

SPECIAL MEETING – August 29, 2006

BE IT REMEMBERED, that on this 29th day of August, 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-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Sylvia S. Handy
Commissioner, Pct. #1

Ramon Garcia
County Judge

Joe M. Flores
Commissioner, Pct. #3



Hector "Tito" Palacios
Commissioner, Pct. #2

**HIDALGO COUNTY
COMMISSIONERS' COURT
AGENDA**

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

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, AUGUST 29, 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 Health Services District and the delinquent tax attorneys on their fees the County is paying.

Father Jerry Frank – Concerning the Rio Grande Valley Health Services District.

Anne Cast – Member of the El Milagro Board and Co-Founder of Hope Medical Clinic supporting the Health Services District.

Father John Lasang – Pastor of St. John the Baptist Catholic Church in San Juan and Leader of Valley Interfaith supporting the Health Services District and the needs of the poor.

Fern McClaugherty – Concerning no more taxes for the Taxpayers.

At this time the Court moved to item #12.

5. Approval of Consent Agenda

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

At this time the Court moved to item #7.

6. Juvenile Probation – Buddy Silva: (SEE EXHIBIT G)

A. Request approval of the Criminal Justice Division (CJD) JB-05-J20-13378-08 Grant Early Intervention Program Grantee Acceptance Notice

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

At this time Commissioner Palacios steps out of the Court.

B. Request approval to appropriate JB-05-J20-13378-08 local cash match in the amount of \$ 15,000.00 to satisfy grant requirement

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

C. Approval of the salary schedule

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

At this time the Court moved to item #8.

At this time Commissioner Handy and Commissioner Palacios step out of the Court.

7. Delinquent Tax Attorneys – Cynthia Garza-Schammel: (SEE EXHIBIT H)

A. Discussion and approval of the Proposed Guidelines for Tax Foreclosure Auction of Resale Properties Scheduled for Sale on October 14, 2006

B. Discussion and possible action on Resolution for Tax Foreclosure Auction of Resale Properties Scheduled for Sale on October 14, 2006

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

At this time the Court moved for a 10 minute break.

At this time Commissioner Handy and Commissioner Palacios return to the Court.

At this time the Court moved to item #21-G & H.

8. County Judge's Office/Emergency Management – Belinda Alvarez: (SEE EXHIBIT I)

A. Discussion, consideration and possible action on the approval of the Memorandum of Understanding (MOU) between the County of Hidalgo and the South Texas Chapter of The American Red Cross

B. Authorization for County Judge to sign the MOU with the American Red Cross

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

- C. Discussion, consideration and possible action on the approval of the Emergency Management Plan Annexes I, M, N and V**
- D. Authorization for County Judge to sign Annexes I, M, N and V**

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

9. Urban County – Diana Serna: (SEE EXHIBIT J)

- A. Approval to award a Contract to the Play Well Group for the Purchase and Installation of playground equipment, purchase of picnic tables, rest shelters and basketball athletic equipment for LJ Park using Precinct No. 2 Urban County Program Parks, Recreational Facilities funding from Year 17 (2004) in the amount of \$34,846.27.**

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

- B. Precinct #4 is requesting approval of a contract with Excellent Fence in the amount of \$55,524.00 for a Park Improvement Project utilizing Urban County Program Year 18 (2005) funds.**

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

- C. Consideration and Approval of a contract in the amount of \$282,079.64 with Dos Logistics, Inc., for emergency improvements to the City of La Villa's Water and Waste Water Treatment Plants.**

NO ACTION taken on this item.

- D. Approval of a Resolution for designation and authorizing bonded signatories for the 2006 Economically Distressed Area Program (EDAP) Contract # 726155 – Office of Rural Community Affairs – Texas Community Development Program Funds:**

On motion of Commissioner Flores, seconded by Commissioner Handy, 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 2006 Colonia EDAP Grant #726155.**

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

At this time Commissioner Flores steps out of the Court.

