

**REGULAR MEETING – OCTOBER 22, 2002**

BE IT REMEMBERED, that on this 22<sup>nd</sup> day of October, 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

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, OCTOBER 22, 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 Garza.

**2. Pledge of Allegiance**

At this point, Judge Pulido called on Lucille de la Garza to lead the Court and Audience in reciting the Pledge of Allegiance.

**3. Prayer**

Lucille de la Garza led the Court and Audience in Prayer.

At this time, the Court took up item 12.A.

**4. Open Forum**

No presentations made under Open Forum.

At this point, the Court proceeded with item 7.D. 1 & 2 (only).

**5. Sheriff Department: (SEE EXHIBIT F)**

**A. Discussion and possible action on the acceptance of United States Department of Justice COPS More 2002 Technology Grant in the amount of \$ 997,989.90**

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

**B. Discussion and possible action to approve \$ 99,799.00 for local match requirements of the grant**

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

**6. County Treasurer: (SEE EXHIBIT G)**

**A. Adopt the Hidalgo County Investment Policy**

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

**7. Budget Officer: (SEE EXHIBIT H)****A. Health Department:****1. Approval to create obj. 432 (equip. repair & maint.) – Acct. #2-1293-441-00-340-013-3**

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

**2. Approval of line item transfer - \$ 1,000.00**

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

**B. District Clerk:****1. Approval to create obj. 441 (rental of land and bldg.)**

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

**2. Approval of budget amendment - \$ 14,100.00**

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

**C. Approval to unappropriate unused salary and fringe benefits – General Fund**

Commissioner Palacios for the Record: This is a result of the action taken by the Court to freeze the hiring of vacancies. This was in hope of generating some additional revenues. The Court is taking measures to cut down on spending.

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

**D. Probate Court:****1. Approval to create obj. 810 (dues & membership) – Acct. #2-1243-412-00-023-002-0**

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

**2. Approval of line item transfer - \$ 1,634.38**

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

**E. Tax Office:****1. Approval of budget amendment - \$ 30,000.00 (for tax statement mail outs)**

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

**F. DPS – Highway Patrol:****1. Approval of budget amendment - \$ 9,200.00 (mobile phone bills)**

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

**8. 398<sup>th</sup> District Court – Indigent Defense Program: (SEE EXHIBIT I)****A. Authorization to submit grant application to the Texas Task Force on Indigent Defense in the amount of \$232,492.00 (no cash match)**

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

**B. Approval of Resolution**

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

**9. Urban County: (SEE EXHIBIT J)****A. HOME Housing Rehabilitation Program Construction Contract Award to GMH Construction for one (1) unit - City of Alamo**

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

**B. HOME Housing Rehabilitation Program Construction Contract Award to JLQ Construction for one (1) unit – City of La Joya – Hardship case**

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

**C. HOME Housing Rehabilitation Program Construction Contract Award to De Leon Construction for two (2) units – City of Elsa**

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

**D. Request for approval and classification as a hardship case of two (2) applicants under the HOME Homeowner Occupied Housing Rehabilitation Program – two (2) units in the County Wide area**

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

**E. Request for approval of four (4) applicants under the HOME Homeowner Occupied Housing Rehabilitation Program – Two (2) units in the City of Progreso, and two (2) units in the City of Elsa**

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

**F. Approval to enter into Community Housing Development Organization (C.H.D.O.) Contracts with Proyecto Azteca and the Community Development Corp. of South Texas under the HOME CHDO Program for the County's FY 1997, 1999, 2000 & 2001**

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

**10. HIDTA – Task Force: (SEE EXHIBIT K)****A. Approval of Interlocal Agreement between Hidalgo County HIDTA Task Force and the City of Palmview Police Department**

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

**11. Planning Department: (SEE EXHIBIT L)**

**A. Preliminary Plat Approval:**

**1. Sabina Subdivision – Pct. #1**

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

**2. TVM Developments – Pct. #4**

**3. Goolie Heights Subdivision – Pct. #1**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 11.A. 2 & 3.

**B. Final Plat Approval:**

**1. Weslaco North Campus – Pct. #1**

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

**C. Final Plat Approval with Letter of Credit:**

**1. Rancho Esquina Subdivision – Pct. #4**

NO ACTION taken on this item.

