

REGULAR MEETING – SEPTEMBER 24, 2002

BE IT REMEMBERED, that on this 24th 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 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
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 24, 2002 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Roll Call

All Members of the Court were counted present.

2. Pledge of Allegiance

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

3. Prayer

Ramiro Garza led the Court and Audience in Prayer.

4. Open Forum

Judge Pulido made a presentation.

5. Elections Department: (SEE EXHIBIT I)

A. Approval, discussion and possible action of the following, but not limited to, concerning the November 05, 2002 General Election:

1. Approval to add mobile site "Our Lady of Angels" in La Joya, Texas

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

2. Approval of contract for election services between the County of Hidalgo and the City of McAllen, Texas for referendum election on November 05, 2002 as permitted by Texas Election Code Section 31.092

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval "to contract", with a copy to the auditor.

3. Approval of the contract between the County of Hidalgo and the City of McAllen, Texas

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

6. WIC: (SEE EXHIBIT J)

A. Requesting approval of contract between Texas Department of Health (WIC) and Hidalgo County for the provision of WIC services for FY 2003 commencing October 01, 2002 to September 30, 2003

B. Set Budget for FY 2003 at \$ 6,793,690.00 (Oct. 01, 2002 to Sept. 30, 2003)

C. Approval of salary schedules for FY 2003

D. Approval of BF Peer Counselor Program – Discretionary Funding

E. Set salaries for 5 peer counselors

NO ACTION taken on item 6.A-E.

At this point, the Court proceeded to item #15.A.9 only.

The Court then proceeded into Executive Session.

7. Sheriff Department: (SEE EXHIBIT K)

A. Discussion and approval of number of staff for New Adult Detention Facility

NO ACTION taken on this item.

B. Approval of Sheriff/Constable Fee Schedule

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

Commissioners' Palacios and Garza are away from the Court.

C. South Texas Auto Theft Enforcement Grant:

1. Approval to create obj. code 748 (machinery/equipment) in Acct. #2-1290-421-00-280-012-3

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

2. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$1,673.85.

D. Requesting approval to accept, as a donation, a 1994 Chevy Z71 pick-up Vin #1GCEK14KXRZ148957 from Progressive Insurance

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

Commissioner Palacios joined the meeting.

E. Approval to create the following thirty-two (32) positions in the Jail Department – One (1) Captain, Five (5) Sergeants, Two (2) Custodians, Seven (7) LVN's, Four (4) Secretary II, Three (3) Maintenance Technicians & Ten (10) Detention Officers

This item was approved last week. NO ACTION taken on this item.

F. Approval to set salaries:

1. Captain	42,025.71
2. Sergeant	27,312.43
3. Custodian	15,660.00
4. LVN	34,056.06
5. Secretary II	18,686.45
6. Maintenance Technician	22,263.21
7. Detention Officer	22,866.10

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

- G. 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 \$ 31,410.90 for the grant period of January 01, 2002 to December 31, 2002 (HIDTA)**

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

8. Buildings & Grounds: (SEE EXHIBIT L)

- A. Approval to reclassify slot #6 custodian position to maintenance position – (approved by Civil Service Commission on 09/17/02)**

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

9. Constable Pct. #3: (SEE EXHIBIT M)

- A. Acceptance and approval of the Interlocal Contract between County of Hidalgo and Lower Rio Grande Development Council 2002-2003 Regional Solid Waste Enforcement Grant**

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

- B. Approval to appropriate the budget in the amount of \$ 49,900.00**

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

- C. Approval to create position**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, subject to continued grant funding.

- D. Set salary**

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

10. Urban County: (SEE EXHIBIT N)

- A. Public Hearing concerning the Consolidated Annual Performance Evaluation Report (CAPER) for the Hidalgo County Urban County Program for the year ended June 30, 2002**

Judge Pulido opened for Public Hearing.

There were no speakers.

Judge Pulido closed the Public Hearing.

- B. Approval of the Consolidated Annual Performance Evaluation Report (CAPER) for the Hidalgo County Urban County Program for year ended June 30, 2002**

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

11. Budget Officer: (SEE EXHIBIT O)**A. T.A.B.C.:****1. Approval to create obj. code 664 (minor equip.) in Acct. #2-1100-421-00-110-016-0**

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

2. Approval of line item transfer - \$ 80.00

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

B. Approval of budget amendments:**1. Health – Sanitation - \$ 10,500.00 (mosquito spraying)**

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

2. Lunacy Trials - \$ 10,000.00 (pending court cost invoices)

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

C. J.P. Pct. #1, Pl. 2:**1. Approval to create object 535 in Acct. #2-1100-412-00-062-001-0**

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

2. Approval of line item transfer - \$ 75.00

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

12. Planning Department: (SEE EXHIBIT P)**A. Final Plat Approval:****1. Re-subdivision of Lots 60 – 68, Pueblo de Palmas Norte 1 & 2 – Pct. #3**

