

SPECIAL MEETING – OCTOBER 30, 2001

BE IT REMEMBERED, that on this 30th day of October, A.D., 2001, 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 JOSE ELOY PULIDO | HIDALGO COUNTY JUDGE |
| HONORABLE SYLVIA HANDY | COMMISSIONER, PRECINCT NO. 1 |
| HONORABLE HECTOR (TITO) PALACIOS | COMMISSIONER, PRECINCT NO. 2 |
| HONORABLE JOSE FLORES | COMMISSIONER, PRECINCT NO. 3 |
| HONORABLE OSCAR L. GARZA JR. | COMMISSIONER, PRECINCT NO. 4 |

and **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
HIDALGO COUNTY JUDGE**

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, OCTOBER 30, 2001, at 9:30 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 all items listed under the Consent Agenda with the exception of line items 2-G, 2-N, 2-P, 2-R and 2-T.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. J.P. Pct. #4, Pl. 1**
 - B. District Attorney**
 - C. J.P. Pct. #2, Pl. 2**
 - D. County Treasurer**
 - E. Pct. #1 – Sanitation**
 - F. Pct. #1 – Parks**
 - G. Health Department – NO ACTION taken on this item.**
 - H. Health Clinics**
 - I. Health – Sanitation**
 - J. Computer Department**
 - K. Auxiliary Court**
 - L. Pct. #3 – R & B**
 - M. Pct. #3 – Landfill**
 - N. Pct. #3 – Landfill – CIP – NO ACTION taken on this item.**
 - O. WIC**
 - P. 206th District Court – Correction made, on motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.**
 - Q. County Clerk – Rec. Mgmt.**
 - R. County Clerk (3) – NO ACTION taken on this item.**
 - S. 389th District Court**
 - T. Jail – NO ACTION taken on this item.**
- 3. Planning Department: (SEE EXHIBIT B)**
 - 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. Urban County: (SEE EXHIBIT C)**
 - A. Request approval to enter into a “Homebuyer’s Assistance Program” Contract under the HOME Program (2 Families)**

Consent Agenda
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- 5. **County Treasurer: (SEE EXHIBIT D)**
 - A. **Revised Quarterly Investment Report for period ending 06/30/01**
 - B. **Quarterly Investment Report for period ending 09/30/01**

6. **Approval of Minutes – October 23, 2001**

7. **Tax Refunds: (SEE EXHIBIT E)**

| | | |
|----------------------------|----|-----------|
| A. Rodolfo Franz | \$ | 987.31 |
| B. Amando Ochoa | | 2,165.20 |
| C. Colonial Savings | | 611.29 |
| D. Rogelio Prado | | 3,118.44 |
| E. Rogelio Prado | | 3,181.93 |
| F. Rogelio Prado | | 1,155.91 |
| G. Laurie Martin Kieffer | | 547.69 |
| H. Jaime Gough | | 971.75 |
| I. Primestar Inc. | | 35,857.40 |
| J. Carlos D. & Diana Lerma | | 1,728.54 |
| K. Texas Commerce Bank | | 16,646.12 |
| L. Texas Commerce Bank | | 20,204.23 |
| M. Texas Commerce Bank | | 4,813.92 |
| N. Salvador Gonzalez | | 2,028.24 |
| O. Alejandro Esparza | | 1,239.95 |
| P. Chase Bank of Texas | | 1,209.32 |

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

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1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

At this time Judge Pulido called on Javier Perez the lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Javier Perez led the Court and Audience in Prayer.

4. Open Forum

Commissioner Handy and Raul Lozano came before the Court on the concerns of the lack of voters on Proposition 2 election.

