

SPECIAL MEETING – DECEMBER 18, 2001

BE IT REMEMBERED, that on this 18th 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 18, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve all items listed under the Consent Agenda, with corrections to 2-E, 2-F, 2-P, 2-BB, 2-HH, 2-KK, and 2-VV.

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

2. Line item transfers: (SEE EXHIBIT A)

- A. Sheriff – L.E.O.S.E.**
- B. Constable Pct. #3**
- C. District Attorney**
- D. Jail**
- E. Sheriff Department**
- F. District Clerk – Atty. Gen.**
- G. J.P. Pct. #2, Pl. 2**
- H. J.P. Pct. #4, Pl. 1**
- I. Pct. #3 – Park (2)**
- J. Pct. #3 – Landfill**
- K. 92nd District Court**
- L. Pct. #4 – Landfill**
- M. Pct. #4 – Paved/unpaved**
- N. Pct. #4 – CO's 2001**
- O. Pct. #4 – Adm.**
- P. 139th District Court (2)**
- Q. 332nd District Court**
- R. J.P. Pct. #3, Pl. 1**
- S. County Judge**
- T. Health Department – Sanitation**
- U. Child Welfare**
- V. Pct. #2 – R & B**
- W. J.P. Pct. #1, Pl. 1**
- X. 206th District Court**
- Y. 93rd District Court**
- Z. Youth Village**
- AA. County Court #4**
- BB. Pct. #1 – Landfill**
- CC. Pct. #1 – Delta Lake**
- DD. Right of Way**
- EE. County Treasurer**

FF. Constable Pct. #2
 GG. County Auditor
 HH. Master Court #1
 II. Fire Marshal
 JJ. Constable Pct. #5
 KK. Risk Management
 LL. HIDTA – Task Force (grant)
 MM. HIDTA – Program Income (grant)
 NN. Sheriff’s Task Force (grant)
 OO. Pct. #1 – Project Recovery (grant)
 PP. D.A. – Child Protective (grant)
 QQ. Criminal Diff. Case Mgmt. Project (grant)
 RR. County Court #1
 SS. County Court #3 – Probate
 TT. J.P. Pct. #4, Pl. 2
 UU. Criminal Auxiliary Court (3)
 VV. Computer Department
 WW. Veterans Service
 XX. Purchasing Department

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. North Alamo Water Supply – Kenyon Rd. on Pinkston Rd.
 - B. North Alamo Water Supply – Lotts Rd. east of Victoria Rd.
 - C. Military Highway Water Supply – Denise St. south side of Village Subdivision
 - D. Military Highway Water Supply – Kathy St. south side of Village Subdivision
 - E. Magic Valley Pipeline – Mile 11 Rd. and Monmack Rd.
 - F. Southwestern Bell – along Mile 22 North east of Filegonia Rd.
 - G. El Paso Production Oil & Gas – Mayberry Rd. – Valley Farms Subdivision
 - H. Steven Production Company – I Rd. to Steven Mayerhoff Production
 - I. North Alamo Water Supply – FM 491 on Mile 16 North
 - J. North Alamo Water Supply – Mile 1 West on Mile 15 ½ North
 - K. North Alamo Water Supply – Mile 6 west on Mile 17
5. Urban County: (SEE EXHIBIT D)
 - A. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (5 families)
6. Tax Refunds: (SEE EXHIBIT E)
 - A. Julio A. Martinez - \$ 1,252.19

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

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1. Roll Call

All Members of the Court were counted present, Commissioner Garza left after recess and did not return.

2. Pledge of Allegiance

At this time Judge Pulido called on Eddie Gonzalez to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Eddie Gonzalez led the Court and Audience in Prayer.

4. Open Forum

Jim Steichlinger (Donna), Paul Anzaldua, Dolores Castillo (Donna), Eddie Gonzalez, Rene Martinez (Monte Alto), and Al Young

5. Juvenile Justice Court: (SEE EXHIBIT F)

A. Approval to set salary for Court Coordinator at \$ 38,000.00 – Grant #JB-00-J20-14800-03

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

6. Sheriff Department: (SEE EXHIBIT G)

A. Approval to create one Crime Analyst position

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

B. Approval to set salary

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$22,320.50.