- F. Approval of change order to the Fixed-Unit Price Construction Agreement between Simple Homes, Inc. and Urban County Program for Program Year 18 to increase the number of units from fourteen (14) to seventeen (17). Change order will increase contract by \$99,618.00 (20%).**

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

10. Sheriff's Office – Sheriff Trevino: (SEE EXHIBIT K)

- A. Approval to appropriate monies received on a seizure award in the Sheriff's Investigation Fund 1227 – HB 65**
- B. Approval to appropriate monies received on two seizure awards in the Sheriff's Federal Sharing – U.S. Department of Justice**
- C. Approval to appropriate monies received on two seizure awards in the Sheriff's Federal Sharing – U.S. Department of Treasury**

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

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

- A. Requesting authorization and approval to continue payroll on the Immunization Grant effective 9/1/2006 per the attached salary schedule (Acct. #6-1293-441-00-340-012-7)**

SEE ITEM F.

- B. Requesting authorization and approval to continue payroll on the Bioterrorism Grant effective 9/1/2006 per the attached salary schedule (Acct. #6-1293-441-00-340-013-7)**

NO ACTION taken on this item.

- C. Requesting authorization and approval to accept the attached SDI Grant Contract #2007-020494 Attachment #001 in the amount of \$ 530,853.00 for the period 9/1/2006 to 8/31/2007**
- D. Requesting authorization and approval of the attached SDI Grant Budget and Salary Schedules for the period 9/1/2006 to 8/31/2007 (Acct. #6-1293-441-00-340-018-7)**
- E. Requesting authorization and approval to accept the attached OPHP Grant Contract #7460007176A2007 Attachment #01 in the amount of \$ 126,424.00 for the period 9/1/2006 to 8/31/2007**
- F. Requesting authorization and approval of the attached OPHP Grant Budget and Salary Schedules for the period 9/1/2006 to 8/31/2007 (Acct. 6-1293-441-00-340-006-7)**

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

At this time the Court moved to item #13.

12. Planning Department – Raul Sesin: (SEE EXHIBIT M)**A. Approval of Proclamation honoring Emilio Garcia for his 19 years of dedication and commitment to Hidalgo County**

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

At this time the Court moved to item #18.

13. District Attorney's Office – Roy Cazares: (SEE EXHIBIT N)**A. Request approval and authorization to extend the payment of salaries and fringe benefits for two employees assigned to the Crime Victim Coordinator (D.A.) and Liaison (HSO) grant until receiving of new grant award documentation by both agencies**

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

B. Approval of 2006-2007 D.A. State Supplement Budget in the amount of \$ 33,630.00**C. Approval of salary schedule**

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

D. Approval of budget amendment in the D.A. Investigation Fund - \$ 28,204.00

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

At this time the Court moved to item #20-I-3.

14. Hidalgo County Projects – Godfrey Garza: (SEE EXHIBIT O)**A. Approval of License for the City of McAllen to install approximately 8,400' for Gravity Sewer Line within the Hidalgo County Floodway, including crossing at the North & South Levee Pilot Channel**

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

B. Approval of Work Authorization #1 invoice #U9444-101-29R for Raymondville Drain Outfall System

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in amount of \$22,390.00 for S & B Infrastructure.

15. 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**

NO ACTION taken on this item.

16. 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**
- B. Other ongoing county owned building construction, renovation repair projects**
- C. Emergency situations occurring since last agenda meeting**

Presentation made by Martha Salazar.

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

- A. Approval of WIA Youth Contract (#05-WIAYS-023), Amendment #2 with the Lower Rio Grande Valley Development Board (no economic impact to the original budget)**

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

- B. Approval and authorization to create a temporary position slot #T-20- Attendant, not to exceed six months at \$ 8.00/hr., (due to employee out on workers' compensation Sanitation Department slot #001)**
- C. Approval of revised salary schedule**
- D. Approval of intradepartmental transfer**

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

At this time the Court moved to item #20.

