

SPECIAL MEETING – MARCH 19, 2002

BE IT REMEMBERED, that on this 19th 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:

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|----------------------------------|------------------------------|
| 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 19, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 2-M, and 6-A&B.

1. **Approval of check register and payment of claims and bills - County Auditor**
2. **Line item transfers:**
 - A. **Adult Probation**
 - B. **Pct. #1 – Landfill**
 - C. **J.P. Pct. #3, Pl. 1**
 - D. **Human Resources**
 - E. **Buildings & Grounds**
 - F. **Health – Clinics**
 - G. **Health – Mobile Clinic**
 - H. **Fire Marshal**
 - I. **Master Court #1**
 - J. **Risk Management**
 - K. **J.P. Pct. #4, Pl. 1**
 - L. **Colonia Access Program**
 - M. **J.P. Pct. #3, Pl. 2** – On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, with corrections.
 - N. **District Attorney – Inv. Fund**
 - O. **13th Court of Appeals**
 - P. **Planning Department**
 - Q. **WIC**
 - R. **Sheriff Department**
3. **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)**
4. **Right of Way – Permits:**
 - A. **Samson Lonestar – Moorefield Rd. & FM 490**
 - B. **Southwestern Bell – Western Rd. north of FM 2221**
 - C. **Valley Telephone Cooperative – along Mile 16 ½**
 - D. **Southwestern Bell – south of FM 2221**

- E. North Alamo Water Supply – north of SH 107 on Sun Flower Rd.
- F. North Alamo Water Supply – Hern Subdivision lot 5 – Harvey Bessert
- G. North Alamo Water Supply – west of San Gabriel Street on Eldora Rd.
- H. Shell Western E & P – FM 490 & FM 681

5. Urban County:

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

6. Purchasing Department:

A. HIDALGO COUNTY (Court House Security)

- 1. Requesting approval of a maintenance agreement with Perkin Elmer for the security x-ray screening system for \$6,217.00 per year. Effective April 1, 2002 through March 31, 2003.

B. HIDALGO COUNTY ADULT PROBATION DEPARTMENT -

- 1. Requesting approval of a maintenance agreement with Ikon for a fax machine for \$350.00 per year. Effective February 26, 2002 through February 25, 2003.

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve items 6.A&B, with a copy of the contract to the Auditor.

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

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1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

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

3. Prayer

Raudel Garza led the Court and Audience in Prayer.

4. Open Forum

Presentation made by Commissioner Garza, Coach Gonzalez, and students from Economedes High School.

5. Constable Pct. #3: (SEE EXHIBIT F)

A. Requesting authorization to submit TNRCC Application for FY 2002-2003 Solid Waste Grant Program (Law Enforcement)

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

6. Juvenile Justice Court: (SEE EXHIBIT G)

A. Approval of grant budget 2002-2003

NO ACTION taken on this item.

B. Approval of Resolution 2002-2003 project year

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

7. Elections Department: (SEE EXHIBIT H)

A. Approval of Early Voting Locations (substations) for the April 09, 2002 Primary Runoff

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

B. Approval of Early Voting Schedule (times and date) for the April 09, 2002 Primary Runoff

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

8. Budget Officer: (SEE EXHIBIT I)

A. J.P. Pct. #3, Pl. 2:

1. Approval to create new clerk position

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

2. Approval of budget amendment - \$ 21,147.20

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

3. Approval to set salary

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

B. J.P. Pct. #4, Pl. 2:

1. Approval of budget amendment - \$ 1,764.00 – copier rental

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

9. Urban County: (SEE EXHIBIT J)

A. Approval of budget amendment decreasing Acct. #2-010-463-000 and increasing Acct. #2-010-463-210 - \$8,000.00

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

B. Cancellation of Construction Contract with Valley Utilities Company, Inc. and City of Donna Urban County Program Year 12 (1999) & Year 13 (2000)

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

C. Resolution – Office of Rural Community Affairs (ORCA) 1999 Colonia EDAP Grant No. 719195

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

D. Approval of a Professional Services Contract with Hinojosa Engineering, Inc. – Hidalgo County Pct. #3 – Street Improvements – UCP Year 14 (2001)

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

E. Award of a Construction Contract to S & G Paving – City of Progreso – Street Improvements – UCP Year 14 (2001)

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

F. Award of a Construction Contract to Sascon, Inc. – City of Progreso – Street Improvements – UCP Year 14 (2001)

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

10. County Judge: (SEE EXHIBIT K)

A. Approval of final invoice submitted by John R. Moore, Attorney at Law in connection with representation of Hidalgo County

NO ACTION taken on this item.

