

SPECIAL MEETING – NOVEMBER 21, 2006

BE IT REMEMBERED, that on this 21st day of November, A.D., 2006, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA

HIDALGO COUNTY JUDGE

HONORABLE SYLVIA HANDY

COMMISSIONER, PRECINCT NO. 1

HONORABLE HECTOR (TITO) PALACIOS

COMMISSIONER, PRECINCT NO. 2

HONORABLE JOE M. FLORES

COMMISSIONER, PRECINCT NO. 3

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



AGENDA

**CC REGULAR
HIDALGO COUNTY
COMMISSIONERS' COURT MEETING
November 21, 2006
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held in the Commissioners' Courtroom of the Administration Building, 100 E. Cano, 1st floor, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. Roll Call

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

2. Pledge of Allegiance

Judge Garcia led the Court and Audience in the Pledge of Allegiance.

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Guadalupe De Leon – ISEU Member concerning the mistreatment of employees in the Head Start Dept. by the Administration.

Nellie Chapa – Concerning her son in the Head Start Program being mistreated.

Enedelia Rios – ISEU Member and a Head Start employee concerning the mistreatment of ISEU Members in the Head Start Dept. by the Administration.

Estella Powell – ISEU Member and a Head Start employee concerning the intimidation by the Head Start Program Administration.

Gracie Herrera – A teacher in the Head Start Program presenting a petition to the Court concerning the Head Start Program problems.

Jerry Gutshall – Concerning the voting issues with voting machines having no paper trail.

Lydia Caballero – Concerning the problems of the voting machines.

At this time the Court moved to item #13A-18.

5. Approval of Consent Agenda

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

At this time Commissioner Flores steps out of the Court.

6. Human Services - Eddie Olivarez: (SEE EXHIBIT H)

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

NO ACTION taken on this item.

**7. Buildings & Grounds - Daniel Flores: (SEE EXHIBIT I)
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 Daniel Flores on items A thru C.

8. Urban County - Diana Serna: (SEE EXHIBIT J)

A. Approval of a Budget and Program Amendment for the City of Elsa using Urban County Program Year 14 (2001), Year 15 (2002), Year 16 (2003), Year 17 (2004) and Year 18 (2005) Water / Sewer Improvements.

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

B. Approval to award a Construction Contract to Ferguson Service Systems, Inc. for improvements to the Water Treatment Plant, Reyes Street (force main relocation) and Gonzalez and Angelita Street (sanitary sewer improvements) using Urban County Program Year 18 (2005) Precinct No. 1 Water / Sewer Improvements recaptured funds from the City of Edcouch in the amount of \$170,037.00.

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

C. The City of Donna is requesting approval of a Budget & Program Amendment for Fiscal Years 14, 17 & 18 (2001, 2004 & 2005) of Urban County Program Funds.

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

D. Hidalgo County Precinct No. 1 for (Donna) is requesting approval of purchase of a Vector Control devise from Public Health Equipment in the amount of \$10,995.00 utilizing FY19 (2006) UCP funds.

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

E. 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(a) (4) for professional engineering services with Half Associates in connection with City of Weslaco for professional services for Year 19 (2006) Water/Sewer Improvements Projects within Weslaco.

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

2. The City of Weslaco is requesting approval to award a professional service contract to Half Associates in the amount of \$42,500.00 utilizing Years 19 (2006) funds for waterline improvements to First Street alley, Alley between First & Los Torritos, and three sections between Second and Molby.

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

9. Fire Marshal - Victor Fonseca: (SEE EXHIBIT K)

A. 1. Approval of Rural Emergency Fire Calls 2007 Contract

NO ACTION taken on this item.

2. Approval of Interdepartmental transfer to cover expenditures for Fire Calls for the year end.

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 #14-B.

- 10. **Right of Way - Joe Pena: (SEE EXHIBIT L)**
 - A. **Authorization to abandon a 20' x 121.76 alley located in the San Carlos Community in Block 8 between Lot 17 and Lots 18-21. Subject to legal review.**
 - B. **Concurrence of approval of the Texas Department of Transportation Proposed Improvement on FM 2061- Limits from 1.80 Miles south of Ridge Road to FM 3072.**

NO ACTION taken on items A & B.