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

B. Final Plat Approval with Letter of Credit:**1. Los Olivares Acres No. 2 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. The Estates of Westhaven Subdivision – Pct. #1**

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

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

A. Request authority to dedicate and name a road (Pecan Avenue) as per petition

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

B. Request approval of payment to TEDSI Infrastructure Group for the Hidalgo County Loop Study, for the month of August 2002, and authorize Auditor to make payment

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, in the amount of \$97,502.97.

C. Request authority to dedicate and name a road (Roque Reyes) as per petition

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

D. Request authorization to negotiate contract with service provider (Nextel) and approval for service activation of two (2) mobile phones for the Sanitation Department

NO ACTION taken on this item.

E. Approval to create obj. 640 (books, periodicals) under Acct. #2-1201-431-00-121-004-0 (R & B Adm.)

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

F. Approval to transfer funds from Acct. #2-1201-431-00-121-004-0-609 (Agricultural & Landscaping) to Acct. #2-1201-431-00-121-004-0-640 (books & periodicals)

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, in the amount of \$30.06.

14. Pct. #3: (SEE EXHIBIT R)

A. Requesting authorization to activate one mobile phone for the Right of Way Department under Pct. #3 with Cingular Wireless

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

15. Purchasing Department: (SEE EXHIBIT S)

A. HIDALGO COUNTY -

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

a)	Present Hidalgo County Jail-Total inmate population	1110
	• Physical Count:	534
	• Out of County Count: La Villa Facility (LCS):	244
	Brooks:	332

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) **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 Buildings and Law Enforcement Training Facility Projects;**

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

c) **Requesting authority to advertise exercise equipment for the Adult Detention Facility;**

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

d) **Report and Recommendations from Consulting Architect;**

Nothing to report. NO ACTION taken on this item.

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

Report made. NO ACTION taken on this item.

4. **Recommending award of bid for: "18" Precast Safety End Treatments" to lowest bidder meeting all requirements and/or specifications.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the award in the amount of \$350.00 to L & R Precast Concrete Works Inc.

5. **Requesting approval of Contracts for: "18" Precast Safety End Treatments" to lowest bidder meeting all requirements and/or 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 of presentation of any invoices for payment.**

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

6. **Recommending award of bid for "Tires-Hidalgo County" to multiple vendors meeting all requirements and specifications.**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve GCR Truck center and Pueblo Tires, Ltd.

7. **Requesting approval of contract(s) for "Tires-Hidalgo County" to multiple vendors 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.**

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

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

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

9. **Presentation for discussion consideration and action necessary in connection with a twelve (12) acre tract of land located on Sprague Road (west of Mon Mack Rd). Tract of land is the subject of a proposal by the Veterans Land Board to select two sites for the location of a Veteran's Nursing Home.**

Presentation made by Ramiro Garza, Rick Ramirez, Mr. D. Guajardo, Raul Rios, Pete Pedraza, Donald Martin, and Patsy Pomquest. NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting authority to purchase "One (1) New 2003 Ford F-250 Cab/Chassis" through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC) - Philpott Motors, Inc., Port Neches, Texas. The total price of this piece of equipment is \$26,560.25 which includes the H-GAC administration fees and delivery charge.**

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

C. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Recommending award of bid for "Telephone System-Community Resource Center-Precinct Number two" to lowest bidder meeting all specifications/requirements, Superior Alarms-McAllen.**
2. **Recommending approval of contract for "Telephone System-Community Resource Center-Precinct Number two" to lowest bidder meeting all specifications/requirements, Superior Alarms-McAllen. 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 item 15.C.1 & 2.

3. **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 \$6,072.57.**

NO ACTION taken on this item.

D. HIDALGO COUNTY PRECINCT NO. 4-

1. **Requesting approval of change order No. 2 (decrease in amount) in connection with "Paving of (3) Roads-Davis, North Alamo & Ware Road" in the amount of \$19,675.12 with Mission Paving Company.**

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

E. HIDALGO COUNTY CONSTABLE PRECINCT NO. 3 -

1. **Recommending award of bid for "Lease of Office Space Between the Mission/Palmview Area" to sole bidder meeting all requirements and/or specifications.**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$750.00.

2. **Requesting approval of Contracts for: “Lease of Office Space Between the Mission/Palmview Area” to sole bidder meeting all requirements and/or specifications. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor’s Office and 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 Handy, the Court made a UNANIMOUS vote of approval, subject to an executed copy of the contract to the auditor, Tony Sandoval.

