as attached hereto for: “Printing Tax Rolls, Folding, Inserting, Pre-Sorting and Delivering of Tax Statements for the year 2006 to the Edinburg Post Office” RFB**

NO ACTION taken on this item.

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.

18. Budget & Management – Valde Guerra: (SEE EXHIBIT R)

A. Status Report and Schedule for the 2007 Hidalgo County Budget Process

Presentation made.

B. Discussion, consideration and action authorizing the Department of Budget & Management to facilitate the management of all Tax Increment Financing issues

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

C. Discussion, consideration and action on Resolution and Order appointing & confirming the initial Board of Directors to the Hidalgo County Regional Mobility Authority (RMA)

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

D. Approval of 2006 membership dues for the following:

- **Tex-21 Membership Dues - \$ 25,000.00**

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

E. Constable Pct. #3:

- 1. Requesting acceptance and appropriation of LEOSE 2006 State Allotment in the amount of \$ 1,339.02 into acct. #6-1220-421-00-293-002-0-583**

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

F. Interdepartmental transfers:

- 1. Co. Wide Adm. to Sheriff - \$ 100,000.00 (gasoline)**
- 2. Financial Advisor Acct. to Tropical Texas MH/MR - \$ 3.00 (diff. to cover invoice)**
- 3. Financial Advisor Acct. to Independent Audit - \$ 4,000.00 (diff. to cover invoice)**

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

G. Interfund transfer:

- 1. Financial Advisor Acct. to Court Reporter - \$ 9,436.28 (pending invoices)**

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

H. Sheriff's Office:

- 1. Discussion, consideration and action for the continued employment of one (1) position for COPS in School Sharyland ISD Grant for the period of 7-29-06 to 12-31-06 (this is necessary to fulfill the "full budget cycle" requirement of the grant – the county's obligation under the grant will be satisfied for the position on 12-31-06); continued employment after 12-31-06 is at the discretion of the court**
- 2. Approval of Revised Salary Schedule**
- 3. Discussion, consideration and action for the continued employment of two(2) positions for COPS in School Mercedes ISD Grant for the period of 7-27-06 to 12-31-06 (this is necessary to fulfill the "full budget cycle" requirement of the grant – the county's obligation under the grant will be satisfied for the positions on 12-31-06); continued employment after 12-31-06 is at the discretion of the court**
- 4. Approval of Revised Salary Schedule**

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

I. Pct. #1:

- 1. Presentation for discussion, consideration, acceptance and approval of a contractual agreement for right of way procurement between the State of Texas and the County of Hidalgo, covering the acquisition of right of way for FM 88 (Phase I) from 0.20 miles north of FM 1925 to SH 107**
- 2. Authority for County Judge to sign the required document(s): Contractual Agreement for right of way procurement – Project: FM 88 (Phase I) from 0.20 miles north of FM 1925 to SH 107**
- 3. Presentation for discussion, consideration, acceptance and approval of a contractual agreement for right of way procurement between the State of Texas and the County of Hidalgo, covering the acquisition of right of way for FM 88 (Phase III) from 0.25 miles north of Mile 16 North, South to 0.05 miles north of Mile 12 North**
- 4. Authority for County Judge to sign the required document(s): Contractual Agreement for right of way procurement – Project: FM 88 (Phase III) from 0.25 miles north, south to 0.05 miles north of Mile 12 North**

NO ACTION taken on item I-1 thru 4.

J. Pct. #2:

- 1. Authority for County Judge to sign Certification & Program Assurances documents for North San Juan Park**

K. Pct. #4:

- 1. Authority for County Judge to sign Grant Program Application Form, Certification & Program Assurances, Land & Water Conservation Fund General Provisions and Summary of Guidelines documents for J.R. Milo Ponce Memorial Park**

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

At this time the Court moved to adjourn.

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

19. Closed Session: (SEE EXHIBIT S)

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 Attorneys 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 Handy leaves the Court.

Commissioner Flores returns to the Court.

20. Open Session:

- A. Real Estate Acquisition**
- B. Consultation with Attorneys 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.

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

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 SPECIAL MEETING of the Commissioners' Court will be held on **TUESDAY, JULY 25, 2006 at 9:00 A.M.**, in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda.