C. Approval to set salaries (salary increase) for the year 2002 for grant employees assigned to the Narcotics Task Force (City of McAllen)

NO ACTION taken on this item.

D. Approval to appropriate the budget of \$ 229,459.36 for the Jail Commissary Acct. #2-795-423-200

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

E. Set salaries for seven (7) employees assigned to Jail Commissary

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

7. County Treasurer: (SEE EXHIBIT H)

A. Approval to transfer \$ 4,500.00 from salaries to office equipment, office supplies & printing & binding line items

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

B. Approval for new position of Assistant Treasurer/Cashier (slot #6) starting salary at \$ 20,800.00

NO ACTION taken on this item.

8. District Clerk: (SEE EXHIBIT I)

A. Approval of line item transfer from salaries – Attorney General Fund - \$ 2,537.00 (Corrected)

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

B. Approval of line item transfer from salaries – Attorney General - \$ 10,000.00

NO ACTION taken on this item.

9. Criminal Auxiliary Court: (SEE EXHIBIT J)

A. Approval to create line item #13

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 Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve in the amount of \$3,000.00.

10. WIC: (SEE EXHIBIT K)

A. Approval to create line item #13

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

B. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve in the amount of \$2,500.00.

11. Elections Department: (SEE EXHIBIT L)

A. Approval to amend the “Agreement for Election Services between the County of Hidalgo and the Hidalgo County Republican Party”

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

B. Approval to create one (1) full-time position – Information Technology Specialist

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

C. Approval to set salary

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve in the amount of \$25,000, subject to appropriation.

12. Master Court #2: (SEE EXHIBIT M)

A. Approval to create obj. #27, 31 & 70

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

B. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve in the amount of \$650.00.

13. County Auditor: (SEE EXHIBIT N)

A. Transfer out existing fund balances from capital projects certificates of obligations 1988, 1990, 1990A, 1992, 1993 totaling \$ 36,097.80 to debt service fund 298 (Jail) for payment of existing bond principle & interest

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

14. District Attorney: (SEE EXHIBIT O)

A. Approval to create line item #14

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 Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve in the amount of \$3,755.67.

15. County Judge: (SEE EXHIBIT P)

A. 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)

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

B. Discussion and approval of retirement plan change documents or no change plan documents

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, to change the retirement plan documents.

C. Approval of Deed & Closing Statement for Purchase of Property

NO ACTION taken on this item.

D. Approval of Cooperative Working Agreement with Casa of Hidalgo, Inc.

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

E. Approval of Resolution giving Consent to a Project for Mission Hospital, Inc.

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

F. Approval of Equipment Lease from Bell County Health Facilities Development Corporation – Mission Hospital

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

G. Approval of budget amendment - \$ 50,000.00 Jury Fees

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

H. Request approval of Resolution granting Travel Trailers Exemption

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

I. Approval to use \$ 1,000,000.00 from the Juvenile Detention Project for the Inner/Outer Loop Project

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

The motion carried 4-1.

AYE: Judge Pulido, Commissioner Handy, Commissioner Flores, and Commissioner Palacios.

NAY: Commissioner Garza

J. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve in the amount of \$1,000,000.00.

The motion carried 4-1.

AYE: Judge Pulido, Commissioner Handy, Commissioner Flores, and Commissioner Palacios.

NAY: Commissioner Garza

K. Requesting approval to pay the County Judges and Commissioners Association of Texas dues

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

L. Requesting authority for county auditor to pay 2001 dues

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

M. Approval of budget amendment

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

N. Discussion regarding the construction of a Multi-Purpose Center in each Precinct

Presentation made.

Commissioner Palacios is away from the court.