**2. Sun Meadows Subdivision – Pct. #1**

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

**D. Release of Letter of Credit:**

**1. Mesquital Subdivision – Pct. #1**

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

**12. Pct. #1: (SEE EXHIBIT M)**

**A. Consideration to adopt a Resolution honoring Congressman Eligio “Kika” de la Garza’s induction into the Texas Heritage Hall of Honor**

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

**13. Human Services: (NO EXHIBITS)**

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

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

Nothing to report. NO ACTION taken on this item.

**14. Purchasing Department: (SEE EXHIBIT N)**

**A. HIDALGO COUNTY -**

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

a)	Present Hidalgo County Jail-Total inmate population	1125
	• Physical Count:	530
	• Out of County Count: La Villa Facility (LCS):	275
	Brooks:	322

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. 3 (dated 10-11-02) in the amount of \$95,234.65 from Velasco Construction and as certified by V-A Architecture, project architect, with authority for Auditor to issue payment (after review, audit, and processing procedures completed) under the construction contract for the New Maintenance & Motor Pool Building on site of the New Adult Detention Facility and Law Enforcement Center Project.**

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

c) **Requesting acceptance and approval of Request for Payment No. 3 (dated 10-11-02) in the amount of \$161,394.55 from Velasco Construction and as certified by V-A Architecture, project architect, with authority for Auditors to issue payment (after review, audit, and processing procedures completed) under the construction contract for the New Law Enforcement Training on site of the New Adult Detention Facility and Law Enforcement Center Project.**

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

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

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

Nothing to report. NO ACTION taken on item 14.A.3. d & e.

4. **Presentation for consideration, discussion, and approval to exercise the County’s option to extend the contract for Auctioneer Services with Abrego Trucking (as provided under the current award) for an additional one (1) year term;**

For the Record: Abrego Trucking is the Auctioneer.

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

5. **Presentation for consideration, discussion, and approval (if applicable) recommended additional specifications, terms and conditions including an audit clause for all procurement projects for Hidalgo County.**

Steve Crain: *I think it’s a great idea to have this audit phones in there. The only concerns that I have are that any extensions where you option to extend the certain contract, I question. If you vote yes to put this auditor’s recommendations in your specs, what that may in fact then terminate any options you have to extend by the contract. And if you want to do this, I think it’s a good idea that you make this perspective only to contracts you commit in the future to put these in rather than going back and specify that it would not effect any options to extend.*

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

6. **Requesting authority for Auditor to issue payment (after review, audit, and processing procedures completed) to Southern Union Gas Company in the amount of \$750.00 in connection with the “kill out” and removal of six (6) company risers for land (fka) Shady Lawn.**

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

7. **Presentation by Health Insurance Committee of recommendation in connection with any modifications to the original Requirements of the Request for Proposal for Group Health Benefits Plan with Life and Accidental Death and Dismemberment (Life & AD&D).**

*Option 1, allows providers to submit proposals for two agents rather than one. Option 2, requires the providers to submit an additional proposal net of commissions. Option 3, would require the providers to disclose the date an agent requested a proposal. Option 4, would make no changes to the current schedule and proceed without making any modifications/additional requirements to the RFP.*

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a 2-2 vote for option #1. Motion dies and is not approved due to a tie. Specific votes are as follow:

AYE: Commissioner's Palacios and Flores  
NAY: Commissioners Handy, Judge Pulido

On motion of Commissioner Handy, seconded by Judge Pulido, the Court made a 2-2 vote to for option #4. Motion dies and is not approved due to a tie. Specific votes are as follow:

AYE: Commissioner Handy, and Judge Pulido  
NAY: Commissioner's Palacios and Flores

8. **Requesting authority to re-advertise for “Group Health Insurance-Hidalgo County” RFP with a revised Acceptance Date of November 20, 2002.**

NO ACTION taken on this item.

9. **Requesting approval of a “Construction Change Directive” for the “Remodeling of the Courthouse Basement on the following:**

- a) **To provide labor and materials for the rerouting of existing sewer line.**
  - i) **Approximately 50 linear feet of 6” diameter Schedule 40 PVC piping wrapped with insulation meeting plumbing code.**
  - ii) **Bore required wall opening into existing concrete foundation wall, weal water tight.**
  - iii) **Replace ceiling tiles damaged during installation of new sewer line.**
- b) **To provide labor and materials required for the capping off of existing natural gas line located at excavation site. (See Item No. II below)**

For the Record as per Steve Crain: *There's no monetary change involved.*

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 14.A.9. a & b.