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

- A. Discussion, consideration and action on County Invoice to Health Services District for reimbursement of FY 2006 Indigent Health Care Program Administrative Costs**

NO ACTION taken on this item.

- B. Discussion, consideration and action on Amendment to Contract with Health Services District submitted by the District**

NO ACTION taken on this item.

C. Discussion, consideration and action on termination of Contract with Cameron County & Rio Grande Valley Health Services District in accordance with Section 32 of the Concurrent Order and/or Section 287.101 of the Texas Health and Safety Code

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a 3 to 2 VOTE of approval.

Commissioner Palacios – Aye.

Commissioner Garza – Aye.

Commissioner Flores – Aye.

Commissioner Handy – Nay.

Judge Garcia – Nay.

At this time the Court moved back to item #5

19. Pct. #3 – Comm. Flores: (SEE EXHIBIT T)

A. Approval to submit quarterly status report to Texas Parks and Wildlife Hidalgo County Pct. 3 Anzalduas Park Project

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

B. Requesting approval to increase slot number #005-047 and #005-048 to \$ 20,800.00 each, due to additional duties

C. Approval of revised salary schedule

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

At this time the Court moved back to item 14.

20. Purchasing Department – Marty Salazar: (SEE EXHIBIT U)

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>1199</u>
Physical Count:	<u>1099</u>	Males (in house) <u>1019</u>
Out of County Facility	<u>100</u>	Females (in house) <u>78</u>
La Villa.	<u>82</u>	
Brook’s Co.	<u> </u>	Federal Prisoners <u>15</u>
Frio Co.	<u> </u>	
Other: (n/c)	<u>18</u>	
Adj. / Sentenced to TDC	<u>148</u>	Total Paper Ready TDC <u>81</u> No. over 45 days <u>12</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;

NO ACTION taken on this item.

- b) Approval of request for payment Invoice No. 250121.01 in the amount of \$4,469.00 from Rike Ogden Figueroa Alex Architect, Inc., contracted architect for “Asbestos Abatement at Hidalgo County Offices, fka, known as the Kmart Building” C#06-090-08-23

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

- c) Other related items;

NO ACTION taken on this item.

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;**
 - b) **Status of pending payment requests;**
 - c) **Other related issues;**

NO ACTION taken on item #6a thru c.

7. **Presentation for discussion, consideration, acceptance of the response(s) received (through sealed quotes) with approval for Purchasing Department to negotiate a professional service contract (subject to legal review) for RFP/Q for: “Professional Consulting Services for Grant Application Submission under the U.S. Department of Commerce Economic Development Corporation in connection with Preparing an Economic Development Administration Planning Grant for Hidalgo County,.” (RFSQ: 06-299-08-21)**

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

8. **Requesting authority to advertise a request for proposals and approval of draft requirements for: “Public Pay Telephones Services” RFP (06-336-09-20-MSS)**

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

9. **Requesting approval of final negotiated & executed professional services contract for “Financial Advisory Services” with Estrada & Hinojosa Company, Inc. (as authorized for negotiation by CC on 12/13/05) (Contract No. C-06-337-)**

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

10. **Presentation of a request from a former participating Hidalgo County Employee for termination and “Withdrawal of 457 Plan Retirement Fund” with authority for Hidalgo County Judge or Presiding Office to execute “Distribution Request Form”**

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

11. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) with Border Visions for grants Writing and Other Related Services for Park Projects.

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

At this time Commissioner Palacios, returns to the Court.

At this time Judge Garcia steps out of the Court.

12. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year term (as provided in contract) for Consultant Services for Hidalgo County Cafeteria Plan (Section 125, Voluntary Products) with Insurance Advisory Group, Inc.

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

13. Requesting approval to advertise for an RFP/Q for: "Section 125 Voluntary Products with requirements, specifications to be developed and drafted by consultant.