5. Sheriff Department: (SEE EXHIBIT F)

A. Approval of acceptance of the Sheriff's Mobile Data Computer Network Grant Award

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

B. Approval to appropriate budget amendment in the amount of \$ 35,000.00

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

6. Urban County: (SEE EXHIBIT G)

A. Approval of Interlocal Agreement with Seventeen Urban County cities for FY 2001

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

B. Approval of a Contract for Professional Services with Rike-Odgen-Figueroa-Dickson-Wells – City of Donna UC Years 8, 10, 11, 12, 13 & 14 (1995, 1997-2001)

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

C. Approval of a Sub-recipient Agreement with Amigos Del Valle (Senior Services) & UC Program on behalf of the Cities of Donna, Elsa, Mercedes, San Juan, Pct. #2 & Pct. #4 – UCP Year 14 (2001)

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

D. Approval of a Sub-recipient Agreement with Bee Healthy Clinic (Health Services) & UC Program on behalf of the City of Edcouch and Pct. #1 – UCP Year 14 (2001)

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

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E. Approval of Sub-recipient Agreement with Boys & Girls Club of Mission (Youth Services) & Pct. #3 – UCP Year 13 (2000) & Year 14 (2001)

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

F. Approval of Sub-recipient Agreement with Planned Parenthood (Health Services) & UCP on behalf of the City of Donna – UCP Year 14 (2001)

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

G. Approval of a Sub-recipient with the La Joya Housing Authority (Youth Services) & City of La Joya & Pct. #3 – UCP Year 14 (2001)

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

H. HOME – Housing Rehabilitation Grant Program Construction Contract Award to Alpha Construction for one (1) unit countywide – Guadalupe & Abdon Carreno (applicant)

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

I. Approval to have Mr. Joe Garza, UCP Director accept the nomination to the Board of Directors of the Texas Chapter of the National Association of Housing and Redevelopment Officials (NAHRO)

NO ACTION taken on this item.

7. Budget Officer: (SEE EXHIBIT H)

A. CIP – Parking Lot Project:

1. Requesting approval to create line item (88) Land

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

2. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$4,050.00

B. Constable Pct. #5:

1. Approval to create line item (77) books/periodicals

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

2. Approval of line item transfer

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$313.75.

C. Courthouse Security:

- 1. Approval to create three (3) positions for Courthouse Security**
 - **2 Sheriff Deputies**
 - **1 Technician**

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

- 2. Approval of budget amendment**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$17,424.38 for the remainder of the year.

- 3. Set salaries**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to set salaries in the amount of \$27,198.40 for the Sheriff Deputies and \$21,904.59 for the Technician.

D. County Clerk:

- 1. Approval to unappropriate funds from Acct. #1-010-419-410.69 in the amount of \$ 10,260.00 and appropriate same into Acct. #1-010-415-300.47**

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

E. Constable Pct. #3:

- 1. Approval to unappropriate funds from Acct. #1-010-419-410.69 in the amount of \$ 650.00 and appropriate same into Acct. #1-010-421-233.65**

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

8. County Fire Marshal: (SEE EXHIBIT I)

A. Approval of Rural Emergency Services Contract with one change for year 2002

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

9. County Judge: (SEE EXHIBIT J)

A. Approve closing documents for purchase of property from Diamantina Puente

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

B. Appointments of Historical Commission Board Members

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

C. Approval of Proposed Hidalgo County Year 2002 Holidays

NO ACTION taken on this item.

D. Approval of selection for the Hidalgo County Appraisal District Board of Directors 2002-2003

NO ACTION taken on this item.

10. County Extension Service: (SEE EXHIBIT K)

A. Request line item transfer from obj. 03 (salaries) to obj. 12 (office equipment)

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$5,000.00.

11. Head Start: (SEE EXHIBIT L)

At this time Mr. Alanis request to approve items #11-E and 11- F prior to the following items.

A. Discussion and action on the authority to utilize Hidalgo County's pool of Architectural and Engineering Firms for evaluation, ranking and negotiation of professional service contracts for Remodeling and Addition(s) to five (5) existing Head Start Facilities

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

B. Requesting exemption from competitive bidding requirements for Architectural Services and Engineering Services in connection with the Remodeling and Addition(s) to five (5) existing Head Start facilities

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

C. Requesting approval of proposed final draft of AIA Document B141-1987 "Standard Form of Agreement between Owner and Architect" including the additional terms and conditions as required by County Legal Counsel with Alcocer, Garcia Associates Design Consulting for the Remodeling and Addition(s) to five (5) existing Head Start Facilities