10. **Requesting authority to “Cap Existing Gas Line” located in the Courthouse Basement in order to proceed with the “Remodeling of the Courthouse Basement” as ordered by the City of Edinburg Fire Marshal.**

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

11. **Presentation for discussion, consideration, and approval of two claims (invoices #s 004010-\$4,682.20 & 004011-\$604.40) totaling \$5,286.60 from Heggen Electric Company, Inc. for work performed at the adult probation department in McAllen, Texas and authority for Auditor to issue payment.**

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

At this point, the Court went to the Addendum, item #3.

**B. HIDALGO COUNTY PRECINCT NO. 2 -**

1. **Requesting authority to advertise for: "South "I" Road new floodway crossing"**

For the Record as per Godfrey Garza: *This item was approved on July 16, 2002 as far as the Construction. We are now in the process requesting authorization to advertise.*

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

At this point, the Court proceeded with the Addendum.

**C. HIDALGO COUNTY PRECINCT NO. 3 -**

1. **Requesting approval of a short term contract for "Hauling of Solid Waste Collection Services" to BFI Waste Systems.**

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

**D. HIDALGO COUNTY PRECINCT NO. 4 -**

1. **Requesting acceptance and approval of a claim invoice #4212 in the amount of \$1,500.0 for title report services requested and obtained by Quintanilla, Headley & Associates Inc. as requested by Precinct No. 4.**

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

**E. HIDALGO COUNTY CONSTABLE PRECINCT NO. 1-**

1. **Requesting authority to purchase "One (1) New 2003 Ford Crown Victoria" through the Inter Local Agreement with Houston-Galveston Area Council (H-GAC)-Philpott Motors Inc., Port Neches, Texas. The total price of the vehicle is \$20,780.42, H-GAC Administration Fees Included.**

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

2. **Requesting exemption from competitive bidding requirements under TX. Local Gov't. Code, Section 262.024 (a), (9), (C ), to purchase radio equipment from Texas Department of Public Safety for Hidalgo County Constable Precinct No. 1**

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

3. **Requesting authority to purchase three (3) Motorola Syntor X9000 Radios and (3) MPH Radars from the Texas Department of Public Safety, Surplus Fleet Services for Hidalgo County Constable, Precinct No. 1. Total price \$1,425.00.**

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

4. **Authority for Auditor to issue manual check, to be hand delivered to the Texas Department of Public Safety in the amount of \$1,425.00, by no later than Friday, October 25, 2002 in order to pick-up equipment.**

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

#### **F. HIDALGO COUNTY COURT OF APPEALS -**

1. **Requesting authority to purchase a phone systems from Starr Telecommunications ETC., a qualified information systems vendor (QISV), through the Resolution with the State of Texas under the General Services Commission's Cooperative Purchasing Program in the amount \$12,500.00, which includes the equipment and installation.**

On motion of Commissioner Palacios, (second motion inaudible on tape), the Court made a UNANIMOUS vote of approval.

#### **G. HIDALGO COUNTY DISTRICT CLERK -**

1. **Presentation, acceptance and approval of a claim from City of Edinburg in the amount of \$14,100.00 for the use of city auditorium for jury impaneling from January 2000 to December 2002 and as provided under the terms of the inter-local agreement.**

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

#### **H. HIDALGO COUNTY ELECTIONS-**

1. **Requesting consideration, discussion, and action to rescind award of quote for: "Metal Roofing at the Election Center Courtyard" (awarded on October 08, 2002). Verbal notification received from Cima Roofing & Restoration's inability to comply with Insurance Requirements.**

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

2. **Requesting consideration, discussion, and action to award quote to the next bidder Smith & Smith Sheet Metal meeting all required specifications for: "Metal Roofing at the Election Center Courtyard."**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval in the amount of \$9,982.00.

