

REGULAR MEETING – OCTOBER 29, 2002

BE IT REMEMBERED, that on this 29th day of Oct., 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 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, OCTOBER 29, 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 Judge J. E. Pulido.

2. Pledge of Allegiance

At this time, Commissioner Handy called on Mary Ybarra to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Mary Ybarra led the Court and Audience in Prayer.

4. Open Forum

Godfrey Garza made a presentation on the weather conditions in Hidalgo County.

5. Tax Office: (SEE EXHIBIT D)

A. Approval of 2002 Tax Roll Totals for Hidalgo County as per Section 26.09 (e) Texas Property Tax Code

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

B. Ministerial approval requested to unappropriate \$ 1,000.00 in the Special Inventory Fund #1246 from clothing & uniform

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

C. Ministerial approval to transfer \$ 1,000.00 from Special Inventory Fund #1246 to General Fund and approval in the same amount form clothing & uniform

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

6. Library System: (SEE EXHIBIT E)

A. Approval of Interlocal Agreements with the cities of: Alamo, Donna, Edinburg, Elsa, Hidalgo, La Joya, McAllen, Mercedes, Mission, Pharr, San Juan and Weslaco for 2003 year

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

7. Urban County: (SEE EXHIBIT F)**A. Approval of budget & program amendment – Pct. #4 UCP Year 15 (2002)**

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

8. Commissioners' Court: (SEE EXHIBIT G)**A. Requesting approval of one-year extension for the Health Insurance Portability and Accountability Act of 1996 compliance**

NO ACTION taken on this item.

9. Budget Officer: (SEE EXHIBIT H)**A. Approval to deobligate \$ 88,586.00 from the current county cash match obligations for the fiscal year 2002-2003**

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

B. Health Department:**1. Approval to create obj. 550 (printing/binding) – Acct. #2-1293-441-00-340-005-0**

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

2. Approval of line item transfer - \$ 5,000.00

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

3. Approval to create obj. 411 (water) – Acct. #2-1293-441-00-340-005-0

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

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

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

10. Head Start: (SEE EXHIBIT I)**A. Recommending approval to pay Certificate No. 8 in the amount of \$ 30,637.50 to All-Pro Contractors, Inc. in connection with the construction of Edinburg V (Faysville) Head Start Center**

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

B. Recommending approval to pay payment No. 5 in the amount of \$ 2,937.04 and payment No. 6 in the amount of \$ 2,576.51 to Cotera, Kolar, Negrete & Reed Architects in connection with the construction of Edinburg V (Faysville) Head Start Center

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

C. Recommending approval to submit 2003 Budget Application to the Department of Health and Human Services (DHHS) in the amount of \$ 22,090,339.00

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

At this point, the Court proceeded with the Addendum, item #5 only.

11. Sheriff Department: (SEE EXHIBIT J)

A. Approval to appropriate monies received on a seizure award in the Sheriff's Investigation Fund 104

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

B. Discussion and possible action on the approval of a budget amendment from the General Fund to the Jail Budget - \$ 100,000.00 for Chemicals, drugs, and medications

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

C. Requesting authority for the Hidalgo County Auditor to issue a check in the amount of \$ 39,273.96 to Edinburg Pharmacy as payment for services rendered from 08-16-02 through 10-15-02 (invoices are listed on statements issued on 08-31-02, 09-16-02, 09-30-02 and 10-15-02

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

12. Pct. #1 & Pct. #2: (SEE EXHIBIT K)

A. Request approval to deobligate appropriations from Pct. #2 aid to other govt. and transfer back to R & B County Wide

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

B. Request approval to transfer \$ 200,000 from R & B County Wide to Pct. #1 and appropriate in Pct. #1 line items

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

C. Request approval to deobligate \$ 200,000 from Series 2002 CIP funds Pct. #1 and appropriate in Pct. #2 Roads

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

13. Pct. #2: (SEE EXHIBIT L)

A. Ratify Interlocal Agreement between County of Hidalgo and Texas A&M University to establish a Community Resource Center in the North San Juan and Alamo Area of Hidalgo County, Texas (agreement previously approved on August 14, 2001 subject to legal review)

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

B. Discussion and possible action to apply for a grant from the Economic Development Administration in the amount of \$ 156,250 to be used to develop a growth strategy for the Year 2020 as part of the Hidalgo Vision 2020 Project

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

14. County Judge: (SEE EXHIBIT M)

A. Approval of appointments to the Hidalgo County Health Services Corporation Board

Judge Pulido appointed Mario Liscano; Commissioner Handy, Pct. 1 appointed Aniceto Santana; Commissioner Palacios, Pct. 2 appointed Fred Sandoval Jr.; Commissioner Flores, Pct. 3 appointed Eddie Olivarez; Commissioner Garza, Pct. 4 appointed Scott Martin

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

15. Pct. #3: (SEE EXHIBIT N)

A. Requesting authorization to purchase and activate one additional mobile phone under Road & Bridge for the Paving Supervisor

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

16. Planning Department: (SEE EXHIBIT O)

A. Variance Request for Setback Encroachment:

1. Jesse & Gloria Blas, Lot 1 Camino Real Viejo Subdivision – Pct. #1

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve the variance request.