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

D. Request approval to advertise for the Remodeling and Addition(s) to five (5) existing Head Start Facilities Bid #2001-10-23-30 (a)(b)(c)(d) & (e)

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

E. Requesting approval of 2001 Budget Amendment

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

F. Requesting approval to submit the 2001 Budget Amendment to Regional Office, Department of Health and Human Services in Dallas, Texas

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

12. Planning Department: (SEE EXHIBIT M)

A. Variance Request/Final Plat Approval with Letter of Credit:

1. Monte Bonito Subdivision – Pct. #3

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

B. Reclassification of title changes as approved by Civil Service on September 19, 2001

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

13. Pct. #1: (SEE EXHIBIT N)

A. Authorization to submit a grant application to the Environmental Protection Agency (EPA) for renewal of the “Keep it Clean” – Hidalgo County Program

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

B. Authorize Hidalgo County Judge to sign application

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

C. Approval to commit \$ 5,643.00 of “cash-matching” funds for program implementation

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

14. Pct. #4: (SEE EXHIBIT O)

A. Request authorization to increase salary of vacant (Landfill) Heavy Equipment Operator III position #07 from \$ 23,625.00 to \$ 24,733.18

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

B. Request approval to purchase and service of a mobile phone for the Pct. #4 Right of Way Agent

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

**C. Request authorization to accept cost-share funds from the following pavement projects:
Cesar Chavez Road, Mirasoles Drive**

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

D. Request approval to appropriate donations into expense acct. #1-060-431-210.91

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

15. Human Services: (SEE EXHIBIT P)

A. Discussion and/or action, including, but not limited to the following items:

- 1. Indigent Health Care expenditures**
- 2. Modify Services being provided**
- 3. Report and Recommendations regarding Indigent Health Care**

NO ACTION taken on this item.

16. Purchasing Department: (SEE EXHIBIT Q)

A. HIDALGO COUNTY -

1. Discussion and/or action, including, but not limited to the following items:

- a) Present Hidalgo County Jail - Total inmate population: ---- 876**
Physical Count ----- 556
Out of County Count
Brooks County ----- 186
Frio County ----- 134
Other ----- N/A

2. Current contract or Inter-local agreement(s) for the Housing of Inmates

NO ACTION taken on this item.

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

a) Detention Facility Law Enforcement Center Design-Build Contract Amendments (if any)

Marty Salazar requested a workshop at the New Adult Detention Facility for November 6, 2001 at 7:30 A.M.

b) County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;

NO ACTION taken on this item.

c) Report and Recommendations of Owner's Consulting Architect:

NO ACTION taken on this item.

4. Discussion, consideration and action on, but not limited to the following:

a) Reporting negotiations status on Turnkey Elections Voting System-Hidalgo County RFP and requesting authority to:

- 1. Accept negotiated costs/fees including systems requirements, terms and conditions for;**
 - i. The purchase of a Turnkey Election Voting System; or**
 - ii. The lease/purchase of a Turnkey Election Voting System; or**
 - iii. The financing (through other options) of a Turnkey Election Voting System; and (if either i, ii, or iii approved)**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a 3 to 2 vote of approval to reject this item.

AYE: Commissioners Palacios, Flores and Garza.

NAY: Judge Pulido and Commissioner Handy.

2. **Award RFP to number one ranked qualified vendor; (or)**
 3. **Reject negotiated costs/fees and proceed with further negotiations; (or)**
 4. **Reject the response received and proceed to re-advertise the project with modified requirements; or (if award approved)**
 5. **Requesting approval to create line item (95) Machinery & Equipment**
 6. **Approval of line item transfer**
- b) **Requesting authority to direct legal counsel to draft a final contract with awarded vendor.**

NO ACTION to be taken on items 4a-2 thru 4a-6 and item 4-b.

5. **Report from Mr. Bruce Birdwell, consultant, on the status of responses received in connection with Hidalgo County's Request for Proposal on Worker's Compensation under both fully and self-insured options.**

Report made.