- 11. **Precinct #1 - Comm. Handy: (SEE EXHIBIT M)**
 - A. **Approval of Budget Amendment for Fund 1201 and Fund 1315 "TXDOT PROJECT - \$15,804.00**

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

At this time Commissioner Flores returns to the Court.

At this time Judge Garcia steps out of the Court.

- 12. **Precinct #4- Comm. Garza: (SEE EXHIBIT N)**
 - A. **Authorization to apply for Economic Development Planning Grant to U.S. Department of Commerce - Economic Development Administration (EDA).**

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

- 13. **Purchasing Department - Marty Salazar: (SEE EXHIBIT O)**
NOTES:

- 1. **FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE FORWARDED TO HIDALGO COUNTY AUDITOR'S OFFICE.**
- 2. **ANY/ALL REQUESTS FOR ACCEPTANCE AND APPROVAL OF CLAIMS/INVOICES UNDER THIS AGENDA WILL INCLUDE AUTHORITY FOR AUDITOR TO ISSUE PAYMENT AFTER REVIEW, AUDIT AND PROCESSING PROCEDURES ARE COMPLETED**

At this time Judge Garcia returns to the Court.

At this time Commissioner Palacios steps out of the Court.

A. Hidalgo County

1. New Hidalgo County Jail

Total In mate Population: 1132
Physical Count: 1026
Males (in house): 961
Females (in house): 74
Out of County Facility: 106
La Villa: 90
Brooks Co.
Frio:
Other (n/c): 16
Federal Prisoners: 15
Adj./Sentenced to TDC: 196
Total Paper Ready TDC: 105
No. Over 45 Days: 15
Pending Paperwork/Courts: 57
Pending Charges/Courts: 34

2. Current inter-local(s) and/or contract(s) for the "Housing of Inmates"

3. New Adult Detention Facility and Law Enforcement Center Projects:

- 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 pods

NO ACTION taken on items #2 & 3 a thru c.

4. Presentation for discussion, consideration and action

Including, but not limited to, the following items in connection with 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 items a & b.

- 5. Approval of Request for Payment Invoice No. 25004.05 in the amount of \$6,518.00 from Rike Ogden Figueroa Alex Architects, awarded architect for the "Renovation of Hidalgo County Building formerly known as the K-Mart Building." C-05-090-08-23**

On motion of Commissioner Handy, seconded by Commissioner Flores, 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 construction of a new facility to house the Hidalgo County Adult Probation Dept.:**
 - a) General status report by project architect (when necessary) or purchasing department**
 - b) Other related items**

NO ACTION taken on items a & b.

- 7. Approval of Request for Payment Invoice No. 24032PMT09 in the amount of \$2,840.21 from Rike Ogden Figueroa Alex Architects, contracted architect for the, "New Adult Probation." C-04-303-11-09**

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

- 8. Presentation for discussion, consideration and action Including, but not limited to, the following items in connection with construction of a new Hon Mario E. Ramirez, Jr. Juvenile Detention Facility:**
 - a) General status report by project architect (when necessary) or purchasing department**
 - b) Other related items**

NO ACTION taken on this item.

- 9. Requesting authority to award bid and approval of contract to multiple bidders meeting all requirements and/or specifications for "Uniforms/Clothing" project identified in Attachment "A".**

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

At this time the Court moved to item 12.

- 10. A. Presentation by Mr. William "Bill" Rusteberg, (Hidalgo County Section 125 Plan Consultant) the scoring and evaluation grid for the responses received in connection with Hidalgo County's Request for Proposals (RFP's) for: "Section 125 Voluntary Products" for the purposes of ranking and award by Hidalgo County Commissioner's Court;**

Presentation made by Mr. William "Bill" Rusteberg.

- B. Requesting authority for Purchasing Department, Consultant (Bill Rusteberg) and Legal Council to negotiate a final services contract (s) with the number one ranked vendor(s), for "Section 125 Plan Voluntary Products";**

NO ACTION taken on this item.

