

SPECIAL MEETING – JANUARY 29, 2002

BE IT REMEMBERED, that on this 29th day of January, A.D., 2002, 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, JANUARY 29, 2002, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 of approval to accept all line items listed under the Consent Agenda, with the exception of 2-V, and 4-E.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers - 2001:**
 - A. PBX**
 - B. Purchasing Department**
 - C. District Attorney**
 - D. Youth Village**
 - E. J.P. Pct. #1, Pl. 1**
 - F. Insurance – Bldg.**
 - G. County Court #4**
 - H. 370th District Court**
 - I. J.P. Pct. #1, Pl. 2**
 - J. Pct. #3 – R & B**
 - K. Pct. #2 – Parks**
 - L. 275th District Court**
 - M. 398th District Court**
 - N. Tax Office**
 - O. County Clerk – Rec. Mgmt.**
 - P. Fire Marshal**
 - Q. Child Welfare**
 - R. Library System**
 - S. Extension Service**
 - T. Health Department**
 - U. Courthouse Parking Lot**
 - V. Constable Pct. #5** – On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a **UNANIMOUS** vote of approval, with corrections.
- 3. Line item transfers – 2001 (from salaries & fringes) to close out year:**
 - A. J.P. Pct. #5, Pl. 1**
 - B. District Attorney**
 - C. J.P. Pct. #4, Pl. 1**
 - D. Pct. #3 – Sanitation**
 - E. Public Defense**
 - F. County Court #4**

- G. Constable Pct. #3
- H. County Court #2
- I. 139th District Court
- J. 332nd District Court
- K. 370th District Court
- L. 92nd District Court
- M. J.P. Pct. #3, Pl. 2
- N. J.P. Pct. #2, Pl. 1
- O. J.P. Pct. #4, Pl. 2
- P. Bldg. – Minor Structures
- Q. Buildings & Grounds (2)
- R. 389th District Court
- S. Planning Department
- T. Tax Office
- U. Pct. #1 – Parks
- V. County Treasurer
- W. County Clerk
- X. DPS – Highway Patrol
- Y. Health Department – Adm.
- Z. District Clerk
- AA. Veterans Services
- BB. Planning Department
- CC. County Commissioners
- DD. Visiting Court
- EE. J.P. Support

4. Line item transfers – 2002:

- A. Constable Pct. #3
- B. Pct. #4 – Landfill
- C. Health – Environmental
- D. Health – Clinics

- E. Health – Adm. – On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, with corrections.

- F. Adult Probation
- G. Pct. #3 – Landfill
- H. Planning Department
- I. Constable Pct. #1
- J. Buildings & Grounds

5. Planning Department:

- A. Approval of the following Certificates:
 - Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)
 - Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)
 - Certificates of Water Service Availability under Local Government Code Section (c)(2)

6. County Treasurer:

- A. Hidalgo County Quarterly Investment Report for period ending 12/31/01

7. Tax Refunds:

- A. Rogelio Alvarez Jr. - \$ 1,596.28

8. Purchasing Department:

- A. HIDALGO COUNTY FIRE MARSHAL DEPT. -
 - 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 Commission Cooperative Purchase Program (GSC) state award with Nextel Partners, Inc. – One unit- Model Motorola i90 @ \$249.99 ea - Total \$249.99

One time activation fee - \$15.00
Shipping/Fee One Time Charge of - \$8.00
Free Incoming 1000 minutes plan - \$109.99
Government Discount - \$-10.99
Total Cost = \$382.98

B. HIDALGO COUNTY 398TH DISTRICT COURT -

- 1. Requesting authority to purchase computer hardware and peripherals from CDW Government, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers/Peripherals at \$3645.00 each = total of \$3645.00**

**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, JANUARY 29, 2002 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Roll Call

All members of the Court were counted present.

2. Pledge of Allegiance

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

3. Prayer

Gary Toothaker led the Court and Audience in Prayer.

4. Open Forum

Presentation made by Mayor Armando Mona.

5. Juvenile Justice Court:

A. Authorization to submit grant application for Juvenile Justice Court

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

B. Approval of 25% cash match

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

C. Approval of Resolution for Juvenile Justice Court

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

D. Review Juvenile Justice Accountability Project Grant Application for fourth year funding of Hidalgo County Juvenile Justice Court

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Garza is away from the court.

E. Approve Resolution for submission of Grant Application to the Office of the Governor for fourth year funding of Juvenile Justice Accountability Project

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Garza is away from the court.

F. Approval of Contract for fourth year funding of Hidalgo County Juvenile Justice Court

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval. Commissioner Garza is away from the court.

