

REGULAR MEETING – SEPTEMBER 17, 2002

BE IT REMEMBERED, that on this 17th day of Sept., A.D., 2002, there was begun and held a REGULAR 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 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
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 17, 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 Flores.

2. Pledge of Allegiance

At this point, Judge Pulido called on Yolanda Chapa to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Yolanda Chapa led the Court and Audience in Prayer.

4. Open Forum

Godfrey Garza made a report on the recent rains for Hidalgo County.

5. Tax Office: (SEE EXHIBIT G)

A. Public Hearing on tax increase – Hidalgo County 2002 proposed tax rate

Armando Barrera made a presentation on the proposed tax rate.

Judge J. E. Pulido opened the Public Hearing.

The following members made a presentation under the Public Hearing:

1. Eva Jean Radle
2. Tom Snider
3. Gustavo Chapa
4. Rene de la Cruz
5. Joe B. Evins/Former District Judge
6. Walter Reyna-McAllen
7. Hermin Olivarez-Edinburg
8. Carmen Cuellar-Edinburg
9. Victor Saenz

For the Record as per Judge Pulido: *I am no longer the Budget Officer. This budget that has been submitted, did not come from the County Judge's Office, but what I will do, is I will scrutinize that budget, and I am going to make my recommendation to this Commissioners' Court, and I'll tell you what. We're all gonna do what is right, and make sure that we're able to provide the services that everyone in this County deserves. We appreciate you all being here, because this means a lot.*

10. Fern McClaugherty-Edinburg
11. Hugh Hawkins-McAllen
12. Captain Joe Jackson-Sheriff's Department
13. Wanda Donika
14. Henry Marina
15. Imelda Garza

For the Record as per Commissioner Palacios: *I just want to make sure, I made a comment earlier that I was born here, and not right here, but in Texas, Hidalgo County, in Pharr. Ever since, and I'm considered to be a U. S. citizen myself, I'm almost thirty-five, and um, I never thought about myself as being anything other than an American, a U.S. citizen, a native of Hidalgo County.*

For the Record as per Judge Pulido: *"For a rollback election, and just to let you all know, conservatively about \$225,000.00 so, that'll also come from the General Fund, I believe.*

- 16. Mr. Radle
- 17. Martha Ellison
- 18. Frank Prado
- 19. Ken Playbon

Judge J. E. Pulido Closed the Public Hearing

B. Set date, time & place for meeting to adopt Hidalgo County 2002 tax rate

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

At this point, Judge Pulido recessed the meeting until 1:15 p.m.

Upon return from recess, Commissioner Handy continued with the court proceedings. Judge Pulido is away from the Court.

At this point, the Court proceeded into Executive Session.

6. Juvenile Justice Court: (SEE EXHIBIT H)

A. Approval to accept grant in the amount of \$ 78,980.00

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

B. Request General Fund Cash Match in the amount of \$ 116,310.00

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

C. Appropriate budget in the amount of \$ 195,290.00 (40% State Grant/ 60% General Fund)

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

D. Set salaries

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

7. HIDTA – Task Force: (SEE EXHIBIT I)

A. Approval to deobligate the Cooperative Agreement between Hidalgo County Sheriff's Department and the Executive Office of the President Grant Number I2PSSP573 in the amount of \$ 33,334.19 for the grant period of January 01, 2002 to December 31, 2002

NO ACTION taken on this item.

8. County Auditor: (SEE EXHIBIT J)**A. Acceptance of 2002 CIP Funds - \$ 21,373,742.70**

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

B. Approval of budget amendment for Series 2002 CIP Accounts - \$ 16,373,742.70

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

C. Approval of budget amendment to reimburse \$ 86,863.00 to Road & Bridge Pct. #3 from Constable Pct. #3 – CIP 2002 monies

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

D. Approval of budget amendment to reimburse \$ 500,000.00 to Road & Bridge Pct. #2 from Road & Bridge Pct. #1 – CIP 2002 monies

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

9. Head Start: (SEE EXHIBIT K)**A. Recommending approval to pay Certificate No. 7 in the amount of \$ 46,455.00 to All-Pro Contractors, Inc. in connection with the Faysville (Edinburg V) Head Start Center**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve in the corrected amount of \$42,955.00.