6. **Recommendations by Mr. Birdwell, consultant for project, for Commissioners' Court to consider the following:**

- a) **Remain fully insured and discuss the results of the evaluation grid (from the scoring of the responses submitted to County) from fully insured carrier(s) for the purposes of ranking; or**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a 3 to 1 vote of approval.

AYE: Commissioners Palacios, Flores and Handy.

NAY: Judge Pulido.

NO VOTE: Commissioner Garza, away from Court.

- b) **Change to a self-insured program and discuss the results of the evaluation grid (from the scoring to the responses submitted to County) from TPA(s) for the purposes of ranking; and proceed (if either 1 or 2 approved)**

7. **Requesting authority to proceed to negotiate a contract with the number one ranked firm for either a fully insured or self insured workers compensation plan for the Hidalgo County; and (if none of the above are approved)**

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

8. **Reject all proposals received.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCTS NO.'S 1 & 3 -

1. **Recommending award of bid to bidder meeting all requirements for the following:**

- a) **Bid No. 01-241-10-03 - Two (2) New Compactors w/Hoppers Included**

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

- b) **Bid No. 01-242-10-03 - Ten (10) Thirty (30) Cubic Yard Solid Waste Containers**

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

C. HIDALGO COUNTY PRECINCT NO. 1, DELTA LAKE'S PARK DEPT. & FIRE MARSHAL'S DEPARTMENT - -

1. **Requesting authority to purchase One (1) New 2002 Ford Ranger Extended Cab Truck through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC) - Philpott Motors, Inc., Port Neches, Texas. The total price of this vehicle is \$15,419.83 which includes the H-GAC administration fee and delivery charges.(Delta Lake's Park Dept).**

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

2. **Requesting authority to purchase One (1) 2002 GMC Knuckleboom Loader Truck w/Brush Body through the Inter-local Agreement with Houston-Galveston Area Council (H-GAC). Vendor is Lone Star Truck Center, from Houston, Texas. The total price for the GMC Knuckleboom Loader Truck w/Brush Body is \$82,219.60. Price included the H-GAC administration fee and delivery charge.**

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

3. **Requesting exemption from competitive bidding requirements for professional/engineering services in connection with advanced planning alignments of Hidalgo County's Outer Loop traveling Precinct No. 1, Hidalgo County, Texas with TEDSI Infrastructure Group.**

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

4. **Requesting approval of a professional engineering services contract (in a Phased Term with Work Authorizations) with TEDSI Infrastructure Group.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval subject to the auditor's review.

5. **Requesting authority to purchase (Digital Two Way Radios/Cellular Phones) equipment along with service contract from a Qualified Information Systems Vendor (QISV) utilizing the State of Texas General Services Commission state contract award with Nextel Partners, Inc. for the following departments:**

- a) **HIDALGO COUNTY FIRE MARSHAL'S DEPARTMENT -
Two (2) Units - Model i85's @ \$139.99 ea. - Total \$279.98
Monthly Service Cost - \$106.69 ea. - Total - \$213.38 Monthly
Shipping Fee/One Time Charge of - \$16.00**
- b) **HIDALGO COUNTY PRECINCT NO. 1 -
Parks Dept. - Two (2) Units - Models i1700plus @ \$49.99 ea. - Total \$99.98
Monthly Service Cost - \$48.49 ea. - Total \$96.98
Shipping Fee/One Time Charge of \$16.00
Sanitation Dept. - Two (2) Units - Models i1700's plus @ 49.99ea. - Total \$99.98
Monthly Service Cost - \$48.49 ea. - Total \$96.98
Shipping Fee/One Time Charge of - \$16.00
Road/Bridge Dept. - Six (6) Units- Models i1700plus @ \$49.99 ea. - Total- \$299.94
Monthly Service Cost - \$ 48.49 ea. Total- \$290.94
Shipping Fee/One Time Charge of - \$48.00**

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

D. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Requesting authority to advertise a Request for Proposals (RFP) for: Lease of Space to a Non-Profit Organization available and located in the Lopezville area (1/4 mile east of I Road and Minnesota Road) of Precinct No. 2.**

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

2. **Requesting approval to create an account number and line item and appropriate funds from CIP proceeds for professional contractual professional and/or engineering services in connection with the construction of the new Community Resource Center in Precinct No. 2.**

NO ACTION taken on this item.