16. Budget Officer: (SEE EXHIBIT Q)**A. Approval to unappropriate \$ 1,900.00 from Acct. #1-010-419-510.70 and appropriate same amount into Acct. #1-010-441-700.22**

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

B. Discussion and action on funding request by Hidalgo County Historical Museum

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

C. County Court #2:**1. Approval of line item transfer from salaries in the amount of \$ 1,250.00**

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

D. Crippled Children's Fund:**1. Approval of budget amendment – Acct. #1-010-441-900.57 - \$ 2,500.00**

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

E. Library System:**1. Approval of line item transfer**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$11,967.91.

2. Approval to create object 39 for acct. #1-010-455-900

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve, with adjustments to meet and comply with the auditor's concerns.

F. Constable Pct. #3:**1. Approval to apply for grant funds from Texas DPS for video & audio equipment**

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

G. J.P. Pct. #4, PI.2:**1. Approval to unappropriate \$ 1,800.00 from Acct. #1-010-463-000.86 into Acct. #1-010-412-118.47 and appropriate same**

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

H. Purchasing Department:**1. Approval to transfer \$ 15,000.00 from salaries to supplies**

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

17. Constable Pct. #3 & 4: (SEE EXHIBIT T)**1. Approval to apply for the Speed Grant Program for Hidalgo County Constables Pcts. 3 & 4**

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

18. Planning Department: (SEE EXHIBIT U)

A. Approval of line item transfer from salaries - \$ 9,764.98 to obj. 12, 39, 95 & 66

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

19. Health Department: (SEE EXHIBIT V)

A. Request to appropriate the Health Department Administration Program Income Budget in the amount of \$361,350.00 for the fiscal period of 01/01/02 to 12/31/02

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

B. Request to appropriate the Health Department TB Program Income Budget in the amount of \$32,076.00 for the fiscal period of 01/01/02 to 12/31/02

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

C. Request approval to set salaries for the Hidalgo County employees paid from Texas Department of Health Grants for the fiscal period of 01/01/02 to 12/31/02

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

At this time, the Court recessed until 3:00 p.m.

Commissioner Garza did not return.

20. Urban County: (SEE EXHIBIT W)

A. Approval of a Professional Service Contract with R. Gutierrez Engineering – City of Progreso – Street Improvements – UC Year 14 (2001)

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

B. Approval of a Construction Contract with Rio Valley Construction – City of Alton – Neighborhood Facilities – Section 108 Loan Project (2001)

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

C. HOME – Housing Rehabilitation Grant Program Construction Contract Award to Rolando's General Construction for (3) units – City of Edcouch

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

D. Permission to dispose of Surplus Property and to clear inventory of missing property

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

E. Cancellation of the HOME “First Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (Carolina Duran)

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

F. Approval of a Construction Contract with G & T Paving Co. – City of Mercedes – Street Improvements – UC Year 13 (2000)

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

21. Head Start: (SEE EXHIBIT X)

A. Recommending award of bid to multiple bidders meeting all specifications for:

1. Classroom Supplies – Bid #2001-09-05-20
2. Janitorial Supplies – Bid #2001-09-05-21

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

B. Requesting approval of contracts to multiple bidders for:

1. Classroom Supplies – Bid #2001-09-05-20
2. Janitorial Supplies – Bid #2001-09-05-21

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

C. Recommending award of bid to vendor(s) meeting all specifications for the following:

1. Classroom furniture – Bid #2001-09-05-22
2. Playground equipment – Bid #2001-09-05-23

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

D. Recommending award of Bid #2001-10-23-30 “Additions to Classroom Buildings”

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

E. Recommending approval of contract for Bid #2001-10-23-30 “Additions to Classroom Buildings”

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

F. Recommending award of Bid #2001-10-23-31 Faysville Head Start Center

1. Base bid – Center
2. Alternate #1 – Driveway & Parking Lot
3. Alternate #2 – Ceramic Tile Wainscoting

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

G. Recommending approval of contract for Bid #2001-10-23-31 Faysville Head Start Center

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

22. Risk Management: (SEE EXHIBIT Y)

A. Update on Pct. #4 Landfill – TNRCC Inspection

Presentation made.

