

SPECIAL MEETING – MARCH 05, 2002

BE IT REMEMBERED, that on this 5th day of March, 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, MARCH 05, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve all items listed under the Consent Agenda, with the exception of item 6. D. 1 and 2.

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 6. D. 1 and 2, with an executed copy of the contract to the auditor.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. HIDTA – Task Force**
 - B. Pct. #1 – R & B**
 - C. Pct. #1 – Keep it Clean Grant**
 - D. Risk Management**
 - E. WIC**
 - F. County Auditor**
 - G. J.P. Pct. #1, Pl. 1**
 - H. J.P. Pct. #3, Pl. 2**
 - I. Constable Pct. #4**
 - J. Pct. #3 – CIP**
 - K. Pct. #3 – Park**
 - L. Pct. #4 – Paved/unpaved**
- 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. Urban County: (SEE EXHIBIT C)**
 - A. Request for approval to enter into a “Homebuyer Assistance Program” Contract under the HOME Program (5 families)**
- 5. Right of Way – Permits: (SEE EXHIBIT D)**
 - A. North Alamo Water Supply – Mile 11 North**
 - B. North Alamo Water Supply – Catherine Subdivision**
 - C. North Alamo Water Supply – Trenton & “I” Rd.**
 - D. Sharyland Water Supply Corporation – 6 mile Rd. & Bryan Rd.**
 - E. Sharyland Water Supply Corporation – 5 Mile Rd. & Mayberry Rd.**
 - F. Sharyland Water Supply Corporation – 4 Mile Rd. & Los Ebanos Rd.**

- G. Sharyland Water Supply Corporation – 7 Mile Rd. & La Homa Rd.
- H. Sharyland Water Supply Corporation – 7 Mile Rd. & La Homa Rd.
- I. Sharyland Water Supply Corporation – FM 1925 & Wallace Rd.
- J. Sharyland Water Supply Corporation – 5 Mile Rd. & Trosper Rd.
- K. Sampsom 2nd West – Seismicgraphic work, general area west Pct. #3

6. Purchasing Department: (SEE EXHIBIT E)

A. HIDALGO COUNTY PRECINCT #1 -

- 1. Requesting authority to purchase computer hardware and peripherals from Dell Marketing LP, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers/Peripherals = total \$1,492.00.

B. HIDALGO COUNTY COMPUTER DEPARTMENT -

- 1. Requesting authority to purchase computer Monitor 19" from Micro Warehouse, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computer Monitor 19" = total \$270.00.
- 2. Requesting authority to purchase Pump Pilot from Micro Warehouse, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (2) Pump Pilot \$525.00 ea. = total \$1,050.00.
- 3. Requesting authority to purchase computer printer from S.J.S. Computers, a QISV vendor through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Printer Oki ML 320 = total \$399.00.

C. HIDALGO COUNTY JUVENILE PROBATION DEPARTMENT -

- 1. Requesting authority to purchase computer hardware and peripherals from Dell Marketing LP, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers/Peripherals = total \$2,736.33.

D. HIDALGO COUNTY DISTRICT ATTORNEY -

- 1. Requesting approval of a maintenance agreement for a copier from for \$155.00 per year from Ikon. Effective December 12,2001 through December 24, 2002.
- 2. Requesting approval of a maintenance agreement for a copier for \$155.00 per year from Ikon. Effective December 24, 2001 through December 24, 2002.

E. HIDALGO COUNTY RISK MANAGEMENT -

- 1. Requesting acceptance and approval of a claim/invoices with authority for auditor to pay (after review, audit, and processing procedure completed) from Ambiotec Environmental, in the total amount of \$675.00 for the testing of material in the basement for asbestos done to Hidalgo County Election's Office on January 8, 2002. Due to the urgency and necessary of the situation no other quotes were sought.
- 2. Requesting acceptance and approval of a claim/invoices with authority for auditor to pay (after review, audit and processing procedure completed) from R.L. Abatement Inc., in the total amount of \$1,799.00 for the removal and disposal of contaminated material located in the basement of the Hidalgo County Election's Office. Due to the urgency and necessary of the situation no other quotes were sought.
- 3. Requesting acceptance and approval of a claim/invoices with authority for auditor to pay (after review, audit and processing procedure completed) from Texas Department of Health., in the total amount of \$50.00 for a request for emergency status that was given, #02N010811-01, for the contamination in the basement of the Hidalgo County Election's Office. Due to the urgency and necessary of the situation no other quotes were sought.