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

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

- 14. Presentation for discussion, consideration and action to issue notice of non-renewal (pursuant to Article VI of current agreement with an expiration date 12-31-06) for the contract for delinquent tax collection with Linebarger, Goggan, Blair & Sampson, LLC**
- 15. Requesting authority to advertise a Request for Proposal with Qualifications (RFP/Q) for: Delinquent Tax Collection Services for Hidalgo County.**

On motion of Commissioner Flores, seconded by Commissioner Handy the Court made a 2 to 2 Vote for a NO VOTE on items #14 & 15.

Judge Garcia – Nay

Commissioner Handy – Aye

Commissioner Palacios – Abstain

Commissioner Flores – Aye

Commissioner Garza – Nay

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

B. HIDALGO COUNTY PRECINCT NO. 1-

- 1. Presentation for discussion, consideration, acceptance and approval of request for payment for Invoice No. 0603 in the amount of \$3,080.12 submitted by Rodriguez Engineering with authority for County Auditor to issue payment (after review, and processing procedures completed) in connection with Contract # C-06-217-07-18 (PO # 570727) for “Various R&B and C.I.P. Projects (Belinda Street)”**

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

- 2. Presentation for consideration, discussion, acceptance and approval of Work Authorization # 2 in the amount of \$34,329.06 with Rodriguez Engineering, Inc. for “Mile 11 ½ from 493 East to Victoria Road” – Hidalgo County Precinct No. 1, in connection with Contract No. C-05-252-07-19**

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.

C. HIDALGO COUNTY PRECINCT NO. 2-

- 1. Presentation fro discussion, consideration , acceptance and approval of Request for Invoice No. 2068 in the amount of \$33,100.55, from R. Gutierrez Engineering Corporation, contracted engineer for Precinct No. 2 “McCull II Military Rd to Irrigation Ditch” with authority for Auditor to issue payment after review, audit and processing procedures complete. C#05-229-06-21**

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

D. HIDALGO COUNTY PRECINCT NO. 3-

- 1. Approval of Request for Payment Application No. 1 in the amount of \$5,700.00 from Joe Williamson Construction Co., Inc., contracted vendor for “Construction of Precinct No. 3 Motor Pool Building” and as certified for payment by project engineer, Hinojosa Engineering C-06-181-07-25**

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

- 2. Acceptance and approval of invoice # 425551/01XV dated 06/30/2006 in the amount of \$20,837.45 as submitted by Dannenbaum Environmental Corporation in connection for the continuation of the County- wide Municipal Solid Waste (MSW) Landfill Project in Precinct No. 3**

On motion of Commissioner Flores, seconded by Commissioner Palacios, 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 Hinojosa Engineering Inc. for “Construction of Pavilion/BBQ House and Meeting Room” for Hidalgo County Precinct No. 3**

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

4. **Authority to negotiate a “Professional Engineering Service Contract” with the No. 1 ranked firm: Hinojosa Engineering Inc. for “Construction of Pavilion/BBQ House and Meeting Room” for Hidalgo County Precinct No. 3**

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

E. HIDALGO COUNTY PRECINCT NO. 4-

1. **Presentation for consideration, discussion and acceptance and approval of Work Authorization # 4 in the amount of \$5,434.00 with L&G Engineering Laboratory, LLC for “Construction Material Testing of Hoehn Drive Construction Project” Hidalgo County Precinct No. 4, in connection with Contract No. C-05-253-07-19**

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

2. **Presentation for discussion, consideration, acceptance and approval of Request for Payment for Invoices No 267394 in the amount of \$30,000.00 and No. 267454 in the amount of \$120,000.00 from T.E.D.S.I. Infrastructure group, Inc. in connection with Contract No. C-06-144-12-13- “Trenton Road form US 281 to Fm 491 Corridor & Alignment Analysis, Environmental; Constraints Matrix, Preliminary R.O.W. Project” for Precinct No. 4.**

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

At this time Commissioner Garza steps out of the Court.