23. Right of Way: (SEE EXHIBIT Z)

A. Authorization for title reports, appraisals and acquisition of additional right-of-way for Cesar Chavez Road south of Anaya Rd. to Military Highway (US 281) – Pct. #2

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

B. Authorization for title reports, appraisals and acquisition of additional right-of-way on Nolana from Raul Longoria Rd. (FM 1426) to Alamo Rd. (FM 907) – Pct. #2

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

C. Authorization to transfer out funds from Acct. #1-020-431-200.87 into the following accounts:

1. Pct. #1 – \$ 33,024.35 – 1-030-431-210.62
2. Pct. #1 – \$ 5,000.00 – 1-030-431-210.18
3. Pct. #1 – \$ 25,000.00 – 1-030-431-210.95
4. Pct. #2 – \$ 63,024.35 – 1-040-431-210.87
5. Pct. #3 – \$ 63,024.35 – 1-050-431-210.91
6. Pct. #4 – \$ 63,024.35 – 1-060-431-210.91

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve items C-1 thru C-6.

24. Pct. #1: (SEE EXHIBIT AA)

A. Approval of Official Bond – Sylvia S. Handy, Commissioner

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

B. Authority to transfer out existing fund balances from Capital Projects Pct. #1 back to Pct. #1 R & B

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

C. Request approval to upgrade slot #25 under the Pct. #1 R & B from 6 months full-time to 12 months regular full-time

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

D. Set salary

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve in the amount of \$20,663.60, subject to budget amendment after January 1, 2002.

25. Pct. #2: (SEE EXHIBIT BB)

A. Request approval of line item transfer of \$ 8,500.00 from salaries – Acct. #1-010-432-420

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

26. Pct. #3: (SEE EXHIBIT CC)

A. Requesting approval to reclassify positions within Pct. #3 approved by Civil Service Commission on December 12, 2001

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

27. Pct. #4: (SEE EXHIBIT DD)

A. Request approval to create line item #61 building repairs

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

B. Approval of line item transfer

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

28. Human Services: (SEE EXHIBIT EE)

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 report.

29. Purchasing Department: (SEE EXHIBIT FF)

A. HIDALGO COUNTY -

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

- a) **Present Hidalgo County Jail - Total inmate population: 911**
Physical Count: 583
Out of County Count:
Brooks County: 179
Frio County: 149
Other: 0

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

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);

Nothing to report.

b) Requesting authority to advertise the following sealed bids for the Adult Detention Facility and Law Enforcement Center Project:

- i. **Turnkey Telephone System**
- ii. **MATV System (Cable TV) with Satellite Dish**

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

- c) **Requesting acceptance and approval of Requests for Payments No. 2 from V-A Architecture with authority for County Auditor to issue payments (after review, audit and processing procedures completed) for the following:**
- i. **Under consulting services contract for design/build project of New Adult Detention Facility and Law Enforcement Center Project-Request for Payment No. 2 in the amount of \$ 77,924.99**
 - ii. **Under the architectural contract for the design and construction of Maintenance & Motor Pool Facility Project - Request for Payment No. 2 in the amount of \$ 23,647.00.**
 - iii. **Under the architectural contract for the design and construction of Law Enforcement Training Facility - Request for Payment No. 2 in the amount of \$ 22,541.74.**

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

Judge Pulido is away from the court.

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

Nothing to report.

- e) **Report and Recommendations of Owner's Consulting Architect:**

No recommendations from architect.

4. Requesting authority to advertise Radio Equipment Repair Services for Hidalgo County.

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

5. Requesting authority to exercise the sixty (60) day grace period under current contract with Pavements Markings for Striping of County Roads so as not to have a lapse in service & allow the bid process to be completed.

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 and processing) of Certificate for Payment No. 12 from Rio Valley Construction for Hidalgo County Health Clinic No. 7 in the amount of \$83,511.02.

NO ACTION taken on this item.

7. Status of and requesting consideration, discussion and approval if applicable of but not limited to the following with the State of Texas General Land Office-State Power Program:

- a) **Confirmation of Authority to Sign Electric Sales Agreement; and**
- b) **Electric Sales Agreement**
- c) **Proposed rate schedules(s)**

Presentation made.