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**

Nothing to report. NO ACTION taken on item 17.A.1-3.

At this point, the Court went into Executive Session on the Regular Agenda, and the Addendum.

Commissioner Garza is away from the Court throughout the Purchasing items.

18. Purchasing Department: (SEE EXHIBIT P)

A. HIDALGO COUNTY -

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

a)	Present Hidalgo County Jail-Total inmate population	<u>1113</u>
	• Physical Count:	<u>529</u>
	• Out of County Count: La Villa Facility (LCS):	<u>255</u>
	Brooks:	<u>329</u>

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) **Acceptance, approval and authority for Auditor to pay Application and Certificate for Payment No. 4 (dated 10-16-02) by Fierro Industries, Inc. in the amount of \$35,788.50 in connection with the construction of the off-site improvements (lift station) with all applicable documentation provided and subject to Auditor’s review, audit, and processing procedures completed;**

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

- c) **Acceptance, approval and authority for Auditor (subject to review, audit and processing procedures completed) to pay invoice #02631 in the amount of \$3,851.73 for consulting services rendered in connection with a telephone system for the New Adult Detention Facility & Law Enforcement Center Project;**

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

- d) **Requesting authority to purchase additional items (replacement tops, arm chair inside installed, and options #s 17 & 18) through the inter local agreement with the State of Texas, Building and Procurement Commission’s, Cooperative Program from Texas Correctional Industries on the total amount of \$1,938.00 and detailed as follows including attachment:**

<u>Item</u>	<u>Adult Detention Facility Qty.</u>	<u>Law Enforcement Center Qty</u>	<u>Price Ea.</u>	<u>Total</u>
Sr. credenza replacement top		2	\$ 24.00	\$ 48.00
Jr. credenza replacement top	1	1	24.00	48.00
Sr. exec. desk replacement top		2	24.00	48.00
Jr. exec. desk replacement top	1	1	24.00	48.00
Computer table replacement top		2	24.00	48.00
Conference table replacement top	2		24.00	48.00
425-06-20056-7—SH Arm chair inside installed	6		275.00	1,650.00
425-08-20058-3-33 Option #17 Base Finish	6		-0-	-0-
425-08-20060-9 Option #18 Vinyl color	6		-0-	-0-
<u>TOTAL BY BUILDING</u>	<u>\$1,746.00</u>	<u>\$192.00</u>		
<u>GRAND TOTAL</u>				<u>\$1,938.00</u>

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

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 18.A.3.e & f.

4. Requesting consideration and approval of the electronically printed signature of Martha L. Salazar on all purchase orders produced by the Hidalgo County Purchasing Department.

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

5. **Presentation for discussion, consideration and approval of modifications to the Requirements for the Request for Proposals for Group Health Benefits Plan with Life and Accidental Death and Dismemberment (Life & A D & D) as drafted and recommended by Hidalgo County's group health benefits consultants, A.B. Flores Insurance Consultants;**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, to change the RFP to two or more agents, and net of Commission-No Agents.

6. **Requesting authority to cancel the original Request for Proposal requirements approved for advertising on 9-30-02 and approval to re-advertise a Request for Proposals for Group Health Benefits with Life and Accidental Death and Dismemberment (Life & A D & D) to include the new modified requirements.**

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

7. **Requesting approval to surplus vehicles and numerous pieces of equipment for auction on November 9, 2002 under the Texas Local Government Code, Section 263.152. (a) (1) as detailed on Exhibit A attached hereto.**

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

B. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Approval of a professional engineering services contract with Cook-Joyce, Inc. in connection with precinct Number Three Penitas Landfill, subject to legal review and with a fully executed copy forwarded to the Hidalgo County Auditor's Office.**

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

C. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Requesting approval of specifications and authority to advertise for "Hidalgo County Pct. 4-Pit Run Caliche"**

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

2. **Requesting approval of specifications and authority to advertise for: "Hidalgo County Pct. 4-Hauling Services of All Road Materials (Excluding Hot-Mix)"**

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

3. **Requesting authority to advertise for "Sharp Road Paving Improvements - CIP Project"**

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

D. HIDALGO COUNTY JUVENILE JUSTICE COURT-

1. **Presentation for consideration, acceptance, and approval to exercise the option to extend for one(1) additional year (as provided in Article 1.2 of the current contract) with Maxima Business Center for the leasing of office space for the Juvenile Justice Court.**

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

19. Closed Session: (SEE EXHIBIT R)

1. On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to go into Executive Session for item "C" on the Regular Agenda, and "A & B" on the Addendum.
2. On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to go into Executive Session for item "A & B" on the Regular Agenda.

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 to discuss the following:

- A. Real Estate Acquisition**
- B. Evaluation, reassignment, discipline or dismissal of Buildings & Grounds Director**
- C. Pending and/or potential litigation – claim by contractor**

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

20. Open Session:

A. Real Estate Acquisition

Parcel #73 belonging to Eziquio Vasquez, located on South I. Road, Phase II, was appraised at \$1,272.00. Settlement offer is in the amount of \$2,772.00.
On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

B. Evaluation, reassignment, discipline or dismissal of Buildings & Grounds Director

NO ACTION taken on this item.