At this time Commissioner Palacios returns to the Court.

- C. Modification to existing contract (C-05-158-11-22) with National Plan Administrators (NPA) to include clarification(s) of the fee(s) structure as attached on "Exhibit 1", with direction to NPA that all awarded voluntary products vendors inform all participating Hidalgo County (Departments, Programs)employees of the \$1 per month fee(s) for the plan year effective 2-1-07.**

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.

- 11. A. Ratify list of cell phones marked for renewal of service under new contract and as attached hereto**

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

- B. Authorize the following cell phone service:**
- 1. WIG - Mobile clinic, 400 mm. plan**
 - 2. Emergency Management Coord. , 400 mm. plan**
 - 3. County Auditor - Data Card**

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

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

- 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 the purchase of Uniforms and/or Accessories with:**

- 1. MCM Sporting Goods, Inc.**
- 2. Duratex Uniforms & Embroidery**
- 3. Uniforms of Texas**
- 4. LoneStar Uniforms, Inc.**
- 5. Leslee Scott, Inc.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items #1 thru 5.

- 13. A. Requesting authority to purchase computer equipment and peripherals from CDW Government through State of Texas DIR program for Requisition #98983 (Tax Office) for a total of \$7,091.31**

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

- B. Requesting authority to purchase computer equipment and peripherals from Dell Marketing through State of Texas DIR program for Requisition #100151 (IT Dept.) for a total of \$11,959.92**

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

- C. Requesting authority to purchase computer equipment and peripherals from CDW Government through State of Texas DIR program for Requisition #100173 (IT Dept.) for a total of \$10,576.68**

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

- 14. Presentation for discussion, consideration and approval for Hidalgo County to exercise the option to renew for an additional one (1) year (as provided in contract) for new Tires and Tires Service with the Tire Corral and Pueblo Tires.**

NO ACTION taken on this item.

- 15. A. Presentation for discussion, consideration, acceptance and approval (if applicable) of the final negotiated contract (as drafted by legal counsel) with the number one (1) ranked physician (Forensic Pathologist-Norma Jean Farley, M.D.) for "Autopsy Related Services".**

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

At this time the Court moved back to item #13A-10.

- B. Presentation for consideration discussion and action (if applicable) to award the lowest bid received meeting all specifications and requirements with approval of contract (subject to legal review) for:" Autopsy Facility". Bid No. 2006-244-07-26-otm.**

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

- C. Presentation for consideration, discussion and action (if applicable) to award the lowest bid received meeting all specifications and requirements with approval of contract (subject to legal review) for: "Dead Body Pickup and Transport Services" to bidder. Bid No. 2006-193-07-26-otm**

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

At this time Commissioner Palacios returns to the Court.

- 16. Presentation, discussion consideration, acceptance and approval of "addition (s)" (as listed in the RFQ Acceptance Sheet attached hereto) to the County's current Roster/Pool for: "Title Company Services - Pool" as pre-qualified firms submitting Statements of Qualifications for ranking on an "As Needed Basis" per project by all County departments requiring said services as set forth in the requirements stated in the County's Request for Qualifications packet to provide services for anticipated/planned/proposed acquisition(s) for upcoming projects.**

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 # 20.

17. URBAN COUNTY PROGRAM

Requesting authority to exercise the FIRST additional one (1) year extension of the two (2) one (1) year options to extend as stated in current contract for the "Lease of Office Space" for the County of Hidalgo Urban County Program, under the same rates, terms and conditions with Los Tesoros Investments I, Ltd..(Effective: 01101107 - 12131107)

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

At this time the Court moved item #19.

18. A. Presentation for discussion, consideration and action (if necessary) of the status of courtroom space/housing assignments and plans, including, but not limited to, the following: Auxiliary Courts, Master Courts, Hidalgo County Courts at Law #'s 5 & 6, New State District Court and any other applicable Courts and Law Library;

Presentation made.