F. HIDALGO COUNTY WIC PROGRAM -

1. **Requesting authority to advertise and approval of specifications attached hereto for: “WIC Program Medical Supplies” RFB**

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

2. **Requesting authority to advertise and approval of specifications attached hereto for: “Lease space WIC-Clinic in the City of Alamo” RFB**

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

16. Public Defense: (SEE EXHIBIT T)

A. Approval of auto allowance in the amount of \$ 5,400.00 for slot #1

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

B. Approval of budget amendment - \$ 2,301.40

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

17. 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 this item.

At this point, the Court proceeded with the Addendum.

18. Closed Session: (SEE EXHIBIT V)

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

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. **Potential Litigation**
- C. **Cause No. T-571-96-D; McAllen ISD, et al vs. Victor Barragan**

Closed Session Cont'd:

- D. Cause No. T-566-97-F; McAllen ISD, et al vs. Adan Lopez**
- E. Cause No. T-626-97-C; McAllen ISD, et al vs. Juan M. Morales**
- F. Cause No. T-032-99-D; McAllen ISD, et al vs. Eva E. Torres**

Upon return, Judge J. E. Pulido certified that NO ACTION had been taken during Executive Session.

19. Open Session:

A. Real Estate Acquisition

Parcel #4 and 6.A, belonging to Hidalgo County Irrigation District #2, was appraised at \$525.00 for both. Settlement offer is for \$1,054.50, which includes all advertising costs.

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

Commissioner Flores is away from the Court.

B. Potential Litigation

NO ACTION taken on this item.

C. Cause No. T-571-96-D; McAllen ISD, et al vs. Victor Barragan

On the purchase/bid price in the amount of \$26,000.00. (See item F for approval)

D. Cause No. T-566-97-F; McAllen ISD, et al vs. Adan Lopez

\$16,000.00 (See item F for approval)

E. Cause No. T-626-97-C; McAllen ISD, et al vs. Juan M. Morales

28,000.00 (See item F for approval)

F. Cause No. T-032-99-D; McAllen ISD, et al vs. Eva E. Torres

In the bid amount of \$8,000.00

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 19. C, D, E, and F.

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 Handy, 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 24, 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 U)**

1. Selection of Year 2002 Grievance Committee

ELECTED OFFICIALS APPOINTMENT FOR ONE (1) YEAR:

1. Jose Eloy Pulido, Hidalgo County Judge
2. Enrique Escalon, Sheriff
3. Armando Barrera, County Tax Assessor/Collector
4. Norma Garcia, County Treasurer
5. Juan de Dios Salinas, County Clerk
6. Pauline Gonzalez, District Clerk
7. Steve Crain, County Attorney
8. Rene Guerra, Criminal District Attorney

Alternates Appointments:

1. Roberto "Bobby" Acosta, Jr.
2. Juan Javier "J.J." Cavazos

Alternates:

1. Eduardo "Eddie" Garza
2. Charlie Ochoa

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the aforementioned members to the Grievance Committee.

2. Pct. #4:

A. Request approval to create line item 452 (bldg. additions & renovations in the Pct. #4 R & B Account)

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

B. Approval of line item transfer

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$3,000.00.

3. Closed Session:

The Court took up this item under Executive Session on the Regular Agenda.

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

Upon return, Judge J. E. Pulido certified that NO ACTION had been taken during Executive Session.

4. Open Session:

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

Commissioner Flores is away from the Court for this item.

The attorneys are to proceed as instructed in Executive Session.

5. Closed Session:

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

NO ACTION taken on this item.

6. Open session:

Commissioners' Court may reconvene into Closed 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 24, 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 Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda, with the exception of item 2.L.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Purchasing Department**
 - B. Computer Department**
 - C. Pct. #2 – County Wide Shop**
 - D. Planning Department**
 - E. Pct. #1 – R & B**
 - F. J.P. Pct. #1, Pl. 1**
 - G. Health – Clinics**
 - H. Health – Grant**
 - I. Health – Immunization**
 - J. Health – T.B. Control**
 - K. Health – Title V**
 - L. Pct. #1 – Landfill – NO ACTION taken on this item.**
 - M. Pct. #1 – Parks**
 - N. 275th District Court**
 - O. J.P. Pct. #2, Pl. 1**
 - P. WIC – Weslaco**
 - Q. WIC**
 - R. Buildings & Grounds**
 - S. District Attorney – Grand Jury**
 - T. County Court #2**
 - U. 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 (4 families)
 - B. Request for approval of one (1) applicant under the HOME Homeowner Occupied Housing Rehabilitation Program (County Wide)
- 5. **Right of Way – Permits:** (SEE EXHIBIT D)
 - A. North Alamo Water Supply – north of Minnesota Rd. on “I” Rd.
- 6. **Approval of Minutes:** (SEE EXHIBIT E)
 - A. March 11, 2002
 - B. June 04, 2002
 - C. July 09, 2002
 - D. July 16, 2002