**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, MARCH 05, 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, with the exception of Commissioner Handy who arrived shortly after.

2. Pledge of Allegiance

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

3. Prayer

Renan Ramirez led the Court and Audience in Prayer.

4. Open Forum

Commissioner Garza commented on Tax Incentive Programs.

Commissioner Handy joined the meeting.

Teressa Navarro informed public of Early Voting.

At this point, the Court went to Executive Session.

5. Presentation by Workforce Solutions Business Center regarding on the job training for county employees (SEE EXHIBIT F)

Presentation made by Robert Pena. NO ACTION taken on this item.

6. Elections Department: (SEE EXHIBIT G)

A. Approval to amend the election charge of \$ 100 per machine per election period to include political subdivisions will:

1. be charged a fee for the transportation of the voting machines to and from the Elections Department Warehouse; **OR**
2. **must provide at their own cost, transportation of the voting machines to and from the Elections Department Warehouse**

On motion of Commissioner Garza, seconded by Judge Pulido, the Court made a UNANIMOUS vote to approve item A.1, with the County providing the transportation of voting machines.

At this point, the Court went to item 13. E.

7. Tax Office: (SEE EXHIBIT H)

A. Ministerial approval of appropriation in the Special Vehicle Inventory Fund

NO ACTION taken on this item.

B. Approval of Automobile Dealer Motor Vehicle Registration Bond for Burns Motors

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

8. **WIC: (SEE EXHIBIT I)**
 - A. **Amend WIC BF Acct. #2-160-441-772 by \$ 52,126.24**
 - B. **Create three (3) BF Peer Counselor positions and set salaries**
 - C. **Upgrade existing positions from part-time to full-time**

NO ACTION taken on item 8. A-C.

9. **DPS – License & Weight: (SEE EXHIBIT J)**
 - A. **Approval to reclassify secretary position to Administrative Technician II**

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

10. **Risk Management: (SEE EXHIBIT K)**
 - A. **Approval to pay claim of Jose Dominguez**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to pay in the amount of \$353.84.

- B. **Approval to pay claim of Claudia Cortazar**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to pay in the amount of \$778.85.

- C. **Authorization and approval to participate in Civil-to-Military Innovative Readiness Training Program (IRT) – Military Assistance Project for construction of three (3) Citizen Collection Stations in Pct. #3, sites to be in or near Sullivan City and Granjeno and on North Conway**

NO ACTION taken on this item.

11. **Urban County: (SEE EXHIBIT L)**
 - A. **Adoption of the Affirmative Fair Housing Marketing Plan for Hidalgo County**

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

- B. **Approval of a Professional Services Contract with Alcocer Garcia Associates Design Consulting – City of La Villa – Economic Development – UCP Yr. 14 (2001)**

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

- C. **Approval of a Construction with DCR Demolition & Utility – City of La Villa – Water/Sewer Improvements – UC Year 13 (2000)**

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

- D. **Approval of Amendment #1 for the Professional Services Contract with Hinojosa Engineering, Inc. – Hidalgo County Pct. #3 – Street Improvements – UC Year 14 (2001)**

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

E. Approval of a Budget & Program Amendment – Hidalgo County Pct. #3 – UC Year 14 (2001)

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

F. Approval of a Professional Services Contract with R.E. Garcia & Associates – City of La Villa – Water/Sewer Improvements – UCP Year 13 (2000)

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

G. Award of a Construction Contract to Mission Paving – Pct. #4 – Street Improvements – UCP Year 14 (2001)

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

12. Head Start: (SEE EXHIBIT M)

A. Requesting numerous pieces of miscellaneous material and supplies as listed on Exhibit “A” be declared surplus for auction

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

13. Budget Officer: (SEE EXHIBIT N)

A. J.P. Pct. #2, Pl. 1:

1. Request for a clerk position

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

2. Approval to set salary

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

3. Approval of budget amendment

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

Commissioner Garza is away from the Court.

B. Constable Pct. #3:

1. To appropriate year 2002 LEOSE funds in the amount of \$ 1,159.37

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, subject to change/corrections (year 2).

C. Constable Pct. #1:

1. To appropriate funds received from LEOSE in the amount of \$ 1,243.19

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

D. County Commissioners:

1. Approval of budget amendment - \$ 12,820.00 (dues/memberships)

Commissioner Garza joined the meeting.