B. Presentation for discussion, consideration and approval of courtroom assignments by Hidalgo County Commissioners Court for any of the applicable Courts detailed in item A (above) including, but not limited to, the following: Auxiliary Courts, Master Courts, Hidalgo County Courts at Law #'s 5 & 6, New State District Court and any other applicable Courts and Law Library;

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to relocate one Auxiliary Court to the Adult Detention Facility.

C. Presentation for discussion, consideration and approval of funding/budget options for fiscal year 2007 due to lack of available courtroom space Auxiliary Courts.

NO ACTION taken on this item.

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

19. Presentation for discussion, consideration and approval to authorize project architect, Alcocer Garcia Associates Design Consulting, to issue and forward, "Notice to Proceed" to contractor Restoration Services, Inc. for the, "Repair (Regasket) of Windows in the Administration Building." C-06-236-07-25

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

At this time the Court moved back to item #16.

- 20. Presentation by for discussion, consideration, acceptance and approval of claims/invoices with authority for auditor to issue payment for the items detailed in "Exhibit A" as attached hereto.**

A. 2006 invoice. Adult Probation for Hacienda Ford in the total amount of \$112.50.

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

- 21. A. Requesting authority to enter into an Interlocal Agreement between Hidalgo County & Tarrant County Cooperative Purchasing Program. (subject to legal review) for the purpose of purchasing vehicles, commencing with two (2) New 2007 Police Package Interceptors at a special rate;**

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

B. Requesting authority to purchase two (2) New 2007 Police Package Interceptors thru Tarrant County's Interlocal Agreement with Philpott Motors (HGAC) and Hidalgo County for a total amount of \$39,688.90 for Hidalgo County Constable Precinct #4, and/or in the alternative;

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

C. Requesting authority to purchase two (2) New 2007 Police Package Interceptors thru Hidalgo County's Interlocal Agreement thru (H-GAG) for a total amount not to exceed \$43,000.00 for Hidalgo County Constable Precinct #4

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

B. Pct. 2

- 1. Presentation for consideration, discussion acceptance and approval of Work Authorization #1 (with an estimated cost of \$10,223.00) for, " West and North of the Tower Rd and El Gato Rd Intersection," and Work Authorization #2 (with an estimated cost of \$101,661.00) with R. Gutierrez Engineering Corporation to provide engineer services to Hidalgo County Precinct No. 2. C-06-251-08-15**

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

2. **Presentation for discussion, consideration, acceptance, and approval Request for Payment (Retainage Release) in the amount of \$30,370.59, from S&G Paving Co., contracted vendor for "Reconstruction & Widening of McColl Road," and certified for payment by project engineer, R. Gutierrez Engineering Corporation. C-04-299-11-16**

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

C. Pct. 4

1. **Presentation for consideration, discussion acceptance and approval of Work Authorization #5 in the amount of \$ ~4Q75 with L & G ENGINEERING LABORATORY, LLC for "Construction Material Testing of Owassa Road 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 Handy, the Court made a UNANIMOUS vote of approval.

D. Buildings & Grounds

1. **Approval to request for payment Invoice No Two (2) in the amount of \$ 7,698.00 from Alcocer Garcia Associates Design Consulting, contracted architect for "Interior Repairs and Renovations to the 398th. State District Court Building" Contract No. C-06-177-04-11 P0 No. 570477**

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

E. Colonia Access Program

1. **Presentation for discussion, consideration and action on a recommendation by project engineer Hinojosa Engineering, Inc. to award to the lowest bidder meeting all specifications and approval of contract (subject to legal review) for bid No. CAP-06-006-11-01 "Road Construction of Hilda Subdivision(s)" subject to TXDOT approval.**

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

F. Co. Wide

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

NO ACTION taken on this item.

- 2. Presentation for discussion, consideration and action (if necessary) including, but not limited to, the following: Damages and on-going county efforts to address emergency situation/conditions resulting from torrential rains and flooding.**

NO ACTION taken on this item.

