

**REGULAR MEETING – DECEMBER 03, 2002**

**BE IT REMEMBERED**, that on this 3<sup>rd</sup> day of Dec., 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, DECEMBER 03, 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 Commissioners' Palacios, and Handy. Commissioner Handy arrived shortly after the commencement of the meeting.

**2. Pledge of Allegiance**

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

**3. Prayer**

Valde Guerra led the Court and Audience in Prayer.

**4. Open Forum**

No presentations made under Open Forum.]

**5. Constable Pct. #3: (SEE EXHIBIT D)**

**A. Requesting approval and acceptance of the Texas Department of Public Safety Grant for four (4) video units awarded to the Hidalgo County Constable Department Pct. #3 under Senate Bill 1074**

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

Commissioner Handy joined the meeting.

**6. Sheriff Department: (SEE EXHIBIT E)**

**A. Request approval to appropriate \$ 3,718.04 received from Gallagher Bassett Services, Inc. in Acct. #2-1100-421-00-280-001-0-581 (travel)**

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

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

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$799.00.

**7. Budget Officer: (SEE EXHIBIT F)**

**A. General Fund:**

**1. Approval of Budget Amendment – Jail (New Detention Facility Equipment and Supplies)**

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

**B. Jail Project: (Account 1330)**  
**1. Approval of Budget Amendment – 95,758.05**

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

Commissioner Garza is away from the Court.

**8. Urban County: (SEE EXHIBIT G)**

**A. HOME Housing Rehabilitation Program Construction Contract Award to Rolando's Construction for one (1) unit – City of Hidalgo**

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

Commissioner Garza joined the meeting.

**B. Request for approval of four (4) applicants under the HOME Homeowner Occupied Housing Rehabilitation Program in the County Wide area**

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

**9. Pct. #3: (SEE EXHIBIT H)**

**A. Acceptance of Real Property Gift Deed**

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

**10. 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 10.A.1-3.

**11. Colonia Access Program: (SEE EXHIBIT I)**

**A. Establishes the Colonia Access Program's Project Construction Budget**

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

**B. Approval of budget amendment "Border Colonia" for the competitive and noncompetitive \$ 3,879,059.00 Fund 1310**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, with a correction in the amount of 13,879,059.00.

**12. Purchasing Department: (SEE EXHIBIT J)**

**A. HIDALGO COUNTY -**

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

<b>a) Present Hidalgo County Jail-Total inmate population</b>	1061
<b>Physical Count:</b>	524
<b>Out of County Count: La Villa Facility (LCS):</b>	272
<b>Brooks:</b>	265

**2. Current inter-local(s) and/or contract(s) for the "Housing of Inmates";**

**a) New Adult Detention Facility and Law Enforcement Center Project:**

Nothing to report. NO ACTION taken on this item.

Commissioner Flores is away from the Court.

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

NO ACTION taken on this item. Nothing to report.

**Requesting authority to purchase through the TX. Bldg. & Procurement. Comm's, fka, GSC, state awarded contracts from the vendors listed and for the items detailed on the requisitions attached hereto:**

<u>Requisition No.</u>	<u>Vendor</u>	<u>State Contract No.</u>	<u>Total</u>
#1	G.T. Distributors	#1742339528800	\$ 5,203.00
#2	G.T. Distributors	same as above	3,241.75
#3	All Points Communications, Inc.	#1742760922101	27,507.00
#4	Bob Barker	#1561558062600	59,011.30
#5	Bob Barker	same as above	795.00

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

**c) Presentation for consideration, discussion and approval of the negotiated contract for: "Inmate Pay Telephone System" for the New Adult Detention Facility and Law Enforcement Center Project including the setting of the maximum call rate with the number one (1) ranked vendor, Evercom.,**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the \$3.00 rate.

**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;**

Nothing to report. NO ACTION taken on this item.

**4. Requesting approval to extend the "Letter of Engagement" (as provided by the current contract) to include the 2002 fiscal year with Burton, McCumber & Cortez, L.L.P.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, subject to Mrs. Marty Salazar negotiating a fee that would be no greater than the budgeted amount the County has set for those services.

