

SPECIAL MEETING – DECEMBER 28, 2001

BE IT REMEMBERED, that on this 28th 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 FRIDAY, DECEMBER 28, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 under the Consent Agenda, with the exception of line items 2-A, 2-D, and 2-Q.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve line items 2-A, 2-D, and 2-Q, with corrections as stated by the auditor.

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

2. Line item transfers: (SEE EXHIBIT B)

A. Purchasing Department

Approved with corrections.

B. County Judge – Adm.

C. Fire Marshal

D. Historical Commission

Approved with corrections.

E. 389th District Court

F. County Judge

G. Jail

H. Pct. #1 – R & B

I. Pct. #1 – Adm.

J. Pct. #1 – CIP

K. Pct. #1 – Parks

L. Pct. #3 – Landfill

M. Constable Pct. #5

N. WIC

O. Buildings & Grounds

P. Civil Service

Q. Human Resources

Approved with corrections.

R. Constable Pct. #3

S. Texas Cooperative Extension

3. Planning Department: (SEE EXHIBIT C)

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. Monthly Fee Reports - October: (SEE EXHIBIT D)

A. J.P. Palacios –	40,062.50
B. J.P. Espinoza –	30,336.99
C. J.P. Morales –	16,457.63
D. J.P. Ochoa –	34,728.19
E. J.P. Saenz –	27,681.17
F. J.P. Trevino –	26,011.04
G. J.P. Garza –	35,523.91
H. J.P. Contreras –	16,611.98
I. J.P. Jackson –	12,560.41
J. Law Library –	1,294.50
K. Sheriff Escalon –	32,870.66
L. Anzalduas Park –	1,577.45
M. Delta Lake –	2,440.00
N. Constable Aguirre –	1,280.00
O. Constable Alaniz –	1,300.00
P. Constable Gallardo –	4,036.00
Q. Constable Cerda –	1,685.00
R. Constable Bazan –	720.00

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

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1. Roll Call

All Members of the Court were counted present, with the exception of Judge Pulido, who came in at 9:45 a.m.

2. Pledge of Allegiance

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

3. Prayer

Raul Lozano led the Court and Audience in Prayer.

4. Open Forum

Presentation made by Antonio Sandoval, Auditor.

5. Sheriff Department: (SEE EXHIBIT E)

A. Request approval to create line item 86 in Acct. #1-010-421-100

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

B. Request approval of line item transfer

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

C. Discussion and acceptance of U.S. Department of Justice COPS in School Grant

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

6. Master Court #1: (SEE EXHIBIT F)

A. Approval to create line item 70 in Acct. #1-010-412-560

On motion of Commissioner Palacios, seconded by Commissioner Garza, 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 in the amount of \$200.00.

7. Elections Administration: (SEE EXHIBIT G)

A. Discussion and report on Redistricting (voter registration database/mass mailout) and the March 12, 2002 Primary

Presentation made.

B. Order Prohibiting Electioneering during the time an early voting polling place is open for the conduct of Early Voting in a County Courthouse, Sub courthouse or Courthouse Annex or within 30 feet of an outside door through which a voter may enter the building in which the polling place is located

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

8. Child Welfare: (SEE EXHIBIT H)

A. Approval to create line item 12 in Acct. #1-010-444-540

On motion of Commissioner Garza, 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 \$500.00.

9. District Clerk: (SEE EXHIBIT I)

A. Approval of line item transfer from salaries - \$ 9,936.00 – Attorney General Acct.

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

10. Pct. #2: (SEE EXHIBIT J)

A. Discussion and possible action on proposed policy offering a county-paid health/life insurance benefit for retiring employees who are at least 54 years of age

NO ACTION taken on this item. Presentation made.

11. Pct. #3: (SEE EXHIBIT K)

A. Discussion and authorization to create new accounts for each Precinct for the Inner/Outer Loop Project

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval, with corrections as stated by the auditor.

B. Authorization to transfer funds into new accounts for the Inner/Outer Loop Project

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

12. Pct. #4: (SEE EXHIBIT L)

A. Request authorization to name an unnamed county dedicated road as follows: "Simpson Road" (road is located south of Curve, west of Val Verde)

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

13. Risk Management: (SEE EXHIBIT M)

B. Approval to create obj. #61, 37, 50 & 46 for Pct. #4 Landfill Project – CIP Acct. #1-701-432-140

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

C. Approval of line item transfers – Pct. #4 Landfill Project – in order to process billings

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

D. Requesting acceptance and approval with authority for auditor to pay Texas Ecologist, Inc. – billing #1 in the amount of \$ 56,921.79 (Invoice T216919) and Billing #2 in the amount of \$ 117,827.79 (Invoice T217069) for the Pct. #4 Landfill Project

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

14. Budget Officer: (SEE EXHIBIT N)

A. Approval of Amendment No. 1 to Museum Funding Agreement for Year 2001

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

B. Approval of budget amendment in the amount of \$ 60,000.00 and appropriate same

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

15. Planning Department: (SEE EXHIBIT O)

A. Approval of line item transfer from salaries - \$ 10,224.31

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

B. Final Plat Approval:

1. Tom Gill Subdivision No. 4 Phase I – Pct. #3

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

16. County Judge: (SEE EXHIBIT A)

A. Public Hearing considering the passage of an Order designation as a reinvestment zone property within the unincorporated areas of Hidalgo County in particular:

- **Being (Tract I) Lots Two (2) and Three (3), Tim Development Subdivision, an addition to the City of Pharr, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 29, Page 20-A, Map Records, Hidalgo County, Texas**
- **Being (Tract II) Lot One A (1A) save and except the east 6.3 feet thereof, Tim Development Subdivision, an addition to the City of Pharr, Hidalgo County, Texas as per map or plat thereof recorded in Volume 32, Page 174-A, Map Records, Hidalgo County, Texas**

Commissioner Handy opened public hearing.