10. Sheriff Department: (SEE EXHIBIT L)**A. Discussion and approval of number of staff for New Adult Detention Facility**

For the Record as per Steve Crain: Can you state, are you approving all the positions he's...

Commissioner Handy: *Let me read the classifications. It says Captain, one position at \$42,025.71; Sergeant, five positions at \$27,312.43; custodians, two, the salary \$15,660.00; LVN's, seven at \$34,056.06; Secretary II, four, \$18,686.45; Maintenance Technicians, three, at \$22,263.21; and ten Detention Officers at \$22,866.10, for a total of 32 (employees).*

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve 32 new staff members, subject to funding.

B. Approval to appropriate \$ 17,133.55 in the Sheriff's Investigation Fund 102

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

C. Approval to create obj. code 121 (extra help) in Acct. #2-1100-423-21-280-002-0

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

D. Approval of line item transfer

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$16,179.52.

E. Approval to accept the awarding of an additional investigator position in the Combined Governmental Drug Enforcement and Special Crimes Task Force Grant with the City of McAllen (grant period June 01, 2002 to May 31, 2003)

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

F. Approval to appropriate budget amendment for \$ 38,785.00 (prorated amounts)

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

G. Approval to set salary @ \$ 31,582.50

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

11. Urban County: (SEE EXHIBIT M)

A. City of La Joya – Fire Station/Equipment – Year 10 (1997), Year 13 (2000) & Year 14 (2001), Approval of Construction Contract for Asago Construction, LLC

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

B. Adoption of funding approval and Grant Agreements for 2002 CDBG, HOME and ESG Programs

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

12. Planning Department: (SEE EXHIBIT N)

A. Variance Request for Setback Encroachment:

1. Agustin Hernandez, Jr. Lot 56 North Bryan Estates Subdivision

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

13. Budget Officer: (SEE EXHIBIT O)

A. Approval of budget amendments:

1. **Public Defense - \$ 272,096.13 (attorney's fees)**
2. **Jail - \$ 700,000.00 (room/board prisoners)**
3. **General Litigation - \$ 121,649.31 (legal services & other prof. serv.)**
4. **General Govt. Bldg. - \$ 175,682.27 (electricity)**
5. **Juvenile Detention - \$ 17,548.72 (electricity)**
6. **Pct. #4 – Landfill - \$ 45,990.04 (contractual services)**
7. **Insurance – \$ 47,958.43 (judgments/damages)**
8. **Rural Fire Calls - \$ 274,210.00 (fire calls) – On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, with corrections in the amount of \$186,130.00.**
9. **CC #2 – \$ 3,849.12 (salaries/fringes)**
10. **CC #3 – \$ 3,849.12 (salaries/fringes)**
11. **CC #4 – \$ 3,849.12 (salaries/fringes)**
12. **Adult Probation - \$ 5,323.00 (bldg. repair)**
13. **Jail Project - \$ 22,500.00 (mach./equip.) – On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, with corrections.**

14. Jail Project - \$ 72.12 (training facility – legal services)**15. Jail Project - \$ 180.88 (motor pool – legal services)**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve items 13.A.1-15, excluding #8 and #13.

B. Juvenile Justice Center:**1. Approval to create obj. #333 (legal services) in Acct. #2-1331-423-32-330-033-0**

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

2. Approval of line item transfer - \$ 1,892.50

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

C. Public Defense:**1. Approval of auto allowance in the amount of \$ 5,400.00 for slot #1****2. Approval of budget amendment - \$ 2,301.40**

NO ACTION taken on item 13.C. 1 & 2.