8. **Requesting exemption from competitive requirements for professional engineering services in connection with the plans, specifications and estimates for the proposed parking facility, the property formerly known as Shady Lawn, for Hidalgo County with TEDSI Infrastructure Group.**

NO ACTION taken on this item.

9. **Requesting approval of a professional engineering services contract with TEDSI Infrastructure Group.**

NO ACTION taken on this item.

10. **Requesting authority to advertise and approval of specifications as attached hereto for Pipes - Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Storm Sewer Pipes project.**

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

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting authority & approval of specifications for Hauling of Road Materials.**

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

2. **Recommending bid award for New & Used Guard Rail Beam Materials & Installation for various Capital Improvements and/or Road & Bridge Projects to sole bidder.**

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

3. **Requesting approval of contract for New & Used Guard Rail Beam Materials & Installation for various Capital Improvements and/or Road & Bridge Projects to sole bidder.**

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

4. **Requesting approval to cancel the bid project (previously authorized) for One (1) New Current Model Shredder/Grinder-Tub Type as requested by Hidalgo County Precinct No. 1.**

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

C. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Requesting authority to advertise and approval of specifications as attached hereto for Hauling Services.**

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

2. **Requesting exemption from competitive bidding requirements for professional engineering services with R. Gutierrez Engineering Corp. for pavement, inventory and assessment services.**

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

3. **Requesting approval of a professional engineering services agreement with R. Gutierrez Engineering Corporation for pavement, inventory and assessment services with Precinct No. 2.**

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

4. **Requesting approval to utilize the services of José Guerrero, I.C.P., (independent contract provider) for the review and inspection of project as recommended by project architect., Reynaldo Vargas, AIA.**

NO ACTION taken on this item.

5. **Acceptance and approval of fee with authority for auditor to issue payment (a manual check, if necessary due to 12-21-01 deadline for submission) in the amount of \$980.00.**

NO ACTION taken on this item.

6. **Requesting approval to issue Texas Department of Licensing and Regulation Architectural Barriers project Registration Form with authority for County Judge to execute form.**

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

7. **Requesting acceptance and approval of Payment No. 2 from V-A Architecture with authority for County Auditor to issue payment (after review, audit and processing procedures completed) in the amount of \$5,936.25 in connection with the design and construction of a Community Resource Center in Precinct No. 2.**

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

D. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Recommending award of bid for Removal and Installation of An Irrigation Pipe (located on Oxford Road Right-of-Way) to low bidder meeting all requirements and specifications.**

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

2. **Requesting approval of Contract for Removal and Installation of An Irrigation Pipe (located on Oxford Road Right-of-Way) to low bidder meeting all requirements and specifications.**

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

E. HIDALGO COUNTY HEALTH DEPARTMENT -

1. **Requesting exemption from the competitive bidding requirements under the Texas Local Government Code 262.024 (c) for Professional Pharmacy Service for Pharmacist with David Castro.**

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

2. **Requesting approval for Professional Service Contract with David Castro.**

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

F. HIDALGO COUNTY J.P. PCT#4, PL.2 -

1. **Requesting authority to purchase Phone System from Phone Den, a QISV vendor, through the Resolution with the State of Texas, General Services Commission Catalogue Purchasing Program, on a total amount of \$1,800.00.**

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

Judge Pulido joined the meeting.

G. HIDALGO COUNTY PARKING LOT PERSONNEL -

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 Parking Lot Personnel -**
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 each - Total \$30.00
Shipping Fee / One Time Charge of - \$16.00 (both)
Approximate Amount not to exceed: \$600.00

NO ACTION taken on this item.

H. HIDALGO COUNTY TAX OFFICE -

1. **Requesting authority to advertise office space in the City of Mission.**

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

30. Closed Session: (SEE EXHIBIT JJ)

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 Corporation vs. BFI Waste Management**
- C. **Pending or Contemplated Litigation**
- D. **Personnel – Director of Urban County Program**

NO ACTION taken on this item.