Commissioner Handy closed public hearing.

B. Approval of an Order designating certain real property within the unincorporated areas of Hidalgo County as a Reinvestment Zone, more particularly:

- **Being (Tract I) Lots Two (2) and Three (3), Tim Development Subdivision, an addition to the City of Pharr, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 29, Page 20-A, Map Records, Hidalgo County, Texas**
- **Being (Tract II) Lot One A (1A) save and except the east 6.3 feet thereof, Tim Development Subdivision, an addition to the City of Pharr, Hidalgo County, Texas as per map or plat thereof recorded in Volume 32, Page 174-A, Map Records, Hidalgo County, Texas**

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

C. Approval of an Agreement between the County of Hidalgo and Hotel Reservations Network (Lessor) granting tax abatement in accordance with the Guidelines and Criteria adopted February 27, 2001

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

Judge Pulido arrived at 9:45 a.m.

D. Approval of an Agreement between the County of Hidalgo and Ticket Master (Lessor) granting tax abatement in accordance with the Guidelines and Criteria adopted February 27, 2001

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

17. Human Services: (SEE EXHIBIT P)

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

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

Presentation made.

18. Closed Session: (SEE EXHIBIT S)

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

A. Real Estate Acquisition

NO ACTION taken on this item.

B. Personnel – Director of Urban County Program

NO ACTION taken on this item.

19. Open Session: (SEE EXHIBIT S)

A. Real Estate Acquisition

NO ACTION taken on this item.

B. Personnel – Director of Urban County Program

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to recommend the appointment of Interim Director to Alan Kamasaki.

20. Closed Session:

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

NO ACTION taken on this item.

21. Open Session:

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

NO ACTION taken on this item.

**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 FRIDAY, DECEMBER 28, 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

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

On motion of Commissioner Garza, seconded by Commissioner Handy, 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 Drainage District #1 Board of Directors will be held on FRIDAY, DECEMBER 28, 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

NO ACTION taken on any of the items listed under the Regular Agenda of the Drainage District.

1. Roll Call

2. Open Forum

3. 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

4. Open Session:

A. Real Estate Acquisition

5. Closed Session:

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

6. Open Session:

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

**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 FRIDAY, DECEMBER 28, 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: (SEE EXHIBIT Q)

A. HIDALGO COUNTY -

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

- a) Present Hidalgo County Jail - Total inmate population: 832
 - Physical Count: 524
 - Out of County Count:
 - Brooks County: 237
 - Frio County: 71
 - Other: 0

2. Current Inter-local(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 and Law Enforcement Center Design-Build Contract Amendments (if any)
- b) County Auditor's Report on Detention Facility and Law Enforcement Center Project paid and pending payment request approval;
- c) Report and Recommendations of Owner's Consulting Architect.

NO ACTION taken on this item. Nothing to report on items 3-a, 3-b, and 3-c.

4. 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 Agreement; and
- b) Electric Sales Agreement
- c) Proposed rate schedule(s)

Presentation made for items 4-a, 4-b, and 4-c.

B. HIDALGO COUNTY PRECINCT NO. 3 -

1. Presentation of evaluation and scoring grid, discussion and action on Commissioner's Court ranking of three (3) firms submitting Statements of Qualifications in answer to County's RFQ for Engineering Services-U.S. 83 & Abrams Road and Military Parkway Extension-Precinct Number Three.

NO ACTION taken on this item.

2. Authority for Purchasing to proceed to negotiate a best and final draft contract with the number one ranked firm.

NO ACTION taken on this item.

3. Recommending bid award for Two (2) New Unused 2002 Tandem Dump Trucks to low bidder meeting all requirements.

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

4. Requesting exemption from competitive requirements under Texas Local Government Code, Section 262.024 (a) (7) and approval of a Sole Source Declaration of Jose Ramirez, Jr owner of the tract of land (and as further described in the Sole Source Declaration submitted and made part of the minutes of the Court) currently leased by the County of Hidalgo for the purposes of landfill access under TNRCC Permit No. MSW 1727 for the residents of Precinct No. 3, located in Peñitas, Hidalgo County, Texas.

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

5. Requesting approval of a Lease Agreement with Jose Ramirez, Jr. for the tract of land described in the Sole Source Declaration approved in item A.

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

C. HIDALGO COUNTY PRECINCT NO. 4 -

1. Notification to Court of the financing, in accordance with the Public Finance Act, Texas Local Government Code, '271.000, ET. SEQ., and in accordance with terms of the form of contract covering the purchase of Two (2) 2001 or Newer (Unused) Tractors previously approved on December 4, 2001 for Bid No. 01-282-11-21.

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

D. HIDALGO COUNTY 398TH DISTRICT COURT -

1. Requesting approval of a maintenance agreement for a copier from Copy Data Valleywide for \$264.00 per year. Effective January 3, 2002 thru January 2, 2003.

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 FRIDAY, DECEMBER 28, 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 payment to Border Vision in the amount of \$ 7,650.00 and authorize County Auditor to issue payment on same – Senate Bill 7 Plan (SEE EXHIBIT R)

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

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 28th 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 _____ 2002.