D. J.P. Pct. #1, Pl. 2:**1. Approval of budget amendment - \$ 3,000.00**

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

14. Pct. #1: (SEE EXHIBIT P)**A. Requesting authority to appropriate funds in the CIP 2001 Fund Acct. #2-1331-431-00-121-017-0-748 (mach./equip) for \$ 26,700.00**

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

B. Request approval of payment application no. 1 to Border Contractors, Inc. for the Monte Alto Drainage Improvement Project

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

15. Pct. #4: (SEE EXHIBIT Q)**A. Request approval to purchase two (2) mobile phone units for the T.A.B.C. (Texas Alcoholic Beverage Commission) Enforcement Agents**

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

B. Request consequent activation of service to both units

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

C. Approval of line item transfer – CIP - \$ 25,000.00

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

16. 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**

NO ACTION taken on item 16.A 1-3.

17. Purchasing Department: (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	1130
• Physical Count:	529
• Out of County Count: La Villa Facility (LCS):	277
Brooks:	324

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:

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

Nothing to report. NO ACTION taken on this item.

b) Requesting acceptance and approval of Request for Payment No. 8 in the amount of \$7,682.74 from V-A Architecture with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the architectural consulting services contract for the New Adult Detention Facility and Law Enforcement Center Project.

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

c) Requesting acceptance and approval of Request for Payment No. 1 (FFEs-A, B, C, E) totaling \$75,162.02 from V-A Architecture with authority for Auditor to issue payment (after review, audit and processing procedures completed) for additional services related to the furniture, fixtures, and equipment under the architectural consulting services contract for the New Adult Detention Facility and Law Enforcement Center Project.

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

d) Requesting acceptance and approval of Request for Payment No. 6 in the amount of \$7,111.85 from V-A Architecture with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the architectural services contract for the construction for the Law Enforcement Training Facility.

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

- e) **Presentation for consideration, discussion and action the recommendation by V-A Architecture, as project architect to engage and award a construction materials testing contract(s) to Raba-Kistner Consultant, Inc. for testing services in connection with the construction of both the Motor Pool & Maintenance Building and Law Enforcement Training Facility Projects.**

NO ACTION taken on this item.

- f) **Report and Recommendations from Consulting Architect;**

Nothing to report. NO ACTION taken on this item.

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

Mr. Sandoval, County Auditor, made a report in reference to payments being held and processed.
NO ACTION taken on this item.

4. **Presentation and acceptance of roster (as listed in the RFQ Acceptance Sheet attached hereto) of "Architects Pool" of pre-qualified firms submitting Statements of Qualifications for ranking on an "as needed basis" per project by all County departments requiring said services as set forth in the requirements stated in the County's Request For Qualifications packet.**

The following is a list of the "Architects Pool". Alcoser Garcia Associates Design Consulting of McAllen; Cotera, Kohler, Negrete, and Reed Architect of Edinburg; Di Stefano/Santopetro Architect Inc. of Houston; Kell Munoz Architects, Inc. of McAllen; Frank P. Key & Associates of McAllen; Milnet Architectural Services of McAllen; Polkinghorn Group Architects, Inc. of McAllen; Rike-Odgen-Figueroa-Dickson-Wells Architects of McAllen and VA Architecture of McAllen.

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

5. **Requesting authority to issue the "Notice to Proceed" for awarded bid project (by Commissioner's Court on 05/28/02): "Remodeling of Sub-Station of Hidalgo County Courthouse Basement" to Finco Construction, Inc.-Pharr, Texas.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Recommending bid award for "Street Improvements-Group-4" to low bidder meeting all requirements.**
2. **Requesting approval of contract for "Street Improvements-Group-4" to low bidder meeting all requirements. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office & as detailed in requirements and/or, specifications, special or additional instructions, terms and conditions approved by Hidalgo County Commissioners Court, before the commencement of any work or presentation of any invoices for payment.**
3. **Recommending bid award for "Street Improvements-Group-3" to low bidder meeting all requirements.**
4. **Requesting approval of contract for "Street Improvements-Group-3" to low bidder meeting all requirements. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office. As detailed in requirements and/or, specifications, special or additional instructions, terms and conditions approved by Hidalgo County Commissioners Court, before the commencement of any work or presentation of any invoices for payment.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 17.B. 1-4 to S & G Paving.

C. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Requesting acceptance and approval with authority for Auditor to pay (after review) Request for Payment/Invoice number eleven (11) from V-A Architecture, project architectural firm, for the services related to the design and construction of the CRC for Precinct #2 in the amount of \$6,072.57.**

NO ACTION taken on this item.

D. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Approval of settlement and sale of property for Mr. Richard Gillette.**

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

2. **Presentation for consideration, discussion, and action a mutual request between owner and contractor for cancellation of award for: La Homa Road Project**

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

E. HIDALGO COUNTY BUILDINGS & GROUNDS -

1. **Recommending bid award of "Chillers Service and Repair" to the bidder that meet all requirements and specifications.**
2. **Requesting approval of contract for "Chillers Service and Repair" to the bidder meeting all requirements and specifications. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office & as detailed in requirements and/or, specifications, special or additional instructions, terms and conditions approved by Hidalgo County Commissioners Court, before the commencement of any work or presentation of any invoices for payment.**

NO ACTION taken on this item.

F. HIDALGO COUNTY PRECINCT #2, PLACE #2 -

1. **Recommending bid award for "Lease of Office Space in the City of Pharr", to bidder meeting all specifications and requirements.**

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

2. **Requesting approval of contract for "Lease of Office Space in the City of Pharr", to bidder meeting all specifications and requirements. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office & as detailed in requirements and/or, specifications, special or additional instructions, terms and conditions approved by Hidalgo County Commissioners Court, before the commencement of any work or presentation of any invoices for payment.**

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

18. Closed Session: NO EXHIBITS

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to go into Executive Session on Regular Agenda and the Addendum.

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

A. Real Estate Acquisition

Judge Pulido is away from the Court.

Upon return, Commissioner Handy certified that NO ACTION was taken on this item.

19. Open Session:

A. Real Estate Acquisition

1. Parcel #2, belonging to Fernando Jimenez, condemnation case #1283-8, revised appraisal was for \$12,894.00. Settlement offer for damages is for \$21,261.00.

2. North I Road project, Alberto C. and Maria S. Martinez, condemnation case #1211-D. Revised appraisal is for \$7,920.00. Settlement offer is for \$11,000.00.

3. North I Road Project, Parcel #8, Jose C. and Beatricia Cantu, condemnation case 1293-B. Appraised at \$8,893.00 settlement offer is for \$13,500.00

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve items 1, 2, and 3.

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 Palacios, 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 REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 17, 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
(NO EXHIBITS)**

1. Closed Session:

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following:

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

Judge Pulido is away from the Court.

Upon return, Commissioner Handy certified that NO ACTION had been taken during Executive Session.

2. Open Session:

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

Bobby Guerra was instructed to proceed as directed in Executive Session.

3. Closed Session:

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

NO ACTION taken on this item.

4. Open Session:

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

NO ACTION taken on this item.

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 17, 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 Handy, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of 2.F and 7.A. 1 & 2.

NO ACTION taken on item 2.F and 7.A.1 & 2.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Purchasing Department**
 - B. J.P. Pct. #2, Pl. 2**
 - C. Juvenile Justice Court**
 - D. 92nd District Court**
 - E. 93rd District Court**
 - F. County Court #1**
 - G. J.P. Pct. #1, Pl. 2**
 - H. J.P. Pct. #3, Pl. 1**
 - I. Constable Pct. #4**
 - J. Buildings & Grounds**
 - K. Pct. #1 – Landfill**
 - L. Pct. #1 – Parks**
 - M. Pct. #2 – R & B (2)**
 - N. Pct. #2 – Adm.**
 - O. Pct. #2 – Landfill**
 - P. Pct. #3 – R & B**
 - Q. Pct. #3 – Right of Way**
 - R. 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. Right of Way: (SEE EXHIBIT C)**
 - A. Southwestern Bell – along Cesar Chavez Rd., Kenyon Rd. & Mustang Street**
 - B. North Alamo Water Supply – Mile 10 North and FM 1015**
 - C. North Alamo Water Supply – on Roosevelt Rd. east of FM 1423**
 - D. North Alamo Water Supply – east of I Rd. on Sioux Rd.**

Consent Agenda Cont.

