

SPECIAL MEETING-NOVEMBER 20, 2001

BE IT REMEMBERED, that on this 20th day of November, A.D., 2001, there was begun and held a SPECIAL MEETING of the Honorable Commissioner's 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 JOE M. FLORES

COMMISSIONER, PRECINCT NO. 3

And **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONER'S 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, NOVEMBER 20, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Palacios, the Court made a **UNANIMOUS** vote to approve all items listed under the Consent Agenda.

1. **Approval of check register and payment of claims and bills - County Auditor**
2. **Line item transfers:**
 - A. **206th District Court**
 - B. **Veterans Services**
 - C. **County Court #3**
 - D. **County Judge**
 - E. **District Clerk – Atty. Gen.**
 - F. **WIC**
 - G. **139th District Court**
 - H. **J.P. Pct. #3, Pl. 1**
 - I. **Auxiliary Court**
 - J. **Pct. #1 – CIP**
 - K. **Pct. #1 – Parks**
 - L. **Pct. #1 – Landfill**
 - M. **Pct. #3 – Landfill**
 - N. **Pct. #3 – R & B**
 - O. **Pct. #3 – Parks**
 - P. **Pct. #4 – C/O's**
 - Q. **Sheriff – U.S. Dept. Justice**
 - R. **D.A. – Checks Fund**
 - S. **D.A. – Gen. Fund**
 - T. **D.P.S. – Highway Patrol**
3. **Planning Department:**
 - 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:**
 - A. **Request for approval of one (1) applicant under the HOME Homeowner Occupied Housing Rehabilitation Program – City of La Villa**
 - B. **Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (3 families)**

5. **Approval of Minutes:**
 - A. **November 06, 2001**
 - B. **November 09, 2001**
 - C. **November 13, 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 Commissioners' Court will be held on TUESDAY, NOVEMBER 20, 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:

1. Roll Call

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

2. Pledge of Allegiance

3. Prayer

4. Open Forum

No presentations were made under Open Forum.

5. Budget Officer:

A. County Court #1:

- 1. Approval of line item transfer from obj. 03 salaries to office supplies obj. 14 in the amount of \$6,000.00**

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

B. Tax Office:

- 1. Approval of line item transfer from salaries**

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

C. Jail:

- 1. Request approval of budget amendment of \$ 5,937.00 in Jail Acct. #1-010-423-100.94**

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

D. J.P. Pct. #3, Pl. 2:

- 1. Requesting approval of budget amendment of \$ 1,168.25 for phone, postage, water & cleaning supplies**

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

E. 370th District Court:

- 1. Requesting approval to transfer funds in the amount of \$ 2,800.00 from Acct. #1-010-419-410.69 to Acct. #1-010-412-482.82 and appropriate same**

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

6. 370th District Court:

A. Approval to create line item #47 – telephone

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

- B. Approval to amend the Interlocal Cooperation Agreement (Grant #DB-A10-15314-02 Criminal Differentiated Case Management Pilot Project) between the Office of Court Administration and the County of Hidalgo – there will be no monetary changes; the changes will be within the different budgetary objects.**

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

- C. Approval of line item transfer**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$2,900.00.

7. County Judge:

- A. Approval of amendment budget from fund #1-698-423-200 (Jail Project) \$ 1,275.00 for legal services (43)**

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

- B. Approval to close county offices ½ day on Wednesday, November 21, 2001 for Thanksgiving Holiday**

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

- C. Approval to create the position of District Ombudsman**

NO ACTION taken on this item.

- D. Approval of budget amendment**

NO ACTION taken on this item.

- E. Set salary**

NO ACTION taken on this item.

- F. Approval of Order prohibiting the Keeping of Wild Animals**

NO ACTION taken on this item.

- G. Approval of Interlocal Cooperation Agreements with Hidalgo County Library System and the cities of: Alamo, Donna, Edinburg, Elsa, Hidalgo, La Joya, McAllen, Mercedes, Mission, Pharr, San Juan & Weslaco**

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

- H. Approval of deed & closing statement for purchase of property**

NO ACTION taken on this item.