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

1. **Requesting approval of the Earnest Money Contract with KVS Family Limited Partnership and authority to execute contract by Hidalgo County Judge José E. Pulido for the sale of property approved by Commissioners' Court on July 9, 2002.**

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

2. **Requesting authority to cancel the following bids due to lack of participation as recommended by project engineer and authority to re-advertise same, for:**  
**"South I Road Levee Modifications" - Bid No. 02-283**  
**"South I Road New Bridge Project" - Bid No. 02-255**

3. **Requesting authority to re-advertise for: "South I Road Project"**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 12.B.2 & 3.

**C. HIDALGO COUNTY PRECINCT NO. 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. Note: A fully executed copy of the lease agreement will be forwarded to the Hidalgo County Auditor's Office.**

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

**D. HIDALGO COUNTY FIRE MARSHAL -**

1. **Requesting authority to purchase a Xerox Copier from Xerox Document, a QISV vendor, through the Resolution with the State of Texas, General Services Commission, Catalogue Purchasing Program for a total of \$7,445.00.**

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

**13. Closed Session: (SEE EXHIBIT K)**

On motion of Commissioner Handy, seconded by Commissioner Flores, 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. **Nicolas R. Cantu vs. Hidalgo County**
- C. **Mission Consolidated ISD vs. Rodolfo Perez Cause # T-583-92-B** – This item will not be discussed in Executive Session.

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

At this time, the Court recessed, and continued with the Drainage District Agenda.

The Court reconvened.

**14. Open Session:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**B. Nicolas R. Cantu vs. Hidalgo County**

Valde Guerra was instructed to proceed as directed.

**C. Mission Consolidated ISD vs. Rodolfo Perez Cause # T-583-92-B**

This item was not discussed in Executive Session. NO ACTION taken on this item.

**15. Closed Session:**

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

NO ACTION taken on this item.

**16. Open Session:**

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

NO ACTION taken on this item.

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

**COUNTY OF HIDALGO  
JOSÉ ELOY PULIDO  
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, DECEMBER 03, 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.**

Commissioner Palacios, and Handy are absent.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda, with the exception of items 2.P & H.

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

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

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

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

- A. Constable Pct #5**
- B. Jail**
- C. Sheriff Department**
- D. Pct. #2 – R & B**
- E. Pct. #2 – Landfill**
- F. Pct. #2 – Adm.**
- G. Pct. #2 – Parks**
- H. Pct. #2 – County Wide Shop**
- I. Pct. #2 – CRC**
- J. Colonia Access Program**
- K. Pct. #4 – R & B**
- L. Buildings & Grounds**
- M. Pct. #3 – Landfill**
- N. 139<sup>th</sup> District Court**
- O. WIC**
- P. Pct. #3 – Parks**
- Q. County Clerk**
- R. Pct. #1 – R & B**
- S. Pct. #1 - Parks**

**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)**

**CONSENT AGENDA CON'T:**

**4. Urban County: (SEE EXHIBIT C)**

- A. Request for approval to enter into a "Homebuyer Assistance Program" Contract under the Home Program (5 families)**

**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, DECEMBER 03, 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  
(NO EXHIBITS)**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve all 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. Villa Las Fuentes Phase II**

**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, DECEMBER 03, 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 L)**

**1. Roll Call**

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

**2. Open Forum**

NO ACTION taken on this item.

**3. Purchasing Department:**

**A. Recommending award of bid for “Hidalgo County Drainage District No. 1-South 10<sup>th</sup> Street Drainage Ditch” to low bidder meeting all requirements and/or specifications.**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve Summit Construction, LTD.

**B Requesting approval of Contracts for: “Hidalgo County Drainage District No. 1-South 10<sup>th</sup> Street Drainage Ditch” to low 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**

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

On motion of Commissioner Garza, (second motion inaudible on tape), the Court made a UNANIMOUS vote of approval to reconvene to the Regular Agenda Executive Session.

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 \_\_\_\_\_ ABSENT  
COUNTY COMMISSIONER, PRECINCT 2

JOSE FLORES \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 3

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

Dated this the 3<sup>rd</sup> day of December, 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.