7. **Tax Refunds:** (SEE EXHIBIT F)

Taxpayer	Payer	Amount
A. William Rae Nelson	Valley Land Title Co.	2,156.03
B. Tokai Financial Services	Tokai Financial Service	1,320.02
B. Tokai Financial Services	Tokai Financial Service	5,574.83
C. Chase Bank of Texas	Chase	92,950.46
D. Hector J. Rodriguez	Cross and Mort. Co.	285.82
E. Inland Paperboard & Pack	Inland Paperboard	20,900.81
F. Chase Bank of Texas	Chase	15,767.21
G. Texas Commerce Bank	Texas Commerce	5,817.46
H. Chase Bank of Texas	Chase Bank of Texas	4,031.86
I. Anastacio & Julia Rocha	Countrywide	469.88
J. Claud Lookingbill	Claud Lookingbill	506.20
K. Las Fuentes Village Inc.	IBC	11,303.49
L. Tokai Financial Services Inx.	Tokai Financial Service	1,093.72

8. **Purchasing Department:** (SEE EXHIBIT G)

- A. **HIDALGO COUNTY COMMUNITY SUPERVISION & CORRECTIONS DEPT. -**
 - 1. Requesting approval of a maintenance agreement with TSM Communications for Telephone Support System for \$600.00 per year. Effective September 28, 2002 thru September 28, 2003.
- B. **HIDALGO COUNTY SHERIFF’S DEPARTMENT -**
 - 1. Requesting authority to purchase computer hardware and peripherals from Dell Marketing a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers/Peripherals \$2,504.15 ea., (3) digital camera \$545.95 ea., and (1) Jet Printer \$245.65 = total \$4,387.65.
- C. **HIDALGO COUNTY TAX OFFICE (Fraud Investigation) -**
 - 1. Requesting authority to purchase computer hardware and peripherals from Multimedia Direct, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Computers/Peripherals \$2,750.39 and shipping and handling \$111.50 ea. = total \$2,861.94.

**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 24, 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 W)**

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge Permit:**
 - A. City of Edinburg – Trenton Manor Unit No. 2 Phase I, II & III**
 - B. ETJ – City of Donna – Victoria Gardens No. 2**
- 3. Approval of Minutes:**
 - A. March 11, 2002**
 - B. June 04, 2002**
 - C. July 09, 2002**
 - D. July 16, 2002**

**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 24, 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 X)**

1. Roll Call

All Members of the Court were counted present, with the exception of Commissioner Garza.

2. Open Forum

No presentations made under Open Forum.

3. Discussion and action regarding contract with Integ Inc. to perform a District facility assessment for GASB 34 requirements as allowed under Texas Water Code Section 49.056

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

4. Approval to appropriate \$ 250,000.00 from unappropriated fund balance

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

5. Approval to deobligate \$ 300,000.00 from West Main Drain #2-7300-433-00-000-001-0-899

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

6. Approval to deobligate \$ 200,000.00 from Alamo Main #2-7300-433-00-000-013-0-733

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

7. Approval to authorize Auditor to issue check made payable to J.D. Salinas, County Clerk in the amount of \$750,000.00 – funds to be held by County Clerk for Land Acquisition on Condemnation Case CON-1265-A

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

8. 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.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve Hollon Oil as first, and Oil Patch Company as second.

- 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.**

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

- C. **Presentation for consideration, discussion, acceptance and action for sole bid received under Tract A for: "Sale of Real Property"; if applicable**

Sole bid received from Jose L. Garcia from McAllen in the amount of \$3,451.00.

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

- 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".**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.D & E.

- 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.**

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

9. Closed Session:

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

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**

Upon return, Judge J. E. Pulido certified that NO ACTION had been taken during Executive Session.

10. Open Session:

- A. **Real Estate Acquisition**

Godfrey Garza proceed as directed in Executive Session.

11. Closed Session:

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

NO ACTION taken on this item.

12. 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 Commissioners' Court will be held on TUESDAY, SEPTEMBER 24, 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**

- Upon return, Judge J. E. Pulido 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**

- 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 Closed 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 _____
COUNTY COMMISSIONER, PRECINCT 3

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

Dated this the 24th 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.