- I. “Our Prayers are with America” Presentation**

8. Elections Department:

- A. Authorization to pay comp-time**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for the amount of \$860.00.

- B. Approval of budget amendment**

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

9. Sheriff Department:

- A. Approval to appropriate monies received from insurance company for damages to vehicle assigned under the South Texas Auto Theft Task Force Grant #1-150-421-202.64**

NO ACTION taken on this item.

- B. Discussion and possible action to accept a Toshiba Laptop Serial #58016634 as donated property from the Texas Department of Insurance**

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

10. Urban County:

- A. Approval to amend the Sub-recipient Agreement approved on October 16, 2001 (to correct award amount) with Easter Seals of the Rio Grande Valley and the Urban County Program on behalf of Pct. #2 – UCP Year 14 (2001)**

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

- B. Approval of a Sub-recipient Agreement with the Edcouch-Elsa School District on behalf of Llano Grande Center for Research and Development (youth services) & Urban County Program on behalf of the City of Edcouch – UCP Year 14 (2001)**

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

- C. Approval of a Sub-recipient Agreement with Hidalgo Youth Center (Youth Services) & UCP on behalf of Pct. #2 – 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 Construction Contract with 5125 Company – City of Donna – Water & Sewer Improvements – UCP Year 12, 13 (1999 & 2000)**

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

- E. Approval of a Sub-recipient Agreement with Palmer Drug Abuse Program – (Substance Abuse Services) and UCP on behalf of Pct. #2 – UCP Year 14 (2001)**

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

11. Pct. #2:

- A. Consider and approve submittal of Open Space Plan to Texas Parks and Wildlife**

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

- B. Approval of Resolution for Hidalgo County Open Space Plan**

On motion of Commissioner Palacios, seconded by Commissioner Handy Court made a UNANIMOUS vote of approval, subject to the removal of the word “shall” and insert the word “may”, and delete “These regulations state that” in the Master Plan Manual on page 11-II, under Dedication of Land.

12. Pct. #3:

- A. Requesting approval to create line item #50 (hauling) and # 66 (machinery & equipment rentals)**

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

B. Approval of line item transfer

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

13. Pct. #4:

A. Requesting approval to create line item 51 advertising

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

B. Approval of line item transfer

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

C. Request approval of budget amendment in the amount of \$ 62,887.61 for:

1. Pct. #4 Paved/unpaved, Acct. #1-060-431-210
2. Pct. #4 Administration, Acct. #1-060-431-100

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

14. Purchasing Department:

A. HIDALGO COUNTY -

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

- a) **Present Hidalgo County Jail - Total inmate population: 874**
Physical Count 556
Out of County Count
Brooks County 186
Frio County 132
Other

2. Current Interlocal agreement(s)/contract(s) for the Housing of Inmates

NO ACTION taken on this item. Nothing to report.

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

- a) **Detention Facility Law Enforcement Center Design-Build Contract Amendments (if any)**
- b) **County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment**
- c) **Report and Recommendations of Owner's Consulting Architect:**

NO ACTION taken on this item. Nothing to report on item A, B, and C.

4. Recommending suspension w/extension of bid opening date for: Turnkey Solution of the Courthouse Security Equipment.

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

5. Requesting authority to advertise for and RFP for a qualified Consultant for the development of Specifications/Requirements and Evaluation for: Turnkey Solution of the Courthouse Security Equipment.