B. Consider entering into an Agreement between the City of Mission, Texas; Hidalgo County; and Reinvestment Zone Number One, City of Mission, Texas allowing for the County to participate in the Reinvestment Zone

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

C. Discussion and/or action regarding the “Response to 1999 Monitoring Review Hidalgo County HOME Program”

NO ACTION taken on this item.

11. Right of Way: (SEE EXHIBIT L)

A. Ratification and approval of assignments of various permits

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

12. Risk Management: (SEE EXHIBIT M)

A. Approval to pay claim of Valeria Aranjon

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$364.36.

B. Approval to pay claim of Juan Leal, Jr.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$417.00.

C. Approval to pay claim of Hector Hernandez

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$1,000.00.

13. Pct. #1: (SEE EXHIBIT N)

A. Authorization to proceed on Countywide Right of Way Assessment and Funding Search

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

14. Pct. #4: (SEE EXHIBIT O)

A. Request authorization to accept cost-share funds from the following projects: Wisconsin Rd. & Terry Rd.

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

15. Planning Department: (SEE EXHIBIT P)

A. Variance Request:

1. Teodulo & Silvia Viera, Lot 12, South Point Subdivision Phase II – Pct. #1

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

16. Human Services: (SEE EXHIBIT Q)

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.

17. Purchasing Department: (SEE EXHIBIT R)

A. HIDALGO COUNTY -

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

- a) Present Hidalgo County Jail-Total inmate population -----923**
 - Physical Count -----559**
 - Out of County Count**
 - La Villa Facility (LCS) ----167**
 - Brooks -----197**
 - 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.

Commissioner Garza is away from the court.

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

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

Nothing to report. NO ACTION taken on this item.

- b) Requesting acceptance, approval, and authority for Auditor to process payment (after review, audit, and processing C procedures completed) of two (2) invoices (\$2,887.50 & \$837.50) totaling \$3,725.00, submitted by TEDSI Infrastructure Group Inc., Contractors for Off-Site Improvements, and as certified for payment by V-A Architecture in connection with Off-Site Improvements for the "Jail Project".**

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

Commissioner Garza joined the meeting.

- c) Requesting acceptance and approval with authority for Auditor to process payment (after review, audit and processing C procedures completed) of Request for Payment No. 5 in the amount of \$17,598.24, submitted by Reynaldo Vargas, AIA, Principal, V-A Architecture, for services rendered as Consulting Architect for the "Jail Project".**

NO ACTION taken on this item.

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

Nothing to report. NO ACTION taken on this item.

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

Nothing to report. NO ACTION taken on this item.

4. **Recommending award of bid to low bidder meeting all specifications for "Twenty-Eight (28) - 30 Cubic Yard Solid Waste Containers.**

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

5. **Recommending award of bid for "Humane Services for facility to quarantine and impound dogs, cats, or other small animals in unincorporated/rural areas" to sole bidder meeting all requirements and specifications.**

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

Commissioner Palacios is away from the court.

6. **Requesting approval of contract for: "Humane services for facility to quarantine and impound dogs, cats, or other small animals in unincorporated/rural areas" to sole bidder meeting all requirements and specifications.**

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

7. **Requesting correction of bid award for "Janitorial Supplies" approved on 02/26/02-C.C. meeting to correct low bidder meeting all specifications in each category or/janitorial products as follows:**

- i) **Page 3 - Product No. 9 Gulf Coast Paper Company (see corrected bid tab)**
- ii) **Page 4 - Product No. 10 & 11: Gulf Coast Paper Company (see corrected bid tab)**
- iii) **Page 5 - Product No. 14: Villaco**
- iv) **Page 17 - Product No. 49: Gulf Coast Paper Company (see corrected bid tab)**
- v) **Page 25 - Product No. 73: Blue Star Chemical Company (see corrected bid tab)**

NO ACTION taken on this item.