G. Request to set salary for Court Reporter

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, subject to funding. About \$55,000.00, amount not specific. Commissioner Garza is away from the court.

6. Juvenile Probation:

A. Request authorization to submit an application to Criminal Justice Division for a Juvenile Accountability Incentive Block Grant in the amount of \$ 99,842.00 with a local match of \$ 11,094.00 for a total budget of \$110,936.00

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

B. Request authorization to submit C.J.D. Juvenile Justice Alternative Grant application for 2003 FY funding - \$ 20,000.00 (no local match required)

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

7. Urban County:

A. Approval of By-Laws for the Urban County Community Development Advisory Council

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

B. Approval of CDBG Allocation for Year 2002

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

C. Naming of Representative and Alternates to the Urban County Advisory Council

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to appoint Commissioner Handy, and Commissioner Flores as Representatives, and Commissioner Palacios, and Commissioner Garza as their Alternates.

D. Approval of a Professional Service Contract with R.E. Garcia & Associates – City of La Villa – Water/Sewer Improvements – UCP Year 10 (1997), Year 11 (1998)

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

E. Approval of a Program Amendment – City of Edcouch – UC Year 13 & 14

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

F. Construction Contract Award with Garza Plumbing – 1999 EDAP Contract #719225 Sewer Connection for Colonia Angela, Los Castillos, Agua Dulce, Villa Verde, R.C. Babb, Cuellar and Llano Grande located in Pct. #1 and Weslaco ETJ

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval. Commissioners Garza, and Palacios (1st time) are away from the court.

Commissioner Garza joined the meeting.

G. Request for approval of one (1) applicant under the HOME Homeowner Occupied Housing Rehabilitation Program – City of Hidalgo

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

H. Approval of the HOME Budget Amendments for Year 1997, 1999, 2000 and 2001

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

I. Approval to increase the Grant from \$ 5,000 to \$ 7,000 under HOME – Homebuyer Assistance Program

NO ACTION taken on this item.

J. Approval to enter into a Contract for Homebuyer Education Classes through the UTPA Community Outreach Partnership Center under the Urban County Program – Homebuyer’s Assistance Program

NO ACTION taken on this item.

K. Approval to purchase “One (1) 2002 Ford Super Duty Diesel Crew Cab Chassis” through the Interlocal Agreement with Houston-Galveston Area Council (H-GAC) – City of Palmview – Fire Station/Equipment UCP Year 13 (2000)

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

L. Approval of a Professional Service Agreement with Quintanilla, Headley & Associates, Inc. – Pct. #4 – Street Improvement – UCP Year 14 (2001)

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

8. Tax Office:

A. Approval of New Car Dealer Sub-Station Contract between Burns Motors and Hidalgo County

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

9. Elections Department:

A. Approval for the County of Hidalgo to perform Election Services for the South Texas Independent School District – Texas Election Code Section 31.092 (a)

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

B. Approval of the written agreement between the County of Hidalgo for South Texas Independent School District Election, May 04, 2002 (Exhibit “B”)

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

10. County Judge:

A. Approval of Proclamation – “Groundhog Job Shadow Day”

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

11. Fire Marshal:

A. Yearly Report on Fire Marshal's Office & Rural Fire Calls

Presentation/report made.

B. Approval of Rural Emergency Services Contract with the following cities: Alamo, Donna, Edinburg, Elsa, La Joya, McAllen, Mission, Palmview & Monte Alto & Linn-San Manuel Fire Departments

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

12. Planning Department:

A. Preliminary Plat Approval:

1. Rio Bravo Ranch Subdivision Phase I – Pct. #4

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

Commissioner Palacios joined the meeting (2nd time).

13. Budget Officer:

A. Court of Appeals

1. Approval to unappropriate acct. #2-010-419-410.69 (judgments/damages) in the amount of \$ 28,000.00 and appropriate funds into acct. #2-010-412-490.12 (office equipment)

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

B. County Court #4:

1. Approval of line item transfer from Auditor's Acct. to County Court #4 - \$ 49.77 (to close out year)

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$49.77.

C. Constable Pct. #3:

1. Approval of line item transfer from Auditor's Acct. to Constable Pct. #3 - \$ 186.42 (to close out year)

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

D. Approval of budget amendment decreasing the Fire Marshal Account in the amount of \$ 74,586.00 and increasing the following accounts – 2001 budget:

- 1. General Litigation - \$ 18,586.00**
- 2. Autopsies - \$ 45,000.00**
- 3. Lunacy Trials - \$ 1,000.00**
- 4. Public Defense - \$ 10,000.00**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 13. D-1, thru 13. D-4.

