

**SPECIAL MEETING – DECEMBER 04, 2001**

BE IT REMEMBERED, that on this 04<sup>th</sup> day of December, 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, DECEMBER 04, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Flores, the Court made a UNANIMOUS vote to approve all items listed under the Consent Agenda with the exception of 2-A, 2-O, and 5-1.

**1. Approval of check register and payment of claims and bills - County Auditor**

**2. Line item transfers: (SEE EXHIBIT A)**

**A. CIP – Parking Lot**

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

- B. J.P. Pct. #1, Pl. 1**
- C. J.P. Pct. #1, Pl. 2**
- D. 389<sup>th</sup> District Court (2)**
- E. 92<sup>nd</sup> District Court**
- F. 93<sup>rd</sup> District Court**
- G. Risk Management**
- H. Constable Pct. #5 (2)**
- I. J.P. Pct. #4, Pl. 1**
- J. Pct. #1 – Parks**
- K. Pct. #2 – County Wide**
- L. Pct. #3 – Parks**
- M. Pct. #3 – Landfill**
- N. Pct. #4 – Paved/unpaved**
- O. Pct. #4 – C/O's 2001**

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

- P. 370<sup>th</sup> District Court**
- Q. District Clerk**
- R. WIC**
- S. 206<sup>th</sup> District Court**
- T. Adult Probation**
- U. Fire Marshal**
- V. Buildings & Grounds**
- W. County Auditor**

**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. Right of Way – Permits: (SEE EXHIBIT C)**

- A. Shell Exploration & Production – FM 490 & FM 2058**
- B. North Alamo Water Supply – east of Sunflower Rd. on Mile 16 North**
- C. North Alamo Water Supply – Mile 12 ½ North west of Mile 4 West**
- D. Southwestern Bell – along Bryan Rd.**
- E. Southwestern Bell – North 3<sup>rd</sup> Street north of SH 107**

**5. Purchasing Department: (SEE EXHIBIT D)**

**A. HIDALGO COUNTY ADULT PROBATION -**

- 1. Requesting approval of a service agreement for a copier from Xerox for \$172.00 per month. Effective November 1, 2001 thru December 31, 2001.**

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

**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, DECEMBER 04, 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 Commissioners of the Court are present, Commissioner Palacios left at 10:55 A.M.

**2. Pledge of Allegiance**

At this time Judge Pulido called on Bobby Guerra, Democratic Chairman, to lead the Court and Audience in reciting the Pledge of Allegiance.

**3. Prayer**

Bobby Guerra led the Court and Audience in Prayer.

**4. Open Forum**

Joseph Folks, and Rick Digilio

**5. County Auditor: (SEE EXHIBIT E)**

**A. Presentation on Certificates of Obligation Series 2001, Fund 701 (CIP)**

Presentation made.

**6. Elections Department: (SEE EXHIBIT F)**

**A. Requesting authorization of comp time for Elections Department (redistricting/mass mail out)**

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

**B. Approval for the County of Hidalgo to perform Election Services for the Hidalgo County Republican Party for the March 12, 2002 Primary Election (Texas Election Code Section 31.092 (a))**

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

**C. Approval of the written agreement between the County of Hidalgo and the Hidalgo County Republican Party for the March 12, 2002 Primary Election (Exhibit "B")**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, subject to the TAC (Texas Association of Counties).

**D. Approval and appointment of the Central Counting Station Judge, Manager and Tabulation Supervisor for the March 12, 2002 Primary and the November 05, 2002 General (Gubernatorial) Election (as per Texas Election Code Section 127.002 and 127.005) (Exhibit "C")**

NO ACTION taken on this item.

**E. Approval to authorize the Central Counting Station's number of clerks (5) for the March 12, 2002 Primary Election and the November 05, 2002 General (Gubernatorial) Election (as per Texas Election Code Section 127.006) (Exhibit "D")**

NO ACTION taken on this item.

**7. Budget Officer:** (SEE EXHIBIT G)

**A. Approval to deobligate \$ 25,000.00 from R & B County Wide Appraising Acct. and transfer from R & B into General Fund and appropriate same into Pct. #1 Landfill Acct. #1-010-431-210.82**

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

**B. Approval of budget amendment – Gen. Fund for Pct. #1 Landfill**

No action taken on this item.