8. **Recommending bid award for "Hidalgo County Crushed" to multiple vendors.**

NO ACTION taken on this item.

9. **Requesting approval of contract for "Hidalgo County Crushed Caliche" to multiple vendors.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting approval of an increase to Purchase Order No. 352268 for the above referenced project reflecting a price adjustment of \$550.00 due to discontinuation of color on the brush body by manufacturing company. Project previously approved on October 30, 2001. (Subject to Precinct No. 1 requesting appropriation of note proceeds for the increased amount).**

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

2. **Requesting approval of change order No. 1 in connection with “CIP Group 1 Road Paving Improvements Project” in the amount of \$40,721.75 with S & G Paving Company, Inc.**

NO ACTION taken on this item.

C. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Requesting authority to advertise for the following two projects:**
 - i) **“Paving of Sunny Brooks Subdivision”**
 - ii) **“Overlay and paving of Country View Subdivision”**

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

D. HIDALGO COUNTY BUILDINGS AND GROUNDS -

1. **Requesting authority to award bid to the lowest bidder, meeting all specifications for: “HVAC Equipment Repair Parts - Hidalgo County”.**

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

2. **Request approval of a contract to the awarded bidder.**

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

E. HIDALGO COUNTY CLERK’S OFFICE -

1. **Requesting authority to award bid to the lowest bidder, meeting all specifications for: “The Imaging, Scanning, and Computerization of Marriage Books Records.” (Correction)**

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

F. HIDALGO COUNTY HIDTA TASK FORCE -

1. **Requesting approval to exercise the one (1) additional year extension (as provided in Article 1.2 of the current contract) with Bil-Sonic Trading Company, Inc. for the leasing of office space.**

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

Commissioner Palacios joined the meeting.

18. Closed Session: (SEE EXHIBIT S)

On motion of Commissioner Garza, 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 551.071 & 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 18. A&B.

19. Open Session:

- A. Real Estate Acquisition**

NO ACTION taken on this item.

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

Godfrey Garza will proceed as directed by the Court.

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.

On motion of Commissioner Garza, seconded by Commissioner Handy, 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 Drainage District #1 Board of Directors will be held on TUESDAY, MARCH 19, 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 T)

On motion of Commissioner Garza, seconded by Commissioner Handy, 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. Discharge permit:**
 - A. City of Edinburg – Lake James Subdivision**
 - B. City of Edinburg – Paisano Trails**
 - C. Utility Line Permits – HCDD #1 Ditches**
 - D. La Joya Water Supply Corporation:**
 - **Perezville Dr. Lateral DS-2-3 (Green Rd.)**
 - **Perezville Dr. Lateral DS-2-1 (Green Rd.)**
 - **Schuerbach Rd.**
 - **F.M. 2062**
 - **Inspiration Rd.**

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

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**DRAINAGE DISTRICT
(SEE EXHIBIT U)**

1. Roll Call

All Members of the Court were counted present, with the exception of Commissioners Palacios, and Flores. Commissioner Palacios arrived shortly after the commencement of Drainage District Meeting.

2. Open Forum

NO ACTION taken on this item.

3. Approval of Interlocal Cooperation Agreement between the Hidalgo County Drainage District No. 1 and the County of Hidalgo – Nuevo Alton Ditch Expansion

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

Commissioner Palacios joined the meeting.

4. Approval of amendment to Interlocal Cooperation Agreement between the City of Mission and HCDD #1 – South Shary Rd. Bridge

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

5. Approval of Monthly Estimate in the amount of \$ 17,291.39 for D. Reyna Construction (18B – Home Depot Project)

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

6. Purchasing Department:

- A. Clarification of award approved in Drainage District #1 Board of Directors Meeting on Tuesday, March 11, 2002. Rescinding award to Roy's Hauling to reflect single award to sole bidder meeting all specifications. (Triple R Trucking)**

NO ACTION taken on this item.

7. 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 7.A&B.

8. Open Session:

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

NO ACTION taken on items 8.A&B.

9. Closed Session:

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

NO ACTION taken on this item.

10. 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 Garza, seconded by Commissioner Handy, 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 19th 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.