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

E. Elections Department:

1. Approval of budget amendment - \$ 24,475.00

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

At this point, the Court went to item #7.

F. Pct. #1 – Parks:

1. Approval to appropriate funds from unreserved county wide park fund balance into Pct. #1 Parks

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

14. County Judge: (SEE EXHIBIT O)

A. Approval of “Lone Star Project” Participation – Texas National Guard

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

B. Authorization & approval to pay 2001 property taxes – purchase of property from Diamantina Puente

NO ACTION taken on this item.

C. Discussion regarding the participation from the county for a Reinvestment Zone in the City of Mission

NO ACTION taken on this item.

15. CIP – Courthouse Renovations: (SEE EXHIBIT P)

A. Approval to create line item 61 building repair & maintenance

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

B. Approval of line item transfer - \$ 24,968.00

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

16. HIDTA – Task Force: (SEE EXHIBIT Q)

A. Acceptance and approval of the Cooperative Agreement between Hidalgo County and the Executive Office of the President Grant Number I2PSSP573 in the amount of \$ 691,759.00 for the grant period of January 01, 2002 to December 31, 2002

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

B. Approval to appropriate the budget for the Hidalgo County HIDTA in the amount of \$ 653,321.00

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

C. Set salary (no pay increase and no county funds will be used)

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

D. Approval to appropriate the budget for the Hidalgo County Sheriff's Department – HIDTA in the amount of \$ 38,438.00

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

E. Set salary (no pay increase and no county funds will be used)

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

17. Planning Department: (SEE EXHIBIT R)

A. Preliminary Approval:

1. La Sombra Del Mesquite Subdivision – Pct. #3

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

B. Final Approval with Letter of Credit:

1. South Victoria Estates Subdivision – Pct. #1

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

C. Release of letter of credit:

1. Seminole Valley No. 3 – Pct. #4

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

D. Variance Request:

1. Mario Cerda, Lot 23, Blk. 2 – La Suena Subdivision

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

18. Pct. #1: (SEE EXHIBIT S)

A. Request approval to dedicate and name a road as per petition

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to name road as Prolongacion Gonzalez.

19. Pct. #2: (SEE EXHIBIT T)

A. Approval to appropriate \$ 260,000.00 from unreserved fund balance into Pct. #2 R & B Acct.

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

20. Pct. #3: (SEE EXHIBIT U)

A. Requesting authorization to create three (3) temporary Maintenance I positions for the Landfill for a period of six months

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

B. Requesting approval to set salary

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

C. Requesting budget amendment

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

D. Requesting authorization to transfer Pct. #3 CIP Park Equipment Funds #2-701-452-232.95 to Pct. #3 CIP Road & Bridge Equipment Acct. #2-701-431-232.95

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

E. Requesting authorization to appropriate Pct. #3 unreserved fund balance into 2002 Road & Bridge operating budget

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

F. Requesting authorization to create two (2) truck driver I positions for Pct. #3 Road & Bridge Department

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

G. Requesting approval to set salaries

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

Commissioner Palacios is away from the Court.

21. Pct. #4: (SEE EXHIBIT V)

A. Request authorization to rename two streets in the San Carlos Community as follows:

From	To	Located
3rd Street	83rd Street	N & S of Hwy. 107
Hendrix Circle	83.5 Street	Runs S. of Hwy. 107
4th Street	84th Street	N & S of Hwy. 107
5th Street	85th Street	N & S of Hwy. 107
6th Street	86th Street	N & S of Hwy. 107
7th Street	87th Street	Runs N. of Hwy. 107

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

22. Human Services: (NO EXHIBITS)

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. NO ACTION taken on this item.

23. Purchasing Department: (SEE EXHIBIT W)

A. HIDALGO COUNTY -

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

a)	Present Hidalgo County Jail-Total inmate population	912
	• Physical Count	540
	• Out of County Count	
	La Villa Facility (LCS)	157
	Brooks	215
	Frio County	0
	Other	0

2. Current inter-local(s) and/or contract(s) for the “Housing of Inmates”;

Nothing to report. NO ACTION taken on this item.

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

Commissioner Palacios joined the meeting.

a) Detention Facility Law Enforcement Center Design-Build Contracts Amendments (if any);

Nothing to report. NO ACTION taken on this item.

b) Requesting acceptance and approval of “Certificate of Substantial Completion” for a portion thereof, New Law Enforcement Center, effective Wednesday, March 6, 2002.