**8. WIC:** (SEE EXHIBIT H)

**A. Approval to amend budget - \$ 97,385.00 to reflect salary increases**

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

**B. Set salaries for employees effective January 01, 2002**

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

**C. Create two (2) new positions of R.D. and Clinic Aide and set salaries**

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

**9. County Judge:** (SEE EXHIBIT I)

**A. Approval of deed & closing statement for purchase of property**

NO ACTION taken on this item.

**B. Approval of budget amendment – Autopsies - \$ 45,000.00**

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

**C. Courthouse Security:**

- 1. Approval to create line item (47) telephone**
- 2. Approval of line item transfer**

NO ACTION taken on this item.

**D. CIP - Planning:**

**1. Approval to purchase 3 computers with CIP Funds**

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

**E. Elections Department:**

**1. Approval to use CIP funds for the purchase of 30 computer terminals**

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

**2. Approval of line item transfer**

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

- F. Discussion and action to authorize optional benefit eligibility plan four (20-year/any age retirement eligibility) under Sec. 844.212 a member shall have the right to retire and receive a service retirement annuity when the years of such credited service equals or exceeds twenty (20)**

NO ACTION taken on this item.

- G. Discussion and approval of retirement plan change documents or no change plan documents**

NO ACTION taken on this item.

**10. Sheriff Department: (SEE EXHIBIT J)**

- A. Approval to create one (1) Crime Analyst position in the Sheriff's Department**  
**B. Approval to set salary**

NO ACTION taken on this item.

**11. Planning Department: (SEE EXHIBIT K)**

- A. Final Plat Approval:**  
**1. La Paloma Blanca Subdivision – Pct. #1**  
**2. Ojo De Agua Subdivision – Pct. #3**  
**3. Stephenson Subdivision – Pct. #1**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval on items 1, 2, and 3.

- B. Release of Letter of Credit:**  
**1. Mile 6 Palms Subdivision – Pct. #1**

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

- C. Line item transfer**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$10,872.36.

**12. Risk Management: (SEE EXHIBIT L)**

- A. Approval and acceptance of Department of Justice (DOJ) Grant, administered through TEEX, in the amount of \$ 273,164 (spendable amount \$ 262,342) (No County Match)**

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

- B. Approval for County Judge to sign Memorandum of Understanding**

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

- C. Discussion and possible approval for drivers license verification for employees driving vehicles and/or heavy equipment for County business, including employees driving personal vehicles for County business**

NO ACTION taken on this item.

**13. Urban County: (SEE EXHIBIT M)**

- A. Approval of budget and program amendments – Pct. #2 – UC Year 12 (1999)**

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

**B. Approval of Sub-recipient Agreement with Options, Inc. (Handicapped Services) & UCP on behalf of Pct. #2 – UCP Year 12 (1999)**

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

**C. Approval of a Construction Contract with G & T Paving – City of San Juan – Street Improvements – UCP Year 14 (2001)**

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

**D. Correction of a Professional Services Contract with Flores Engineering – City of Penitas – Street Improvements – UC Year 14 (2001)**

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

**E. Approval of a Construction Contract with Guzman Utility Construction Company – City of Donna – Street Improvements – UCP – Year 13 (2000)**

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

**F. TDHCA 1999 Colonia EDAP Contract #719195 – Construction Contract Award with Garza Plumbing Sanitary Sewer Improvements/Housing Activities**

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

**14. Right of Way: (SEE EXHIBIT N)**

**A. Authorization for title reports, appraisals and acquisition of additional right of way for Sugar Rd. (Pct. #4)**

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

**15. Pct. #1: (SEE EXHIBIT O)**

**A. Request approval to appropriate unreserved Pct. #1 funds to Pct. #1 R & B**

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

**B. Approval to create obj. 50 (hauling)**

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

**C. Approval of line item transfer**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$14,500.

**D. Request approval of budget amendment from General Fund to Pct. #1 R & B acct. in the amount of \$114,000.00 and appropriate same in order to complete year 2001**

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

**E. Request approval of invoices for Quintanilla, Headley & Associates in the amount of \$33,225.00 and authorization to make payment**

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

**F. Authorization to transfer out \$ 52,013.49 from the ROW Acct. #1-020-431-211.87 into Pct. #1 Road & Bridge R & M Acct. #1-030-431-210.62**

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

**16. Pct. #2: (SEE EXHIBIT P)**

**A. Approval to appropriate funds from Unreserved Park Fund Balance and appropriate in the amount of \$17,500.00 into Pct. #2 Park Account**

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

**B. Hidalgo County Parks and Recreation Master Plan:**

**1. Public Hearing – Parks & Recreation Master Plan**

Judge Pulido opened the public hearing.  
Judge Pulido closed the public hearing.