E. Pct. #1:

- 1. Approval of budget amendment – 24,960.00 (Pct. 1 Bldg. Rental)**
- 2.**

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

F. CIP – Inner/Outer Loop:

1. **Approval to create line item #42 (engineering and architect)**
2. **Approval of line item transfer**

No ACTION taken on items F-1, and F-2.

14. Right of Way:

- A. Approval to rescind action taken on January 15, 2002 regarding the approval of the Interlocal Agreement between Hidalgo County and Irrigation District #1 for the Oxford Road Project**

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

- B. Approval of revised Interlocal Agreement with Irrigation District #1 and the County of Hidalgo**

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

Commissioner Palacios joined the meeting (1st time).

15. Pct. #1:

- A. Approval of revised Interlocal Agreement between Hidalgo and Cameron Counties for the Mile 3 East Road Construction**

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

16. Pct. #2:

- A. Approval of a personal services contract with Border Visions:**
1. **Development of County-Wide Parks Recovery Action Program (R.A.P.)**
 2. **Submittal of Grant Application for Pct. #2 to the National Park Service's (N.P.S.) Urban Park and Recreation Recovery Program (UPARR) for renovation of Charlie Curtis Park in McAllen**
 3. **Authorize Border Visions to facilitate monthly park meetings**

NO ACTION taken on items 16. A-1, thru 16. A-3.

- B. Appropriate salary and fringe benefits for Urban County Coordinator – Urban County will reimburse salaries paid for U/C Coordinator**

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

17. Pct. #3:

- A. Requesting approval of budget amendment in the amount of \$ 80,000.00 for Pct. #3 Landfill Acct. #2-010-432-430.82**

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

The Court went into Executive Session.

18. Pct. #4:

A. Request approval to create line items 21 & 26

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 of approval in the amount of \$40,600.00.

C. Approval to amend Pct. #4 2002 Park Budget

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

D. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$12,234.25.

E. Authorize County Auditor to process payment for Park Property for Pct. #4

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

19. Human Services:

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

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

Report made. NO ACTION taken on items 19. A-1, thru 19. A-3.

20. Purchasing Department:

A. HIDALGO COUNTY -

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

- a) Present Hidalgo County Jail-Total inmate population -----914**
- Physical Count ----567**
- Out of County Count**
- Brooks -----220**
- Frio County -----127**
- Other -----0**

2. Current inter-local(s)/contract(s) for the Housing of inmates

- a) Presentation for consideration, discussion and approval of the sole response received for the Placement, Housing, Detention and Supervision of Inmates Project for the purpose of Hidalgo County Commissioners Court ranking the vendor (L C S Corrections Services, Inc.) as qualified for award of the RFP; and, if applicable**

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

- b) Presentation for consideration, discussion and approval of a negotiated final draft with LCS Corrections Services, Inc. for the Placement, Housing, Detention and Supervision of Inmates for Hidalgo County in a facility located in Hidalgo County, Texas on An As Needed Basis; or, in the alternative,**

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

- c) **Authority for the Purchasing Department to continue negotiations to finalize a contract for the Placement, Housing, Detention and Supervision of Hidalgo County Inmates**

NO ACTION taken on this item.

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

- a) **Detention Facility Law Enforcement Center Design-Build Contract Amendments (if any)**
 b) **County Auditors 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 20. A 3-a, thru 20.A 3-c.

- d) **Presentation by TEDSI Infrastructure Group, project engineer, of the bids received for Off-Site Improvements to Serve the New Adult Detention Facility and Law Enforcement Center Project with recommendation as to the lowest bid meeting all specifications and requirements for award including any applicable Alternates.**

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

- e) **Requesting approval of a contract for Off-Site Improvements to Serve the New Adult Detention Facility and Law Enforcement Center Project to lowest bidder as awarded in Item (D) above and subject to review by legal counsel.**

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

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 Sales Agreement; and**
 b) **Electric Sales Agreement**
 c) **Proposed rate schedule(s)**

Presentation made. NO ACTION taken on items 4-a, thru 4-c.

5. Requesting authority to exercise the sixty (60) day grace period under current contract with Discount Oils Lubricants & Fuels, Inc. for Gasoline & On & Off Highway Diesel Fuel Products so as not to have a lapse in service & allow the bid process to be completed.