G. Sheriff's Office

- 1. Requesting approval to enter into a one (1) year service agreement (obtained through sealed quotes) with Hobart Corporation for kitchen equipment and appliances at the Adult Detention Center in the amount of \$ 19, 907.00 per year but, in no event exceed the \$ 25,000.00 statutory bid limit.**

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

14. Budget & Management - Valde Guerra: (SEE EXHIBIT P)

- A. 1. Discussion, consideration and action on Declaration of Support document between Estrella House and County of Hidalgo**
- 2. Discussion, consideration and action on Declaration of Support document between The Rainbow Room and County of Hidalgo**

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

- 3. Authorize County Auditor to issue check to Estrella House and The Rainbow Room**

NO ACTION taken on this item.

At this time the Court moved to item C.

B. Discussion, consideration, and action on request from the Donna Museum Board/Development Office for financial assistance (operating budget) for the period of October 2006 - December 2006. Fiscal Note Attached

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$12,000.00 subject to funding.

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

**C. 1. Discussion, consideration and approval to increase slot no. 121-005-011 from \$21,061.00 to \$23,000.00 an increase of \$1,939.00, effective next full pay period, 11-27-06.
2. Approval of revised salary schedule.**

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

D. Discussion consideration and action on Group Health Ins. Plan G000970A Appeal #060907000028.

NO ACTION taken on this item.

E. Discussion, consideration, and action on Group Ins. Plan G000970A Appeal-Reference Case XXX-XX-9250.

NO ACTION taken on this item.

F. Inter-Departmental Transfer - Co.Wide Adm. to Grim DA \$8,300

G. Approval of Interdepartmental transfer from Co. Wide Adm. to Precinct # 3 -Sanitation

H. Inter-Departmental Transfer - Co.Wide Adm. to CCL#4 \$2,700.00

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

I. Inter-Departmental Transfer - Co.Wide Adm. to Tx Coop Ext \$1,600.00

J. Inter-Departmental Transfer - Co.Wide Adm. to Auxiliary Court \$500.00

K. Approval of Inter~Departmental Transfer - County Wide. Adm. to Sheriff's Office \$15,000.00

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items I, J & K.

At this time Commissioner Flores steps out of the Court.

- L. Appropriation of funds - Pct. 4 (Road Maint.) 200,000.00**
- M. Appropriation of funds -Pct. #1-R&B- \$139,000.00**
- N. Appropriation of Funds - Pct. 1-Sanitation \$28,000.00**

NO ACTION taken on items L, M & N.

- 0. Appropriation of Funds- Constable Pct. 3 L.E.O.S.E. Interest Earnings \$30.82**

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

- 15. Human Resources - Esther Cortez: (SEE EXHIBIT Q)**

- A. 1. Swearing in of Civil Service Commission Board Member**

At this time Judge Garcia Swore in Becky Villarreal to the Civil Service Commissioner.

- 2. Appointment of Chairperson, Humberto Rodriguez to the Civil Service Commission**

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

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

- 16. Closed Session: (SEE EXHIBIT R)
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. Graciela Martinez, individually and as representative of the estate of Reynaldo Sanchez, III vs. County of Hidalgo, Texas**

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

At this time Commissioner Flores returns to the Court.

17. Open Session:

A. Real Estate Acquisition

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to settle on the Bentsen Palm Dr Project in the amount of \$18,846.50.

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

NO ACTION taken on this item.

D. Graciela Martinez, individually and as representative of the estate of Reynaldo Sanchez, III vs. County of Hidalgo, Texas

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a VOTE of approval engage the Law Firm of Atlas & Hall and exempt them from competing bidding requirements under Texas Local Government Code 262.024A4.

Judge Garcia – Abstain.

**18. Closed Session:
Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed**

**19. Open Session:
Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed**

20. Adjourn

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



AGENDA

**CC CONSENT
HIDALGO COUNTY
COMMISSIONERS' COURT MEETING
November 21, 2006
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a **SPECIAL MEETING** of the Commissioners' Court will be held in the Commissioners' Courtroom of the Administration Building, 100 E. Cano, 1st floor, 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 Palacios, seconded by Commissioner Handy, the Court made a **UNANIMOUS** vote of approval.