3. **Requesting approval of contract for "Metal Roofing at the Election Center Courtyard" to next lowest bidder. Note: A fully executed copy of the contract will be forwarded to The County of Hidalgo Auditor's Office**

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

#### **I. HIDLAGO COUNTY PURCHASING DEPARTMENT -**

1. **Requesting consideration and approval to fill vacant position**

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

#### **J. HIDALGO COUNTY SHERIFF'S DEPARTMENT -**

1. **Requesting exemption from the competitive bidding requirements for Professional Service/Medical Service with Dr. Fernando Ortegon and Dr. Javier Cortinas.**

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

2. **Requesting approval of Professional Service Contract for Dr. Fernando Ortegon and Dr. Javier Cortinas. Note: A fully executed copy of the contract will be forwarded to The County of Hidalgo Auditor's Office**

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

#### **K. HIDALGO COUNTY WIC PROGRAM -**

1. **Presentation, as requested by WIC Program, for Hidalgo County to consider, discuss, and approve the option to exercise (as provided under Paragraph 1.3) the 60 day cancellation notice with an effective day of March 31, 2003 with Placida S. Rosel.**

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

2. **Requesting authority to advertise for "Rental Space" for Hidalgo County WIC Program in the Mission Area.**

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

At this point, the Court proceeded with the Addendum.

#### **15. Closed Session: (SEE EXHIBIT P)**

On motion of Commissioner Handy, (seconded motion inaudible on tape), 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. R. Rivera Jr. vs. Hidalgo County in the County Court at Law No. 2**
- C. Marcie Caldwell vs. Carole Keeton Rylander, et al; in the 261<sup>st</sup> Judicial District Court of Travis County, Texas, No. 99-13088**

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

#### **16. Open Session:**

##### **A. Real Estate Acquisition**

South McColl Road Project, Parcel #22, and #23, belonging to Dr. Tully Myers Trustee, was appraised at \$3,502.00. Settlement is in the amount of \$5,255.00.

Parcel #23 was appraised at \$6,489.00. Settlement offer is in the amount of \$9,737.00.

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

##### **B. R. Rivera Jr. vs. Hidalgo County in the County Court at Law No. 2**

NO ACTION taken on this item.

**C. Marcie Caldwell vs. Carole Keeton Rylander, et al; in the 261<sup>st</sup> Judicial District Court of Travis County, Texas, No. 99-13088**

Valde Guerra recommended to the Court to employ the law firm of Allison and Bass Associates to represent Hidalgo County in Cause #99-13088.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to hire Allison and Bass Associates.

**17. Closed Session:**

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

NO ACTION taken on this item.

**18. 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 this day's meeting.

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

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 22, 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 O)**

- 1. Line Item Transfers:**
  - A. Human Resources**
  - B. J.P. Pct. #4, Pl. 1**
  - C. Courthouse Security**
  - D. County Judge**
  - E. Courthouse Parking Lot**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 1.A-E.

- 2. Purchasing Department:**
  - A. Constable Pct. #3:**

- 1. Requesting authority to purchase two (2) 2001 Ford Taurus SE 4-door through the Interlocal Agreement with Houston-Galveston Area Council (H-GAC) – vendor is Philpott Motors, from Port Neches, Texas for a total amount of \$ 22,864.00 (H-GAC fees and delivery charge already included)**

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

- B. Hidalgo County:**

- 1. Presentation for the purposes of clarifying the award of "Type D Hot Mix (gravel & limestone) approved by Commissioners' Court on Tuesday, October 15, 2002 as follows:**
  - a. Gravel – recommended award as stated on October 15<sup>th</sup> and approved; Pct. #1, 2 & 4 to Valley Caliche and Pct. #3 to Frontera Materials**

Clarification made. NO ACTION taken on this item.

- b. Limestone – not awarded or specified, therefore, recommending bid award to sole bidder meeting all specifications, Frontera Materials for Hidalgo County**

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

- c. Requesting approval of contract for "Hot D Hot Mix-Limestone" to Frontera Materials with fully executed copy forwarded to Auditor's Office**

On motion of Commissioner Palacios, (seconded motion inaudible on tape), the Court made a UNANIMOUS vote of approval.

- C. Pct. #4:**

- 1. Requesting approval of final lease agreement for "Lease of Real Estate to a Non-Profit Health Oriented Organization" with Nuestra Clinica Del Valle**

NO ACTION taken on this item.

**3. Pct. #2:**

**A. Authorization to rescind action taken by Commissioners' Court on October 08, 2002 (item #9) appointing Don Medina as Community Representative to serve on the Head Start Policy Council**

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

**B. Approval to appoint Community Representative to serve on the Head Start Policy Council for a one (1) year term**

Commissioner Palacios, Pct. 2 appointed Ernesto Ayala.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the appointment of Ernesto Ayala.

**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, OCTOBER 22, 2002, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

**The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda, with the exception of items 2. H, I, N, R, Y, and AA.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 2.H.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 2.N, with corrections.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 2.R, subject to change.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 2.Y, subject to change.