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

6. Requesting authority to advertise a Request for Proposal (RFP) for the acquisition of real property as a location (site) for a New Juvenile Detention Facility for Hidalgo County including, but not limited to the following requirements:

- a) **A minimum of twenty (20) acres**
 b) **Submit map showing location and size of nearest sewer and water line;**
 c) **Be located within a minimum of five (5) and maximum of seven (7) miles from the Hidalgo County Courthouse; and**
 d) **Should not be located near any residential areas.**

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

7. Recommending to reject all bids received for HVAC Repair Parts and Supplies-Hidalgo County.

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

8. Requesting authority to re-advertise and approval of modified specifications attached here to for HVAC-Equipment Repair Parts-Hidalgo County

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

B. HIDALGO COUNTY PRECINCT NO. 1 –

1. Recommending to reject all bids for LEASE OF OFFICE SPACE-CITY OF WESLACO due to modifications of specifications. Bid No: 02-74-02-20

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

2. Requesting authority to re-advertise for LEASE OF OFFICE SPACE CITY OF WESLACO Bid No: 02-74-02-20

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

3. Clarification on description of item (previously approved as One (1) New 2002 Front End Loader on 01/22/02 along with intentions of financing through current depository First National Bank) to be corrected to read as: One (1) New (Unused) Current Model Four (4) Wheel Rubber Tire Loader.

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

4. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024 (a) (4) for professional engineering services with TEDSI Infrastructure Group in connection with the Proposition 2 Colonia Road Improvements Project for Precinct No. 1.

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

5. Requesting approval of a professional engineering contract, subject to legal review, with TEDSI Infrastructure Group for Proposition 2 Colonia Road Improvements Project for Precinct No 1.

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

6. Requesting authority to extend for one additional year as provided under current contract for Mowing Services Rural Area Roads - Hidalgo County Precinct No. 1" with J. R. Construction.

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 rescission of the award to one vendor BFI, (approved November 6, 2001), and recommending award of bid to multiple vendors, a) BFI from 1 to 4 tons, b) C & T -from 5 to 8 tons in order to comply with bid specifications for Landfill Access.

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

2. Requesting approval of contracts to award multiple vendors, BFI and C & T for Landfill Access subject to legal review.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, subject to legal review and auditor receiving an Executed Contract.

3. **Presentation for discussion, consideration and approval of the sole response received in connection with of the Pre-Construction Lease of Office Space to a Non-Profit Organization-RFP in the Community Resource Center to be Constructed in Precinct #2 for the purpose of Commissioner Court ranking the response as qualified for award and continue with next phase of the proposal process;**

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

4. **Requesting authority for the Purchasing Department to proceed to negotiate a final draft contract for Pre-Construction Lease of Office Space to a Non-Profit Organization with Texas Migrant Council, Inc. in the Community Resource Center to be constructed in Precinct #2.**

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

5. **Requesting cancellation of the following bid projects (previously approved on 10/23/01) at the request of the Precinct. Bid Projects are as follows:**
 - a) **Bid No. 02-39-01-30-One (1) 2002 (Unused) for (4) Wheel Drive Rubber Tire Loader**
 - b) **Bid No. 02-40-01-30-One(1) New 2002 Four (4) Wheel Drive Rubber Tire Loader; and in the alternative.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to cancel items 5-a, and 5-b.

6. **Requesting authority to re-advertise with approval for the referenced equipment to be financed (after award of bid) in accordance with The Public Finance Act, Texas Local Government Code,' 271.000, etc., Seq., through First National Bank, Hidalgo County's current depository and in accordance with terms of the form of contract covering the purchase.**
 - a) **Bid No. 02-76-02-20 - One (1) New (Unused) Current Production Four (4) Wheel Rubber Tire Loader (23,300 Lb. Loader)**
 - b) **Bid No. 02-77-02-20 - One (1) New (Unused) Current Production Four (4) Wheel Rubber Tire Loader (16,000 Lb. Loader)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval for items 6-a, and 6-b.

D. HIDALGO COUNTY PRECINCT NO. 3 –

1. **Requesting authority and approval to declare surplus the real property located in Hidalgo County Precinct No. 3 with the legal descriptions attached hereto for the purpose of disposition.**

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

2. **Discussion and action on the method for the Sale or Lease or Real Property by Precinct No. 3 and approval to obtain an FMV (fair market value) appraisal (as statutorily required) for the following property described as:**

A 3.22 ACRE TRACT OF LAND BEING A PORTION OF THE FORMER SAN BENITO & RIO GRANDE VALLEY RAILROAD RIGHT-OF-WAY LYING WITHIN AND BETWEEN THE NORTH 1168.02' OF LOTS 56-6 AND 56-7, AND THE EAST 20.0' OF CLOSED COUNTY ROAD, WEST OF SAID RAILROAD RIGHT-OF-WAY, WEST ADDITION TO SHARYLAND, AS RECORDED IN VOLUME 6, PAGE 42, MAP RECORDS, HIDALGO COUNTY, TEXAS.