1. **Approval of check register and payment of claims and bills County Auditor (SEE EXHIBIT A)**
2. **Intradepartmental Transfers: (SEE EXHIBIT B)**
 - A. **Pct. # 1-Admin.**
 - B. **Pct# 1-Parks**
 - C. **Pct#1-R&B**
 - D. **Pct # 1-Sanitation**
 - E. **Pct. #2 - C.R.C.**
 - F. **Pct #2 - Road Administration**
 - G. **Precinct #2-Sanitation**
 - H. **Precinct #2-Road & Bridge**

- I. Precinct #2 -Parks
 - J. Pct. #2-Parks
 - K. Pct. #4-R&B
 - L. Pct. #4-Parks
 - M. Pct. #4-R&B
 - N. Pct. #4~ Sanitation (Landfill)
 - O. Hidalgo County Sheriff's Office
 - P. County Treasurer
 - Q. Homeland Security Grant
 - R. Constable Pct. #1
 - S. Texas Cooperative Extension
 - T. IT Dept. -Co. Wide Computer Dept.
 - U. Fire Marshal
 - V. Elections Department
 - W. Courthouse- Parking Lot
 - X. Constable Pct. 3
 - Y. B&G Dept. -Gen. Govt. Bids.
3. Planning Department: (SEE EXHIBIT C)
- A. Approval of the following Certificates:
 - 1.Certificates of Plat & Utility Status under Local Government Code Section 232.028 (b)
 - 2. Certificates of Residence Construction under Local Government Code Section 232.029(c)(1)

3. Certificates of Water Service Availability under Local Government Code Section 232.029 (c)(2)

4. Monthly Fee Reports: (SEE EXHIBIT D)

A. County Clerk - October 2006

5. Right of Way: (SEE EXHIBIT E)

A. 1. North Alamo Water Supply: Approximately 500' going north from Davis Rd. on the east side of Uresti Rd - Bore- Juan C. Gonzalez; 3/4" meter installation.

2. Richard Linn- Central Ready Mix C/O Melden & Hunt, Inc.: Proposed 4" waterline crossing bore and encase with 8" x 3/8" x 60 LF of steel casing (MIN.36" below N.G.) North Mile 3 Road and Abram Rd.

3. Enterprise Texas Pipeline, L.P.: Install a 10" diameter steel pipeline to transport natural gas. The proposed pipeline will be located approximately 8 feet south of the northerly right of way line of 7 mile line road. The pipeline will begin at our facility located on the east side of Jara Chinas Road..

4. Enterprise Texas Pipeline, L.P.: Install a 10" diameter steel pipeline to transport natural gas. The proposed pipeline will be located approximately 8 feet south of the northerly right of way line of 7 mile line road. The pipeline will begin at our facility located approximately 2.5 miles west of Jara Chinas Road and be heading to Jara Chinas Road.

6. Urban County: (SEE EXHIBIT F)

A. Request for approval to enter into the Urban County Program Housing Loan Ageement for Consuelo Cadena in the amount of \$40,460.00.

B. Request approval to enter into one (1) "Homebuyer Assistance Program" Contract under the Home Program.

7. Purchasing Department: (SEE EXHIBIT G)

- A. Requesting authority to purchase computer equipment and peripherals from State Awarded Vendors through our participation with Cooperative Programs for the following:

TBPC CISV Program

Req. #	Dept.	Vendor	Amount	Account
99251	Adult Probation	CDW Gov't.	\$ 993.36	6-1297-423-00-320-002-7-665
99410	Sheriff's Dept	SHI Gov't	\$ 62.00	6-1100-421-00-280-001-0-665
99450	I.T. Dept.	SHI Gov't	\$ 723.00	6-1100-415-00-200-002-0-667
99367	Tax Office	CDW Gov't	\$1,074.00	6-1100-415-15-140-001-0-665
99703	Pct. 1	CDW Gov't	\$614.47	6-1201-431-00-121-004-0-667
99705	Pct. 1	CDW Gov't	\$215.00	6-1201-431-00-121-004-0-665
99707	I.T. Dept	Dell Marketing	\$1,342.41	6-1100-415-00-300-002-0-745

STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCE PROGRAM

99017	389th District Court	Dell Marketing	\$799.60	6-1100-412-00-008-001-0-665
99723	Adult Probation	CDW Gov't	\$3,175.00	6-1297-423-00-320-002-7-667

- B. Requesting authority to purchase computer equipment and peripherals from State Awarded Vendors through our participation with Cooperative Programs for the following:

TBPC CISV Program

Req. #	Dept.	Vendor	Amount	Account Number
98888	Tax office	CDW Government	\$844.84	6-1100-415-15-140-001-0-665
100011	Health Dept.	CDW Government	\$416.96	6-1100-441-00-340-003-0-667
100022	Jail	CDW Government	\$755.49	6-1100-423-21-280-002-0-665
100023	Jail	CDW Government	\$1,074.00	6-1100-423-21-280-002-0-665
100163	I.T. Dept.	CDW Government	\$507.58	6-1100-415-00-200-002-0-661
100175	I.T. Dept	CDW Government	\$1,145.99	16-1100-415-00-200-002-0-745

STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCE PROGRAM

Req. #	Dept.	Vendor	Amount	Account Number
98998	275th District Court	Dell Marketing	\$2,484.96	6-1100-412-00-005-001-0-665
100168	I.T. Dept.	Dell Marketing	\$4,017.68	6-1100-415-00-200-002-0-745



AGENDA

**DRAINAGE DISTRICT
DRAINAGE DISTRICT #1
HIDALGO COUNTY BOARD OF DIRECTORS
November 21, 2006
9:00 A.M.**

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 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 S)

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. Consideration, discussion and action (if necessary), including, but not limited to the following items:

Pursuant to the Texas Natural Resources Code, Chapter 71, Lease for Mineral Development, Sub-chapter A:

A. Article 71.004-Public Notice and Hearing to consider "Lease of Land for Mineral Development" the described parcel of land; the property owned by Hidalgo County as listed in attachment hereto;

B. Under Article 71.005 - Requesting authority to Publish "Notice of Intention to Lease Land for Mineral Development".

NO ACTION taken on items A & B.

5. **A. Presentation by Mr. William "Bill" Rusteberg, (Hidalgo County Section 125 Plan Consultant) the scoring and evaluation grid the responses received in connection with Hidalgo County's Request for Proposals (RFP's) for "Section 125 Voluntary Products" for the purposes of ranking by Hidalgo County Drainage District No. 1 Board of Directors';**

B. Requesting authority for Purchasing Department, Consultant (Bill Rusteberg) and Legal Council to negotiate a final services contract(s) with the number one ranked vendor(s), for "Section 125 Voluntary Products";

NO ACTION taken on items A & B.

C. Modification to existing contract (C-05-158-11-22) with National Plan Administrators (NPA) to include clarification(s) of the fee(s) structure as attached on "Exhibit 1", with direction to NPA that all awarded voluntary products vendors inform all participating Hidalgo County Drainage District employees of the \$1 per month fee(s) for the plan year effective 2-10-07.

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

6. **Presentation for approval to cancel RFB-Hidalgo County Drainage District No. 1~DD-06-02541-01(Pharr-McAllen South Drain Phase 1) due to consolidation of PharrMcAllen South Drain Phase 1 and Phase 2 to help reduce expenditures for the District.**

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

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. Close Session:

Board of Directors may reconvene into Close 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 Palacios, seconded by Commissioner Handy, the Board made a UNANIMOUS vote of approval to adjourn today's meeting.



AGENDA

**DRAINAGE - CONSENT
DRAINAGE DISTRICT #1
HIDALGO COUNTY BOARD OF DIRECTORS
November 21, 2006
9:00 A.M.**

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 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 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.

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:
VIKINGPHARACH MANAGEMENT - Rock Springs Ridge 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 21st day of November, 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 November 21, 2006.

Signed this ____ day of _____ 2006

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

By: _____
Norma Garza, Deputy

(Seal)