**C. Approval of Resolution:**

**1. Adoption of 2001-2005 County of Hidalgo Parks and Recreation Master Plan**

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

**17. Pct. #4: (SEE EXHIBIT Q)**

**A. Request approval of Amendment No. 1 – C.I.P. Street Improvements Contract with Quintanilla, Headley & Associates, Inc.**

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

**B. Request approval of contract increase in the amount of \$ 29,422.80 for engineer services**

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

**18. Human Services: (SEE EXHIBIT R)**

**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**

Nothing to discuss.

**19. Purchasing Department: (SEE EXHIBIT S)**

**A. HIDALGO COUNTY -**

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

- a) Present Hidalgo County Jail - Total inmate population: 931**  
**Physical Count: 561**  
**Out of County Count:**  
**Brooks County: 191**  
**Frio County: 171**  
**Other:**

**2. Status of current Interlocal Agreement(s)/contract(s) for the Housing of Inmates.**

- a) Requesting approval of a correction on a Modification to Inter-local Agreement with Brooks County (approved on May 8, 2001 to reflect expiration date to read April 3, 2002)**

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

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 request approval;**
  - c) **Report and Recommendations of Owner's Consulting Architect:**

Nothing to report on items A, B, and C.

4. **Presentation of information received from Mr. Jerald Edwards, Edwards Risk Management, Hidalgo County's Consultant on Health Benefits for discussion, consideration and approval, if applicable in connection with but not limited to the following projects:**

- a) **Recommendation to accept the new proposed rates submitted on Hidalgo County's Group Life Insurance through the Inter-local Agreement with Texas Association of Counties (TAC). New proposed rates reflect a decrease from current rates. If new rates approved;**

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

- b) **Requesting approval to cancel publication of advertisement for an RFP for Group Life Insurance for Hidalgo County.**

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

- c) **Approval of elements and/or requirements proposed by consultant for inclusion in the Request for Proposals (RFP) for a Group Health Insurance Plan for Hidalgo County.**

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

5. **Requesting authority to advertise & approval of specifications as attached hereto for: Gasoline/ On & Off Highway Diesel Products.**

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

6. **Requesting authority to advertise & approval of specifications as attached hereto for: Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products.**

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

**B. HIDALGO COUNTY PRECINCT NO. 1 -**

1. **Requesting exemption form competitive bidding requirements for professional/engineering services for street improvements of various roads with Rodriguez Engineering.**

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

2. **Approval of a professional engineering services contract with Rodriguez Engineering for Street improvements for the following roads: Valley View Road (from Military Road South to Levee), Mile 2 East 1.8 Miles, South Point Subdivision, Precinct No. 1 paving improvements.**

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

3. **Recommending bid award for: Street Improvements-Midway Rd., Charles Green Rd., Olivarez Rd., Mile 9 ½ North Rd.(Group II) to low bidder meeting all requirements.**

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

4. **Requesting approval of contract for: Street Improvements-Midway Rd., Charles Green Rd., Olivarez Rd., Mile 9 ½ North Rd.(Group II) to low bidder meeting all requirements.**

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

**C. HIDALGO COUNTY PRECINCT NO. 2 -**

1. **Requesting exemption from competitive bidding requirements for professional engineering services with R. Gutierrez Engineering Corp. in connection with Inner-Outer Loop within Precinct No. 2.**

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

2. **Requesting approval of a professional engineering services agreement with R. Gutierrez Engineering Corporation in connection with Inner-Outer Loop with Precinct No. 2.**

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

**D. HIDALGO COUNTY PRECINCT NO. 3 -**

1. **Requesting authority to advertise & approval of specifications as attached hereto for: Landfill Access.**

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

2. **Requesting authority to advertise & approval of specifications as attached hereto for: CRS-2 Emulsion Asphalt.**

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

**E. HIDALGO COUNTY PRECINCT NO. 4 -**

1. **Recommending bid award to low bidder meeting all specifications for: Two (2) - 2001 or Newer (Unused) Tractors.**

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

2. **Requesting acceptance and approval with authority for auditor to pay (after review & audit) of invoices from Texas Ecologists for: Hidalgo County Precinct No. 4 Landfill (removal of un-permitted waste) in the amount of \$56,921.79.**