3. **Presentation for consideration, discussion acceptance and approval of Work Authorization # 19 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 Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

F. HIDALGO COUNTY COLONIA ACCESS PROGRAM PRECINCT NO 1-

1. **Presentation for discussion, consideration, acceptance and approval of Payment Application # 3 in the amount of \$112,544.20 submitted by IOC Company, LLC. in connection with contract#C-CAP-06-001-02-28 Road Construction of: “Capisallo Park Subdivision(s)” and as recommended by project engineer, TEDSI Infrastructure Group.**

NO ACTION taken on this item.

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

1. **Presentation for discussion, consideration, acceptance and approval of Payment Application # 5 in the amount of \$2,283.48 submitted by D.M. Roth, Inc. in connection with contract # C-CAP-05-005-06-01 Road Construction of: “Campo Alto Subdivision(s)” and as recommended by project engineer R. Gutierrez engineering Inc.**

NO ACTION taken on this item.

H. HIDALGO COUNTY ADULT DETENTION –

1. **Requesting authority to purchase computer equipment and peripherals from HP Direct through their State of Texas DIR-SDD-223 contract on Req #95073 in the total amount of \$11,118.08.**

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

I. HIDALGO COUNTY BUILDINGS & GROUND DEPARTMENT-

1. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) (4), a professional service of a Registered Accessibility Specialist (RAS) to perform inspections for compliance with Texas Civil Statutes, Article, 9102 “Architectural Barriers at through Texas Department of Licensing and Regulations” Texas Accessibility Standards for various Hidalgo County Buildings.**

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

2. **Requesting approval to engage Anthony Cavachovic a Texas Registered Accessibility Specialist (RAS) to conduct several post construction inspections (as detailed in exhibit attached hereto) for various in Hidalgo County Buildings, in an amount not to exceed \$ 1,905.00 (06-235-ROL)**

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

At this time the Court moved to item J.

3. **Presentation for consideration, discussion, acceptance and approval of proposal from Jamail Construction (Awarded are job order contractor (AJOC) through the County's participation/membership with TASB) for the provision of labor and materials (as attached hereto) for: Interior Renovations to County owned property, fka, the Bennet Building in an amount not to exceed \$ 208,884.63 with authority to issue purchase order. (6-203)**

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 #19.

J. HIDALGO COUNTY DISTRICT CLERK'S OFFICE-

1. **Presentation for discussion, consideration, acceptance and approval of claims/invoices for The City of Edinburg in the amount of \$400.00 for Jury impanelment for the month of March 2006 due to expired contract. Requesting authority for auditor to issue payment for the items detailed in "Exhibit A" as attached hereto.**

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

K. HIDALGO COUNTY RIGHT-OF-WAY DEPARTMENT –

1. **Presentation for consideration, discussion acceptance and approval of Work Authorization # 13 with TEDSI Infrastructure Group to provide engineer services for "Development of a County Road Map" as requested to be placed on agenda by Right-of-Way Department.**

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

At this time Commissioner Garza returns to the Court.

L. HIDALGO COUNTY IT DEPARTMENT –

1. **Pursuant to Hidalgo County Cellular Telephone Policy, presentation for consideration, acceptance and approval of new applications and/or re-applications of Cellular Phone Request Forms for cellular phones/services for the following elected official(s), department heads(s), program director(s) and employee(s) with positions as indicated and further detailed in "Exhibit A" attached hereto:**

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

M. HIDALGO COUNTY SHERIFF'S DEPARTMENT-

1. **Requesting authority to reject bids received and re-advertise due to bids not meeting specifications and/or requirements for "Services and Maintenance to the Adult Detention Electronics System" project.**

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

N. HIDALGO COUNTY RE: REAL ESTATE ACQUISITIONS –

1. **Requesting authority to obtain and approval of (when applicable), including, but not limited to, the following items necessary in anticipation of real property/estate acquisition(s): fair market value appraisals, inspections, surveys, all phases-environmental assessments, title reports or title policies services, commercial contracts (improved property) or option contracts with authority for County Auditor to issue required earnest money payment(s) or option payment(s) and County Judge or Presiding Officer to execute necessary/required document(s)**

NO ACTION taken on this item.