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

c) Requesting acceptance and approval with authority for Auditor to process payment (after review, audit and processing procedures completed) of an invoice totaling \$315.75, submitted by Raba Kistner Consultants, Inc., Materials Testing Contractors, and as certified for payment by V-A Architecture in connection with construction materials testing for the “Jail Project”.

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

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

e) Report and Recommendations of Owner’s Consulting Architect:

Nothing to report. NO ACTION taken on items 23.A. 3. d & e.

f) County Auditor’s Report Detention Facility Law Enforcement Center Project paid and pending payment request approval;

g) Report and Recommendations of Owner’s Consulting Architect:

Items 23.A. 3. f & g are duplicates of d & e. NO ACTION taken on items.

4. Requesting approval to direct Estrada Hincosa & Company, Inc. (financial advisors), as provided under the current contract Article 3, Section 16, to seek the services of a firm to determine all the computations concerning arbitrage for bond proceeds.

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

5. Requesting acceptance and approval with authority for Auditor to process payment (after review, audit, and processing procedures completed) of two (2) invoices totaling \$2,881.12 submitted by TEDSI Infrastructure Group in connection with traffic engineering services.

On motion of Commissioner Flores, seconded by Commissioner Palacios, 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. 13 from Rio Valley Construction for Hidalgo County Health Clinic No. 7 in the amount of \$ 92,851.53**

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

7. **Requesting authorization and approval of additional service to the Letter of Engagement with Burton McCumber & Cortez, L.L.P.**

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

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting approval of Change Order No. 1 in connection with "Street Improvements-Capital Improvements Project-Midway Rd., Mile 9 ½ North Rd., Charles Green Rd., & Olivarez Dr." in the amount of \$20,858.00 with Sascon, Inc.**

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

C. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Presentation for discussion, consideration, acceptance and approval (if applicable) the final negotiated rental lease agreement with Texas Migrant Council, Inc. for the "Pre-Construction Lease of Office Space to a Non-Profit Organization" in the Community Resource Center in Precinct No. 2.**

Presentation made. NO ACTION taken on this item.

2. **Requesting acceptance and approval with authority for Auditor to process payment (after review, audit, and processing procedures completed) of three (3) invoices totaling \$20,605.85, submitted by V-A Architecture in connection with architectural fees for the New Community Resource Center.**

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

D. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Requesting approval to reject all bids received for: "Hauling Services (Crushed Caliche)".**

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

2. **Requesting authority to re-advertise for: "Hauling Services (Crushed Caliche)".**

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

3. **Recommending bid award for "Construction, Supply & Installation of approximately 105,000 square feet of 60 mil high density polyethylene (HDPE) geomembrane liner (90,500 square feet smooth and 14,500 square feet of textured) for Peñitas Landfill Cells L-N" to low bidder meeting all specifications.**

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

4. **Requesting approval of contract for "Construction, Supply, and Installation of approximately 105,000 square feet of 60 mil high density polyethylene (HPDE) geomembrane liner (90,500 square feet smooth and 14,500 square feet of texture) for Peñitas Landfill Cells L-N" to low bidder meeting all specifications.**

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

E. HIDALGO COUNTY PRECINCT NO. 4 -

- 1. Recommending bid award for: Street Improvements - (Hoehn Road from Monte Cristo Road to County Road) and (Ingle Road form the End of Pavement East to Drain Ditch) to lowest bidder meeting all specifications.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve Mission Paving.

- 2. Requesting approval of contract for: Street Improvements - (Hoehn Road from Monte Cristo Road to County Road) and (Ingle Road form the End of Pavement East to Drain Ditch) to low bidder meeting all specifications.**

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

- 3. Requesting acceptance and approval of a claim/invoices with authority for auditor to pay (after review, audit, and processing procedure completed) from Cactus Iron Works, in the total amount of \$11,496.35 for the “corrosion” repairs done to a Low-Boy Trailer.**

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

- 4. Recommending bid award for “Dirt Moving Services-Carmen V. Avila Elementary School” to bidder meeting all specifications.**

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

- 5. Requesting approval of contract for “Dirt Moving Services-Carmen V. Avila Elementary School” bidder meeting all specifications.**

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

F. HIDALGO COUNTY WIC PROGRAM -

- 1. Requesting approval of the “Ratification and Amendment of Lease Agreement with Bell’s Inc. to reflect the appropriate legal entity, GBB Rentals, LP.”**

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

- 2. Requesting approval to exercise the one (1) year option to extend lease (as provided by contract) with GBB Rental, LP for Hidalgo County WIC Program.**

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

At this point, the Court took up the Addendum.