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

**F. HIDALGO COUNTY BUILDINGS & GROUNDS -**

1. **As requested by Court a report from the project architectural firm of Alcoser Garcia & Associates on the scope and the elements for the following projects (approved by Commissioners Court on 11-06-01 & 11-20-01 respectively for advertising):**

- a) **Side walk replacement in order to meet ADA compliance requirements**
- b) **Renovation of Courthouse Basement for expansion of inmate holding cells including the discussion of funding source.**
- c) **Renovation of the atrium area for the Administration Building;**

- i. **Information related to the recent water damage sustained on every floor of the administration building (concentrated on the north and west facades) on November 17, 2001.**
- ii. **Options and recommendations in light of the CIP funds that will be expanded in affecting the repairs to the atrium.**
- iii. **Other County buildings that sustained water damage on November 17, 2001.**

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

**G. HIDALGO COUNTY CLERK'S OFFICE -**

1. **Requesting authority to advertise & approval of specifications as attached hereto for: The Imaging, Scanning and Computerized Records of Marriage Books for the Hidalgo County Clerk's Office.**

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

**H. HIDALGO COUNTY COURTHOUSE SECURITY -**

1. **Requesting authority to purchase Digital Two Way Radios/Cellular Phones Equipment along with service contract from a Qualified Information Systems Vendor (QISV) utilizing the General Services Commission Cooperative Purchasing Program (GSC) state award with Nextel Partners, Inc. for the following department: Hidalgo County Courthouse Security -  
Two (2) Units - Model i85's @ \$149.99 ea. - Total \$299.98  
Monthly Service Cost - \$48.49 ea. - Total \$96.98 Monthly  
Activation Fee: \$15.00 ea. - Total \$30.00  
Shipping Fee/One Time Charge of \$16.00 = Approximate Amount not to exceed - \$600.00.**

NO ACTION taken on this item.

**I. HIDALGO COUNTY ELECTION'S DEPARTMENT -**

1. **Requesting authority to purchase: Thirty (30) Computer Terminals from S.J.S. Computers, a QISV Vendor, through the Resolution with the State of Texas, General Services Commission Catalogue Purchasing Program, on a total amount of \$15,060.00.**

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

**J. HIDALGO COUNTY SHERIFF'S DEPARTMENT -**

1. **Requesting authority to purchase: Fingerprint Identification System from The Phoenix Group, Inc., through the Resolution with the State of Texas, under the General Services Commission, Cooperative Catalogue Purchase Program. (Total Price is: \$30,000.00) (As opposed to proceeding with publishing an advertisement for competitive sealed bid), approved at Commissioners' Court meeting, Tuesday, November 6, 2001.**

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

2. **Approval of cancellation of Commissioners' Court approval 11/6/01.**

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

**20. Closed Session: (SEE EXHIBIT T)**

**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. **Civil No. M-01-192; La Joya Estate & Development Inc. vs. Hidalgo County**
- C. **Cause No. 99-327; Daniel Cabrera vs. City of Sebastian**
- D. **Cause No. T-667-91-B; Edinburg Consolidated Independent School District, et al vs. Glen Draper**

- E. Cause No. T-677-91-E; Edinburg Consolidated Independent School District, et al vs. Cynthia Rodriguez, et al
- F. Cause No. T-309-93-A; Sharyland Independent School District et al vs. Alberto Gonzalez, et al
- G. Cause No. T-380-93-B; Edinburg Consolidated School District, et al vs. the Known and Unknown Heirs of Jon Wood, et al
- H. Cause No. T-446-93-E; City of Edinburg, et al vs. Enrique Uribe De La Mora
- I. Cause No. T-231-94-G; City of Donna, et al vs. Juan Z. Nava
- J. Cause No. T-360-96-C; Edinburg Consolidated Independent School District, et al vs. Baldemar Solis
- K. Cause No. T-1121-97-D; Donna Independent School District, et al vs. Oscar Garcia
- L. Cause No. T-225-98-A; City of Edinburg, et al vs. Francisca V. DeLugo
- M. Cause No. T-466-98-D; Weslaco Independent School District, et al vs. Camarino Alvarez

NO ACTION taken on these items.

Commissioner Palacios left at about 10:55 a.m.

## 21. Open Session: (SEE EXHIBIT U)

### A. Real Estate Acquisition

Godfrey Garza was instructed to proceed as directed.