21. Budget & Management – Valde Guerra: (SEE EXHIBIT V)**A. Interdepartmental transfers:**

1. **Co. Wide Adm. Cont. to Mailing Services - \$ 14,300.00**
2. **Co. Wide Adm. Cont. to Constables Pct. 1, 2, 3, 4 & 5 - \$ 38,381.61 (fuel)**
3. **Co. Wide Adm. Cont. to Public Defense - \$ 500,000.00 (legal services)**
4. **Co. Wide Adm. Cont. to D.A. - \$ 42,500.00 (advertising/travel/court costs & inv.)**
5. **Co. Wide Adm. Cont. to Financial Advisor - \$ 40,000.00 (financial adv. Serv.)**
6. **Co. Wide Adm. Cont. to Sheriff - \$ 150,000.00 (fuel)**
7. **Co. Wide Adm. Cont. to Jury Fees - \$ 300,000.00 (jurors)**
8. **Co. Wide Adm. Cont. to Buildings & Grounds - \$ 156,000.00 (repairs/maint./fuel)**
9. **Co. Wide Adm. Cont. to Elections - \$ 50,000.00 (voter registration cards)**
10. **CO 2002 R & B to CO 2002 Landfill - \$ 7,988.08 (eng./arch. serv.)**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items #1 thru 10.

B. Interfund transfers:

1. **Co. Wide Adm. Cont. to Court Reporter Fund - \$ 60,000.00 (pending invoices)**

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

C. Safety Division:

1. **Approval to transfer funds in the amount of \$ 5,000.00 from Hidalgo County General Fund Bank Account to Hidalgo County Property & Casualty Insurance Claims Bank Account to serve as reserves for the payment of claims**

NO ACTION taken on this item.

D. Appropriation of funds:

1. **CO 2004 B & G Bennett Bldg. - \$ 125,000.00 (renovations to Bennett Bldg.)**
2. **Co. Wide Adm. Cont. - \$ 30,000.00 (de-obligation of funds Juv.-CJD JAIBG Cash Match)**
3. **Fund 1315 – TXDOT – FM 1924 Ph.II Outfall Channel ROW - \$ 672,000.00**
4. **Fund 1315 – TXDOT – FM 907 Outfall Channel ROW - \$ 1,100,000.00**
5. **Fund 1315 – TXDOT – Mile 6 West Rd. - \$ 535,000.00**
6. **Fund 1315 – TXDOT – Mile 2 West Rd. - \$ 146,000.00**

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

At this time Commissioner Garza steps out of the Court.

E. Health Insurance Division:

1. **Discussion, consideration and approval to transfer \$ 455,557.99 to the Hidalgo County Health Insurance Claims Bank Account for Health Insurance Claims paid for the following periods:**
 - August 08 thru August 14, 2006
 - August 15 thru August 21, 2006
2. **Approval of wire transfer to cover the claims paid**

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

F. Discussion and action regarding funds received in the amount of \$ 44,492.19 from Texas Comptroller representing capital credits from electric cooperatives in Hidalgo County reported as unclaimed property – funding requests from Children’s Advocacy “Estrella House” and “The Rainbow Room”

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

At this time Judge Garcia returns to the Court.

At this time the Court discussed item #9-C.

At this time the Court moved to Executive Session.