24. Closed Session: (SEE EXHIBIT Y)

1. On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to go into Executive Session for items F & G only.
2. On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to go into Executive Session for items A-E, H, and I.

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. Cause No. T-011-97-D; Mission Consolidated Independent School District and City of Mission vs. Joseph Thomas, Christopher Michael Campos and Lee Campos**
- C. Civil No. M-01-192; La Joya Real Estate & Development Inc. vs. Hidalgo County**
- D. Jose Luis Pena vs. Dawn Miller, et al**
- E. 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management**
- F. M-01-104; Patrick Daniel Francis vs. Hidalgo County, et al**
- G. Cause No. 99-327; Daniel Cabrera vs. City of Sebastian Municipal Utility District**
- H. Geno Montes vs. Hidalgo County**
- I. Potential Litigation**

1. NO ACTION taken on items F & G. The Court then went back to item #5 on the Regular Agenda.
2. NO ACTION taken on items A-E, H, and I. Judge Pulido is away from the Court.

25. Open Session:

A. Real Estate Acquisition

Marty Salazar was instructed to proceed as directed by the Court.

B. Cause No. T-011-97-D; Mission Consolidated Independent School District and City of Mission vs. Joseph Thomas, Christopher Michael Campos and Lee Campos

NO ACTION taken on this item.

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

Proceed as directed by the Court.

D. Jose Luis Pena vs. Dawn Miller, et al

Valde Guerra will proceed as directed by the Court.

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

Commissioner Garza will proceed as directed by the Court.

F. M-01-104; Patrick Daniel Francis vs. Hidalgo County, et al

G. Cause No. 99-327; Daniel Cabrera vs. City of Sebastian Municipal Utility District

Rex Leach will proceed as directed by the Court for items F&G.

H. Geno Montes vs. Hidalgo County

Atlas and Hall will proceed as directed by the Court.

I. Potential Litigation

Nothing to report. NO ACTION taken on this item.

26. Closed Session:

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

NO ACTION taken on this item.

27. 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 Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adjourn.

COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, MARCH 05, 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:

ADDENDUM

(SEE EXHIBIT X)

1. Purchasing Department:

- A. **An order authorizing issuance of \$ 332,998.00 County of Hidalgo Personal Property Note, Series 2002-A; prescribing the terms and form thereof; levying a continuing direct annual ad valorem tax for the payment of said note; approving the sale and delivery of the note; and making other provisions regarding such note and matters incident thereto (CORRECTED)**

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

At this point, the Court went to Executive Session.

**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, MARCH 05, 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
(SEE EXHIBIT Z)**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve all items listed under the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Permits – City of Mission – Woodcrest Estates 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, MARCH 05, 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
(SEE EXHIBIT AA)**

1. Roll Call

All Members of the Court were counted present, with the exception of Judge Pulido.

2. Open Forum

No presentations made under Open Forum.

3. Purchasing Department:

A. Pursuant to Texas Water Code, Title 4 (General Law Districts), Chapter 49, Section 226 (Sale or Exchange of Surplus Land or Personal Property), requesting consideration, discussion, and approval of, but no limited to the following:

- 1. Declaration and approval of a "Finding of Surplus" by the "Board" of Hidalgo County Drainage District No. 1 for the property described as "A tract of land being a portion of a 40.0 foot strip of land conveyed to San Benito Rio Grande Valley Railroad right of way (recorded in Volume 435, Page 626, Deed Records) out of the South 660.0 feet of Lot 46-6, West Addition to Sharyland Subdivision, Hidalgo County, Texas, according to the map of plant thereof recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas and being more particularly described by metes and bounds by the attachment hereto.**

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

- 2. Requesting approval of an "Order" by the "Board" authorizing the disposition of the surplus property described above by;**
 - i) private or public sale;**
 - ii) exchange for other land, interest in land or personal property needed by the district**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 2.i. as private or public scale.

- 3. Requesting authority to obtain a "fair market value" appraisal as required by the "code"**

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

4. 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 items 4. A & B.

5. Open Session:

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

NO ACTION taken on items 5. A & B.

6. Closed Session:

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

NO ACTION taken on this item.

7. Open Session:

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

NO ACTION taken on this item.

On motion of Commissioner Palacios, seconded by Commissioner Flores, 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 5th day of March, 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.