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

**2. Line item transfers: (SEE EXHIBIT A)**

- A. HIDTA – Task Force**
- B. Pct. #1 – Parks**
- C. J.P. Pct. #3, Pl. 1**
- D. Sheriff Department**
- E. Probate Court (2)**
- F. County Clerk (2) Fund 1237**
- G. County Clerk Fund 1238**
- H. Health – Adm.**
- I. Health – Clinics – NO ACTION taken on this item.**
  
- J. Health – Mobile Clinics**
- K. Health – T.B. Control**
- L. County Court #2**
- M. Planning Department**
- N. Tax Office**
- O. Pct. #4 – R & B**
- P. Constable Pct. #3 (3)**
- Q. J.P. Pct. #3, Pl. 2**
- R. 370<sup>th</sup> District Court**
- S. Pct. #3 – Landfill**
- T. Pct. #3 – R & B**
- U. County Extension Service**

Consent Agenda Continued:

- V. D.P.S. – License & Weight
- W. J.P. Pct. #1, Pl. 1
- X. J.P. Pct. #1, Pl. 2
- Y. County Court #1
- Z. Law Library
- AA. Jail – NO ACTION taken on this item.

**BB.Pct. #1 – Landfill**

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. North Alamo Water Supply – Mile 6W on Mile 12 N
- B. North Alamo Water Supply –
  - Trenton Rd. on Tower Rd.
  - Tower Rd. on Trenton Rd.

5. Tax Office: (SEE EXHIBIT D)

Taxpayer	Payer	Amount
A. Francisca R. Vela	Francisca R. Vela	626.26
B. Norman F. Hughes	Norman F. Hughes	625.94
C. Maria M. Jaramillo	Reinhold Schamberg	658.75
D. Raul C. Huizar	Reinhold Schamberg	440.10
E. Rene & Jack Wallace	Rene & Jack Wallace	2,279.95
F. Remigio Huerta	Remigio Huerta	573.59
G. James E. McClellan	James E. McClellan	1,404.88
H. Gloria M. Gonzalez	Gloria M. Gonzalez	936.41
I. Mario A. Portillo	Transamerica	1,974.55
J. The Temple Family	The Temple Family	658.44
K. Cresencio Gallegos	Cresencio Gallegos	1,062.14
L. Antonio Gallegos	Antonio Gallegos	1,318.99
M. Harold Olausen	Harold Olausen	823.95
N. Lester K. Billman	Lester K. Billman	576.55
O. Zulema Westerman	Zulema Westerman	1,186.11
P. Harry H. Powell	Harry H. Powell	677.12
Q. Joy Luitjen	Joy Luitjen	1,185.96
R. Abelardo Campos	Transamerica	992.84
S. Ramiro & Cornelio Nunez	Ramiro & Cornelio Nunez	3,755.64
T. Raul Rojas	Raul Rojas	709.61

6. Approval of Minutes: (SEE EXHIBIT E)

- A. August 13, 2002
- B. August 20, 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, OCTOBER 22, 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 Q)**

Commissioner Garza is absent.

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Approval of Minutes:**
  - A. August 13, 2002**
  - B. August 20, 2002**
- 3. Discharge Permit:**
  - A. City of Edinburg – Los Portales Subdivision**
- 4. Drainage Permit:**
  - A. La Joya Water Supply Corp.:**
    - 1. Perezville Drain Lateral (Green Rd.)**
    - 2. Perezville Drain Ditch (FM 2062)**
    - 3. County Drain Ditch (Schuerbach Rd.)**
    - 4. County Drain Ditch (Inspiration Rd.)**

**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, OCTOBER 22, 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 R)**

**1. Roll Call**

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

**2. Open Forum**

NO ACTION taken on this item.

**3. Approval for appraisal and land acquisition at Linda Vista (off-site detention area)**

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

**4. Closed Session:**

**Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.072 to discuss the following:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**5. Open Session:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**6. Closed Session:**

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

NO ACTION taken on this item.

**7. Open Session:**

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

NO ACTION taken on this item.

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

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

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, OCTOBER 22, 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. Closed Session:**

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

**A. Pending and/or potential litigation**

NO ACTION taken on this item.

**2. Open Session:**

**A. Pending and/or potential litigation**

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 \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA JR. **ABSENT** \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 22<sup>nd</sup> day of October, 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 10 day of  
December 2002.