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

The following methods are available to the Court Sale or Lease of property under the Texas Local Government Code:

- i) **263.001 (a)(b)(c) - via Public Auction**
- ii) **263.007 (a) thru (f) - Sealed Bid Method**
- iii) **263.008 (a) thru (e) - Real Estate Broker Agreement and Fees for the Sale of Real Property.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Sealed Bid Method with means of exchange.

Commissioner Palacios is away from the court (2nd time).

3. **Requesting authority to advertise & approval of specifications as attached hereto for PENITAS LANDFILL (CELL-N) CONSTRUCTION SUPPLY AND INSTALLATION OF APPROXIMATELY 105,000 SQUARE FEET OF 60 MILE HIGH DENSITY POLYETHYLENE (HDPE) GEOMEMBRANE (90,500 SQUARE FEET SMOOTH AND 14,500 SQUARE FEET TEXTURED)**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, subject to appropriation (#13-c).

4. **Requesting approval for Change Order #1 in connection with the additional 1,322 L.F. of Bentsen Palm Drive in the amount of \$ 17,460.27 with Mission Paving.**

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

E. HIDALGO COUNTY PRECINCT No 4 -

1. **Requesting approval to advertise for:**
- a) **Paving of Hoehn Road from Monte Cristo Road to County Road (1 Mile)**
 - b) **Paving of Ingle Road from end of pavement to drain ditch**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve items E. 1-a, and E. 1-b.

2. **Requesting exemption from competitive bidding under the Texas Local Government Code 262.024(a) (4) for professional engineering services with Quintanilla, Headley & Associates in connection with the J.R. Milo Ponce Park Project of Precinct No. 4.**

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

3. **Requesting approval of a professional engineering services contract, subject to legal review, with Quintanilla, Headley & Associates for the AJ.R. Milo Ponce Park Project of Precinct No. 4.**

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

Commissioner Garza is away from the Court.

F. HIDALGO COUNTY-BUDGET OFFICER/PURCHASING:

1. **PBX-Telephone:**
- a) **Approval of budget amendment - \$14,691.92 to Account #1-010-419-600-82**

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

b) Approval of invoices and authority for County Auditor to process check in the amount of \$14,691.92 to CACC (Carolyn Arnold Communications Consultant) for the following contracts:	
i) Recovery of overcharges on both local and long distance billings; \$31,389.72 in credits received on various local and long distance telephone bills attached hereto at 30% commission =	\$9,419.62; and
ii) Local and long distance consulting contract 2nd invoice	<u>5,275.00</u>
Total	\$14,691.92 (Corrected)

NO ACTION taken on item F.1-b.

G. HIDALGO COUNTY SHERIFF'S DEPARTMENT -

1. Requesting authority to advertise for and approval of specifications as attached hereto for: Pharmaceuticals/Infirmary Medical Supplies

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

Commissioner Palacios is away from the court (3rd time).

21. Closed Session:

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

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**
- B. Personnel – Interim Buildings & Grounds Director**

NO ACTION taken on items 21. A, and 21. B.

Judge Pulido is away from the court.

22. Open Session:

A. Real Estate Acquisition

Parcel #5, located on Schuback Road, was appraised at \$113.00. Settlement offer is for \$2,500.00, including all damages to the property.

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

B. Personnel – Interim Buildings & Grounds Director

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to pay an additional \$1,200.00 a month for additional duties effective January 29, 2002, and will continue until a permanent Director is hired.

23. Closed Session:

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

NO ACTION taken on this item.

24. Open Session:

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

NO ACTION taken on this item.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting.

**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, JANUARY 29, 2002 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 Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve all items listed under the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Permit – City of McAllen**
- 3. Discharge Permit – City of Pharr**
- 4. Line item transfers – 2001**
- 5. Line item transfers – 2002**

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, JANUARY 29, 2002 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 Judge Pulido, and Commissioner Garza.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Change Order #2 for Pueblo Construction LLC, decrease of \$2,620.00 (Sunnybrook Drainage Imp. Project) (corrected)

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

4. Approval of Final Estimate for Pueblo Construction LLC, in the amount of \$ 23,421.00 (Sunnybrook Drainage Imp. Project)

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

5. Approval for Auditor to process check in the amount of \$ 23,421.00 to Pueblo Construction upon review and approval of final invoice

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

6. 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.

7. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

8. Closed Session:

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

NO ACTION taken on this item.

9. Open Session:

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

NO ACTION taken on this item.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting.

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 29th day of January, 2002

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.