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

6. **Requesting acceptance and approval with authority for auditor to pay (after review & audit) of Certificate for Payment No. 11 from Rio Valley Construction for:**
a) **Hidalgo County Health Clinic No. 7 in the amount of \$33,741.71.**

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

7. **Requesting acceptance and approval with authority for auditor to pay (after review & audit) of Invoices from Alcoser Garcia Associates for:**
a) **Hidalgo County Court House Sub-station Remodeling, Sheriff's Dept. in the amount of \$8,436.00.**
b) **Hidalgo County Administration Building Atrium Renovations in the amount of \$5,466.00.**
c) **Hidalgo County Court House parking Lot and Sidewalk Improvements in the amount of \$2,960.00.**

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

8. **Requesting authority to re-advertise for: HVAC Repair Parts and Supplies-Hidalgo County RFB.**

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

9. **Discussion, consideration and approval of authority to advertise and RFP for Group Life & AD&D – subject to receipt of anticipated second year premiums from current provider Aetna & BCBS/TAC respectively**

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

B. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Requesting authority to advertise and approval of specifications attached hereto for: One (1) New Emulsion Storage Tank Precinct No. 3"- RFB.**

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

C. HIDALGO COUNTY BUILDINGS & GROUNDS -

1. **Requesting authority to advertise for: The Renovation of the Atrium at the Hidalgo County Administration Building.**

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

15. Human Services:

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.

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

16. Closed Session:

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

A. Real Estate Acquisition

NO ACTION taken on this item.

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

NO ACTION taken on this item.

17. Open Session:

A. Real Estate Acquisition

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

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

NO ACTION taken on this item.

18. Closed Session:

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

NO ACTION taken on this item.

19. 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 Handy, seconded by Commissioner Palacios, 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, NOVEMBER 20, 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 Handy, 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**
- 2. Line item transfer**
- 3. Approval of Minutes:
 - A. November 06, 2001**
 - B. November 09, 2001**
 - C. November 13, 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, NOVEMBER 20, 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

2. Open Forum

3. Approval to close district offices ½ day on Wednesday, November 21, 2001 for Thanksgiving Holiday

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

4. Approval of land acquisition for lateral, located off of Mile 19 North (2.445 acre tract being the east 100.00' of lot 15, Blk 85, Missouri Texas & Irrigation Co. Subdivision Parcel 1)

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

5. Purchasing Department:

A. Requesting approval to exercise the option to extend for an additional ninety (90) day term as specified under the current contract for: Hidalgo County Drainage District No. 1 - Lubricants (Grease, Oil, Hydraulic Fluids) And Anti-Freeze Products.

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

B. Recommending award of bid to low bidder for: Closure of Drainage Ditch 18B (from Westgate Easterly 1,320 Ft. and Northerly 250 Ft.).

On motion of Commissioner Flores, and seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval for the purchase price of \$170,139.44 to D. Reyna Construction.

C. Requesting approval of contract for: Closure of Drainage Ditch 18B (from Westgate Easterly 1,320 Ft. and Northerly 250 Ft.).

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

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

6. Closed Session:

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

A. Real Estate Acquisition

NO ACTION taken on this item.

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

NO ACTION taken on this item.

7. Open Session:

A. Real Estate Acquisition

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

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

NO ACTION taken on this item.

8. Closed Session:

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

NO ACTION taken on this item.

9. 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, and 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, NOVEMBER 20, 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
ADDENDUM**

1. Purchasing Department:

- A. Discussion, consideration and approval of authority to advertise and RFP for Group Life & AD&D – subject to receipt of anticipated second year premiums from current provider Aetna & BCBS/TAC respectively**

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

2. Approval to create the position of District Ombudsman

Judge Pulido and Commissioner Handy voted for the creation of the position of District Ombudsman. Commissioner Palacios and Commissioner Flores are against the creation of this new position. The motion did not carry due to a tie.

3. Approval of budget amendment

NO ACTION taken on this item.

4. Set salary

NO ACTION taken on this item.

**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 Commissioners' Court will be held on TUESDAY, NOVEMBER 20, 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:

ADDENDUM

1. Approval of Deed to City of McAllen for Sewer Lift Station

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

2. Approval to unappropriate funds in the amount of \$ 31,720.25 from acct. #1-010-415-170.83 and appropriate the following:

- A. Acct. #1-010-415-190.83 - \$ 16,842.12**
- B. Acct. #1-010-441-710.57 - \$ 14,878.13**

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