### B. Civil No. M-01-192; La Joya Estate & Development Inc. vs. Hidalgo County

Godfrey Garza was instructed to proceed as directed.

### C. Cause No. 99-327; Daniel Cabrera vs. City of Sebastian

Godfrey Garza was instructed to proceed as directed.

- D. Cause No. T-667-91-B; Edinburg Consolidated Independent School District, et al vs. Glen Draper
- E. Cause No. T-677-91-E; Edinburg Consolidated Independent School District, et al vs. Cynthia Rodriguez, et al
- F. Cause No. T-309-93-A; Sharyland Independent School District et al vs. Alberto Gonzalez, et al
- G. Cause No. T-380-93-B; Edinburg Consolidated School District, et al vs. the Known and Unknown Heirs of Jon Wood, et al
- H. Cause No. T-446-93-E; City of Edinburg, et al vs. Enrique Uribe De La Mora
- I. Cause No. T-231-94-G; City of Donna, et al vs. Juan Z. Nava
- J. Cause No. T-360-96-C; Edinburg Consolidated Independent School District, et al vs. Baldemar Solis
- K. Cause No. T-1121-97-D; Donna Independent School District, et al vs. Oscar Garcia
- L. Cause No. T-225-98-A; City of Edinburg, et al vs. Francisca V. DeLugo
- M. Cause No. T-466-98-D; Weslaco Independent School District, et al vs. Camarino Alvarez

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items D, E, F, G, H, I, J, K, L, and M.

## 22. Closed Session:

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

NO ACTION taken on this item.

## 23. Open Session:

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

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 Drainage District #1 Board of Directors will be held on TUESDAY, DECEMBER 04, 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 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. Permits: (SEE EXHIBIT V)**
  - A. City of Pharr – Villa Real Subdivision**
  - B. City of Alamo – Villa Dulce Subdivision**

**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, DECEMBER 04, 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 Court were counted present.

**2. Open Forum**

NO ACTION taken on this item.

**3. Discussion and action to authorize optional benefit eligibility plan four (20-year/any age retirement eligibility) under Sec. 844.212 a member shall have the right to retire and receive a service retirement annuity when the years of such credited service equals or exceeds twenty (20) (SEE EXHIBIT W)**

NO ACTION taken on this item.

**4. Discussion and approval of retirement plan change documents or no change plan documents (SEE EXHIBIT X)**

NO ACTION taken on this item.

**5. Approval requesting exemption from competitive bidding requirements for professional services/engineering services with TEDSI Infrastructure Group (SEE EXHIBIT Y)**

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

**6. Approval of professional engineering services with TEDSI Infrastructure Group for services related to drainage improvements (Northeast section of Weslaco area) (SEE EXHIBIT Z)**

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

**7. Authorization to advertise for Improvements to the North San Juan Lateral Crossing at Trenton Rd. (SEE EXHIBIT AA)**

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

**8. Purchasing Department: (SEE EXHIBIT BB)**

**A. Requesting authority to advertise & approval of specifications as attached hereto for: Gasoline / On & Off Highway Diesel Products.**

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

**B. Presentation of information received from Mr. Jerald Edwards, Edwards Risk Management, Hidalgo County's Consultant on Health Benefits for discussion, consideration and approval, if applicable by the Board of Hidalgo Drainage District No. 1 through the inter-local agreement with Hidalgo County in connection with the following projects:**

- 1) **Recommendation to accept the new proposed rates submitted on Hidalgo County's Group Life Insurance through the Inter-local Agreement with Texas Association of Counties (TAC). New proposed rates reflect a decrease from current rates. If new rates approved;**
- 2) **Requesting approval to cancel publication of advertisement for an RFP for Group Life Insurance for Hidalgo County.**
- 3) **Approval of elements and/or requirements proposed by consultant for inclusion in the Request for Proposals (RFP) for a Group Health Insurance Plan for Hidalgo County.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS Vote to approve items B-1, B-2, and B-3.

**9. Closed Session:**

**Board of Directors 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.

**10. Open Session:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**11. Closed Session:**

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

NO ACTION taken on this item.

**12. Open Session:**

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

NO ACTION taken on this item.

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 04<sup>th</sup> day of December, 2001

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

By: \_\_\_\_\_  
Priscilla Torres, Deputy

Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the \_\_\_\_\_ day of \_\_\_\_\_ 2001.