31. Open Session:

- A. **Real Estate Acquisition**
- B. **99-127; North Alamo Water Supply Corporation vs. BFI Waste Management**
- C. **Pending or Contemplated Litigation**
- D. **Personnel – Director of Urban County Program**

NO ACTION taken on this item.

32. Closed Session:

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

NO ACTION taken on this item.

33. 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 18, 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 the Drainage District Consent Agenda. Commissioner Oscar Garza Jr., and Commissioner Hector "Tito" Palacios are not present.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge permit: (SEE EXHIBIT KK)**
 - A. City of Pharr – Villa Real 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 18, 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, with the exception of Commissioner Garza, and Commissioner Palacios.

2. Open Forum

No presentations made under Open Forum.

3. Approval to acquire title reports, appraisals and land acquisition for Lull Ditch Expansion Project (North of Lull Community to Ingle Rd.) (SEE EXHIBIT LL)

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

Commissioner Hector "Tito" Palacios joined the meeting.

4. Approval of Change Order #1 for Pueblo Construction LLC, in the amount of \$2,450.00 (Drainage Improvement-Sunnybrook area) (SEE EXHIBIT LL)

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

5. Approval of Monthly Estimate for Pueblo Construction LLC, in the amount of \$ 44,289.00 (Drainage Improvement-Sunnybrook area) (SEE EXHIBIT LL)

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

6. Approval of east Lateral Drain, Letter of Revision report, and authorization to submit to Federal Emergency Management Agency (FEMA) (SEE EXHIBIT LL)

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

7. Approval to create one (1) Right of Way Agent Position (SEE EXHIBIT LL)

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

8. Approval to set salary @ \$ 34,500.00 and appropriate funds (SEE EXHIBIT LL)

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

- 9. 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 MM)**

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

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

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

- 11. Purchasing Department: (SEE EXHIBIT NN)**

- A. Requesting authority to advertise and approval of specifications as attached hereto for Pipes-Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Storm Sewer Pipes project.**

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

- B. Requesting authority to purchase through the Resolution with the State of Texas, General Services Commission for RoundUp Pro (Mosanto) Herbicide and Rodeo (Monsanto) Herbicide with the State awardee (Tri-State Chemicals, Inc.) for term of extension of contract beginning February 2, 2002 and ending January 31, 2003.**

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

- 12. 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. 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management

NO ACTION taken on this item.

- 13. Open Session:**

- A. Real Estate Acquisition**
B. 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management

NO ACTION taken on this item.

- 14. Closed Session:**

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

NO ACTION taken on this item.

- 15. Open Session:**

Board of Directors 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 Commissioners' Court will be held on TUESDAY, DECEMBER 18, 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. J.P. Pct. #4, Pl. 2: (SEE EXHIBIT II)

A. Requesting approval for two (2) temporary court clerks

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

B. Requesting approval of budget amendment

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

2. Pct. #4: (SEE EXHIBIT HH)

A. Request authorization to name an unnamed county dedicated road (located within Simpatico Acres Subdivision) as follows: "Monreal Road" (located north of FM 1925, east of Ware Rd.)

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

3. Purchasing Department: (SEE EXHIBIT GG)

A. 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 Parking Lot Personnel –
One (1) Unit – Model i90 @ \$ 249.99 each
One (1) Unit – Model ii700 @ \$ 79.99
Plus Accessories – Plus Equipment Insurance Total for both \$ 107.60
Monthly Service Cost - \$ 44.99 ea. – Total \$ 89.98 Monthly (both)
Activation Fee \$ 15.00 each - \$ 30.00 Total for both
Shipping Fee/One time Charge of - \$ 16.00 (both)
Includes 10% Govt. Discount
Approximate Amount not to exceed \$ 600.00**

On motion of Commissioner Handy, seconded by Commissioner Flores, 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 18, 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

Purchasing Department:

- A. Requesting approval of Work Authorization No. 1 (as provided under the contract approved by Commissioners' Court on October 30, 2001) in connection with the engineering services for advanced planning alignments of Hidalgo County's Outer Loop traversing Precinct No. 1 with TEDSI Infrastructure Group.**

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

Commissioner Oscar Garza is not present.

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 18th 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.