G. Order authorizing the issuance, sale and delivery of Hidalgo County, Texas Limited Tax General Obligation Refunding Bonds, Series 2006; Levying a continuing direct annual ad valorem tax; Authorizing the refunding of certain outstanding obligations; authorizing the execution of a bond purchase contract; approving an official statement, and making other provisions regarding such bonds and matters incident thereto

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

H. Order authorizing issuance, sale and delivery of Hidalgo County, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2006; payable from the levy of a direct and continuing annual ad valorem tax within the limits prescribed by law and a limited pledge (never to exceed \$ 1000) from the surplus net revenues from the operation of the county’s parks as authorized pursuant to Chapter 320, Local Government Code; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; authorizing the use of an official statement to be used in connection with the sale of the certificates; and making other provisions regarding such certificates and matters incident thereto

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 #20-A-14.

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

22. Closed Session: (SEE EXHIBIT W)

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

- A. Real Estate Acquisition**
- B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project**
- C. Pending and/or potential litigation**
- D. CL-06-2499-A; Ken's Truck and Trailer Services Inc. vs. County of Hidalgo**

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

23. Open Session:

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

NO ACTION taken on items A thru C.

- D. CL-06-2499-A; Ken's Truck and Trailer Services Inc. vs. County of Hidalgo**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to have the District Attorney handle this case for the County.

24. Closed Session:

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

25. Open Session:

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

26. 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, AUGUST 29, 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 Garza, 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. Co. Wide Adm.**
 - B. County Court #2**
 - C. Adult Detention Center**
 - D. Elections Department**
 - E. County Court #5**
 - F. HIDTA – Task Force (forfeiture fund)**
 - G. HIDTA – 2006 Grant**
 - H. D.A. – Inv. Fund**
 - I. Courthouse Parking Lot**
 - J. Indigent Defense**
 - K. Public Defenders (2)**
 - L. IT Department**
 - M. Health – Bioterrorism Grant**
 - N. Health – OPHP Grant**
 - O. J.P. Pct. #3, Pl. 1**
 - P. J.P. Pct. #2, Pl. 2**
 - Q. Planning Department**
 - R. County Clerk**
 - S. County Court #1**
 - T. Co. Treasurer – Bail Bond Board**
 - U. Pct. #1 – R & B**
 - V. Pct. #1 – Adm.**
 - W. Pct. #1 – Parks**
 - X. Pct. #1 – Sanitation**
 - Y. Pct. #2 – CIP**
 - Z. Pct. #2 – R & B**
 - AA. Pct. #2 – Parks (2)**
 - BB. Pct. #3 – Sanitation**
 - CC. Pct. #4 – Paved/unpaved**
 - DD. Pct. #4 – Adm.**

**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, AUGUST 29, 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 X)

1. Roll Call

All Members of the Board were counted present with the exception of 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. Discussion and action regarding conveyance/assignment of easements north of Military 281 from, Hidalgo County Irrigation District #2 drainage systems as outlined on exhibit:

- **Between Jackson & McColl**
- **East of HCID#2 Main Canal**

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

5. Approval of Supplemental Agreement #2 to Work Authorization #1 (Drainage Ditch L-02-01, 3 Mile Line (FM 1924) outfall system, Pct. #3)

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

6. Approval of budget amendment, to transfer out from District's General Fund to Capital and appropriate for the above mentioned project

On motion of Commissioner Flores, seconded by Commissioner Handy, the Board made a UNANIMOUS vote of approval in the amount of \$198,476.12.

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

7. 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**

8. Open Session:

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

9. Closed Session:

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

10. Open Session:

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

11. Adjourn

On motion of Commissioner Handy, 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, AUGUST 29, 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 – Water Stone Estates**
 - B. City of Edinburg – Santa Gloria Subdivision**
 - C. GARCO, Ltd. – Palace Station Subdivision**
 - D. City of Pharr – Raider's Trail Subdivision**
 - E. Sharyland ISD – SISSD JHS Subdivision (117-07 & 119.00)**
- 3. Line item transfers:**
 - A. Administration**
 - B. M & O**

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

Dated this the 29th day of August, 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 August 29, 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