1. **Approval of check register and payment of claims and bills – County Auditor (SEE EXHIBIT A)**
2. **Intradepartmental transfers: (SEE EXHIBIT B)**
 - A. **206th District Court**
 - B. **Texas Coop. Extension**
 - C. **CO 1334 - B & G**
 - D. **Probate Court**
 - E. **WIC (2)**
 - F. **Health – Clinics**
 - G. **Health – Adm.**
 - H. **Budget & Management**
 - I. **County Judge's Office**
 - J. **Elections Department**
 - K. **Buildings & Grounds**
 - L. **D.A. – Inv. Fund**
 - M. **D.A. – Gen. Fund**
 - N. **County Clerk (2)**
 - O. **139th District Court**
 - P. **County Treasurer**
 - Q. **Pct. #2 – CAP**
 - R. **Constable Pct. #5**
 - S. **Pct. #3 – Sanitation**
 - T. **Pct. #3 – Parks**
 - U. **Pct. #4 – R & B**
3. **Planning Department: (SEE EXHIBIT C)**
 - A. **Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - **Certificates of Residence Construction under Local Government Code Section 232.029(c)(1)**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**

4. **Right of Way:** (SEE EXHIBIT D)

- A. North Alamo Water Supply – Minnesota Rd. & Old La Blanca Rd.
- B. North Alamo Water Supply – Raul Longoria & Alberta Rd.
- C. Delta Lake Irrigation District – Cemetary Rd. west of Bucy St.
- D. Enterprises Products Operating, LP – north of FM 2221 & Abram Rd.
- E. Geophysical Explorer – along various county roads

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>				
92090	I. T. Dept	CDW-G	\$ 658.98	6-1100-415-00-200-002-0-665
92985	District Clerk	CDW-G	\$ 154.00	6-1100-412-00-090-001-0-665
93282	County Clerk	the Software	\$1,946.00	6-1100-415-40-180-001-0-664

B. **HIDALGO COUNTY 206TH DISTRICT COURT -**

1. Requesting authority to enter into a renewal agreement for a Cannon Copier with Ikon on Req #92794 in the total amount of \$295.45/year.

C. **HIDALGO COUNTY TAX ASSESSOR/COLLECTOR –**

1. Requesting authority to enter into a renewal agreement for a counterfeit machine with Cummins-Allison on Req #93141 in the total amount of \$431.00/year. Effective July 25, 2006 through July 24, 2007.

**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 25, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

(SEE EXHIBIT T)

1. Roll Call

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

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

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

At this time Commissioner Garza steps out of the Board.

4. Approval to apply for license with Federal Communications Commission (FCC) for telemetry monitoring to the National Weather System (NWS) for the Lower Rio Grande Valley

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

5. Approval of salary adjustment to slot #10 (003 acct.), due to additional duties and responsibilities (no budget amendment required)

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

6. Approval to participate in United States Test Program with AGCO Corporation, for testing of 2006 Massey Ferguson 596 series, under Seiver Implement Company

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

At this time Commissioner Garza returns to the Board.

At this time the Board moved to item #8.

7. Discussion and action on the Master Drain System Phase II

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval on the recommendation to the Board to consider the Lateral and Projects presented for development of a hundred million dollar bond issue for Hidalgo County Drainage District #1.

At this time the Board moved to adjourn.

8. 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) 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:

- a. Declaration of a “Finding of Surplus” by the “Board” of Hidalgo County Drainage District No. 1 for the property described as: “A 0.36 acre tract of land out of Lot 199, Kelly-Pharr Subdivision, located along the North Side of a drainage canal abutting the Grand Estates Subdivision in Pharr Texas, located in Hidalgo County, Texas and more particularly described in “Exhibit A” (attached hereto), if approved:**

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

At this time Commissioner Palacios steps out of the Board.

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

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

- 3) **Approval of the minimum bid amount as per the “fair market value” appraisal as required by the “code” of \$ 2,700.00 , therefore;**

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

- 5) **Requesting authority to purchase “Tires, Tubes & Automotive Products – TASB (Buyboard Contract #239-05)” through Hidalgo County Drainage District’s Inter-local with TASB Buyboard.**

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

- 6) **Requesting authority to purchase “Tires, Tubes & Automotive Products – TASB (Buyboard Contract #239-05)” through Hidalgo County Drainage District’s Inter-local with TASB Buyboard and;**

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

At this time Commissioner Palacios returns to the Board.

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

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

9. 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**

10. Open Session:

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

11. Closed Session:

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

12. Open Session:

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

13. Adjourn

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on **TUESDAY, JULY 25, 2006 at 9:00 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

DRAINAGE DISTRICT

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills – County Treasurer**
- 2. Discharge Permits:**
 - A. City of Edinburg – Alandra Vineyard Subdivision**
 - B. City of Edinburg – ECISD Subdivision #11**
 - C. City of Mission – Sanchez Homes Inc. Subdivision #2**
 - D. City of Hidalgo – Gloria Vista Phase I Subdivision**

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

Dated this the 25th day of 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 25, 2006.

Signed this _____ day of _____ 2006

ATTEST:
EDDY TREVINO
County Clerk and Ex-Officio Clerk
Of the Commissioners' Court of
Hidalgo County

(Seal)

By: _____
Norma Garza, Deputy