C. Pending and/or potential litigation – claim by contractor

NO ACTION taken on this item.

21. Closed Session:

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

NO ACTION taken on this item.

22. 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 Flores, 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, OCTOBER 29, 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 Q)**

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. Pending or contemplated litigation**
- B. Pending and/or potential litigation – Rafael Mendoza**

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

2. Open Session:

- A. Pending or contemplated litigation**

NO ACTION taken on this item.

- B. Pending and/or potential litigation – Rafael Mendoza**

Steve Crain, Legal Counsel: *Authorize the settlement with Mr. Rafael Mendoza, to offer a settlement amount of \$400.00, contingent upon Mr. Mendoza executing a release satisfactory to the County.*

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

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.

5. Head Start:

- A. Permission to advertise for position of Head Start Program Director**

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

**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 29, 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 Garza, the Court made a UNANIMOUS vote to approve all the items listed on the Consent Agenda, with the exception of item 2.D, M, and Q.

On motion of Commissioner Flores, seconded by Garza, the Court made a UNANIMOUS vote to approve items 2.M & Q, subject to change.

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

2. Line item transfers: (SEE EXHIBIT A)

- A. Purchasing Department**
- B. Pct. #1 – Parks**
- C. Pct. #1 – Landfill**
- D. County Court #1 – NO ACTION taken on this item.**

- E. J.P. Pct. #1, Pl. 2**
- F. Adult Probation**
- G. General Litigation**
- H. Auxiliary Court**
- I. Library System**
- J. 206th District Court**
- K. Constable Pct. #5**
- L. J.P. Pct. #3, Pl. 2**
- M. District Clerk – Gen. Fund**
- N. District Clerk**
- O. J.P. Pct. #4, Pl. 2 (2)**
- P. Health – Clinics**
- Q. Health – Sanitation**
- R. Health – Mobile Clinic**
- S. Pct. #4 – Paved/unpaved**
- T. Pct. #4 – Adm.**
- U. District Attorney**
- V. Buildings & Grounds**
- W. Pct. #2 – R & B**
- X. Pct. #2 – 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. Purchasing Department: (SEE EXHIBIT C)

A. HIDALGO COUNTY COMPUTER DEPARTMENT -

1. **Requesting authority to purchase an optiplex from Dell Marketing, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) Optiplex \$978.00 ea.**

B. HIDALGO COUNTY CONSTABLE PRECINCT NO. 5 -

1. **Requesting authority to purchase computer and peripherals from Dell Marketing, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program - (1) computer/peripherals \$1,098.00 ea. and shipping and handling \$45.00 = total \$1,143.00**

C. HIDALGO COUNTY PURCHASING DEPARTMENT -

1. **Requesting authority to purchase (2) Duplex Scanners from "MicroWarehouse Gov't" 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 of \$3,485.00, which includes Freight.**

**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 29, 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)**

Judge Pulido and Commissioner Garza are away from the Court.

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge Permit:**
 - A. City of Mission**
 - B. Anthony Gray**
- 3. Line item transfer**

**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 29, 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 Pulido and Commissioner Garza.

2. Open Forum

NO ACTION taken on this item.

3. Approval for appraisal and acquisition of parcel south of McColl Rd. drainage outfall

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

4. Approval of Interlocal Cooperation Agreement between the City of Edinburg and Hidalgo County Drainage District #1 on the Monte Cristo Outfall Phase II Project

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

5. Approval of 2002 Tax Roll Totals, Hidalgo County Drainage District #1, as per Sec. 26.09 (e), Texas Property Tax Code

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

6. Purchasing Department:

- A. Presentation for consideration, discussion, and approval the District's option (as provided under original project) to engage for independent audit services with Burton, McCumber & Cortez, L.L.P. for fiscal year 2002.**

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

B. Approval of a Earnest Money Contract in connection with the previously awarded (September 24, 2002) sale of property (September 24, 2002) described as:

“tract of land being a portion of a 40.0 foot strip of land conveyed to San Bentio Rio Grande Valley Railroad right of way (recorded in Volume 435, Page 626, Deed Records) out of the South 660.0 feet of Lot 46-6 WEST ADDITION TO SHARYLAND SUBDIVISION, Hidalgo County, Texas. Recorded in Volume 1, Page 567, Map Records of Hidalgo County, Texas.”

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, with the authority to execute the contract.

C. Requesting authority to advertise for: “Aluminum Box Culverts”

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

7. 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.

8. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

9. Closed Session:

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

NO ACTION taken on this item.

10. Open Session:

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

NO ACTION taken on this item.

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

There being no further business to come before said Court, the meetings of the Commissioners' Court and the Drainage District #1 Board are now hereby adjourned.

JOSE ELOY PULIDO ABSENT
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 29th 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 _____ day of _____ 2002.