5. **Urban County:** (SEE EXHIBIT D)
 - A. Request for approval to enter into a "Homebuyer Assistance Program" Contract under the HOME Program (5 families)
 - B. Request for approval of nine (9) applicants under the HOME Homeowner Occupied Housing Rehabilitation Program – Countywide and the cities of: Hidalgo, Mercedes & San Juan

6. **Monthly Fee Reports - August:** (SEE EXHIBIT E)
 - A. District Attorney - \$ 192,631.63
 - B. County Clerk - \$ 464,245.31

7. **Purchasing Department:** (SEE EXHIBIT F)
 - A. **HIDALGO COUNTY COMPUTER DEPARTMENT -**
 1. Requesting authority to purchase computer monitor from S.J.S Computers, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers monitor = total \$750.00.
 2. Requesting authority to purchase computer software from CDW - Government, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computer Software \$1,009.96 and (1) Sony DVD \$289.02 = total \$1,298.98.
 - B. **HIDALGO COUNTY DISTRICT CLERK OFFICE -**
 1. Requesting authority to purchase computer and peripherals from S.J.S Computers, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers/Peripherals = total \$879.00.
 - C. **HIDALGO COUNTY ELECTIONS DEPARTMENT -**

Requesting authority to purchase an 8mm data cartridge from The Software Group, a QISV vendor through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (12) Sony 20/40 GB 8mm 170M Data Cartridge \$59.00 ea. and shipping \$3.99 = total \$711.99.

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, SEPTEMBER 17, 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 S)**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

Judge Pulido and Commissioner Flores are away from the Court.

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

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, SEPTEMBER 17, 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 T)**

1. Roll Call

All Members of the Court were counted present, with the exception of Judge J. E. Pulido and Commissioner Flores.

2. Open Forum

No presentations made under Open Forum.

3. Approval to appropriate \$ 225,000.00 from District fund balance into Hidalgo County Drainage District #1 Maintenance Operation ROW Acquired

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

4. Tax Office:

A. Public Hearing on tax increase – Hidalgo County 2002 proposed tax rate

At this point, Commissioner Handy opened for Public Hearing.

Presentations/reports made by:

1. Armando Barrera
2. Godfrey Garza

At this point, Commissioner Handy closed the Public Hearing.

B. Set date, time & place for meeting to adopt Hidalgo County 2002 tax rate

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve and set the tax rate meeting for September 30, 2002 at 9:30 a.m.

5. Purchasing Department:

- A. Award of two (2) line item numbers 1 & 2 on bid for “Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products” that require the drawing of lots since two vendors submitted equal bids.
- B. Approval to include the items (No. 1-Diesel Engine Lubricants-SAE-15w40-Mak-EO-L Plus API Service-CG4 - 55 Gallon & No. 2 - Gasoline Engine Lubricants-SAE-5W-30-55 Gallon) to the vendor in contract awarded and approved on September 10, 2002.
- C. Presentation for consideration, discussion, acceptance and action for sole bid received under Tract A for: “Sale of Real Property”; if applicable
- D. Approval of a report of sale under Tract A for: “Sale Of Real Property”; if applicable

- E. **Approval of Order Confirming Sale under Tract A for: "Sale of Real Property".**
- F. **Requesting authority to re-advertise under Tract B for: "Sale of Real Property" in as much as no bid was received under Tract B.**

NO ACTION taken on item 5.A-F.

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.

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, SEPTEMBER 17, 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
ADDENDUM
(NO EXHIBITS)**

1. Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following:

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

NO ACTION taken on this item.

2. Open Session:

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

NO ACTION taken on this item.

3. Closed Session:

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

NO ACTION taken on this item.

4. Open Session:

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

NO ACTION taken on this item.

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 _____ ABSENT
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA JR. _____
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 17th day of September, 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.