3. **Requesting acceptance and approval with authority for Auditor to pay (after review) Request for Payment/Invoice number one (1) from V-A Architecture, project architectural firm, for the services related to the design and construction of the CRC for Precinct No. 2 in the amount of \$38,585.64.**

NO ACTION taken on this item.

E. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Requesting authority to advertise a Request for Qualifications from interested and qualified engineering firms with pre-certification with Texas Department of Transportation as an essential requirements engineering services in connection with proposed underpass at U.S. Hwy 83 and Abram Rd.**

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

17. Elections Department: (SEE EXHIBIT R)

- A. **Approval to accept and order to lease lever (Shoup) voting machines at a fee of \$ 100.00 per day per machine as allowed by Texas Election Code Section 123.032**

On motion of Commissioner Flores, seconded by Commissioner Garza, 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.

18. Closed Session: (SEE EXHIBIT S)

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 to discuss the following:

- A. **Real Estate Acquisition**
- B. **99-127; North Alamo Water Supply vs. BFI Waste Management**
- C. **Evaluation, duties and appointment of County Fire Marshal**
- D. **Civil No: M-01-192; La Joya Real Estate & Development Inc. vs. Hidalgo County**

NO ACTION taken on items 18-A thru 18-D.

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19. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

B. 99-127; North Alamo Water Supply vs. BFI Waste Management

NO ACTION taken on this item.

C. Evaluation, duties and appointment of County Fire Marshal

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

D. Civil No: M-01-192; La Joya Real Estate & Development Inc. vs. Hidalgo County

NO ACTION taken on this item.

20. Closed Session:

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

NO ACTION taken on this item.

21. Open Session:

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

NO ACTION taken on this item.

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

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

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, OCTOBER 30, 2001 at 9:30 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 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.

DRAINAGE DISTRICT

On motion of Commissioner Garza, seconded by Commissioner Flores, the Board made a UNANIMOUS vote to approve all items listed under the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT T)**
- 2. Approval of Minutes – October 23, 2001**

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

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, OCTOBER 30, 2001 at 9:30 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:

DRAINAGE DISTRICT

1. Roll Call

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

2. Open Forum

No presentation made under Open Forum.

3. Approval to accept reimbursement check from the City of Edinburg in the amount of \$ 73,722.95 (Lull Ditch Project, parcel 1, 2 & 3) (SEE EXHIBIT U)

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

4. Approval to appropriate same into 1-080-433-200.87, right of way acquisition

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

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

5. Closed Session: (SEE EXHIBIT V)

Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 to discuss the following:

- A. Real Estate Acquisition**
- B. Personnel Matter – Evaluation and discipline of employee**
- C. 99-127; North Alamo Water Supply vs. BFI Waste Management**

NO ACTION taken on items 5-A thru 5-C.

6. Open Session:

- A. Real Estate Acquisition**
- B. Personnel Matter – Evaluation and discipline of employee**
- C. 99-127; North Alamo Water Supply vs. BFI Waste Management**

NO ACTION taken on items 6-A thru 6-C.

7. Closed Session:

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

NO ACTION taken on this item.

8. Open Session:

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

NO ACTION taken on this item.

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

**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.**

**JOSE ELOY PULIDO _____
COUNTY JUDGE**

**SYLVIA HANDY _____
COUNTY COMMISSIONER, PRECINCT 1**

**HECTOR (TITO) PALACIOS _____
COUNTY COMMISSIONER, PRECINCT 2**

**JOSE FLORES _____
COUNTY COMMISSIONER, PRECINCT 3**

**OSCAR L. GARZA JR. _____
COUNTY COMMISSIONER, PRECINCT 4**

Dated this the 30th day of October, 2001

**JUAN D. SALINAS, III, County Clerk
Hidalgo County, Texas**

**By: _____
Norma Garza, Deputy**

*Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 6th day of
November, 2001.*

