

CCC/December 10, 2002

REGULAR MEETING – DECEMBER 10, 2002

BE IT REMEMBERED, that on this 10th 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 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 10, 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 Pulido called on Mike Robledo to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Mike Robledo led the Court and Audience in Prayer.

4. Open Forum

Mauricio Atilano made some comments in reference to payment for construction repairs done at the Courthouse.

At this point, the Court proceeded with item 7.A. 1 & 2.

5. County Auditor: (SEE EXHIBIT H)

A. Discussion and action to allow County Auditor to fill one vacant position

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

6. Presentation and discussion on the Indigent Defense Act of Texas and the Hidalgo County Indigent Defense Program (SEE EXHIBIT J)

Presentation made by Paul Vazaldua. NO ACTION taken on this item.

7. Budget Officer: (SEE EXHIBIT K)

A. Probate Court:

- 1. Approval to create obj. 743 (office equip.) Acct. #2-1243-412-00-023-002-0**
- 2. Approval of line item transfer - \$ 649.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 7.A.1 & 2.

B. 370th District Court:

- 1. Approval to unappropriate \$ 485.83 from Acct. #2-1100-412-00-005-001-0-671 (275th D.C.) and appropriate to Acct. #2-1100-412-00-007-001-0-431 (370th D.C.)**

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

C. Criminal Auxiliary Court:

1. **Requesting approval to create obj. # 810 (dues & membership)**
2. **Requesting approval of line item transfer - \$ 100.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 7.C.1 & 2.

D. Risk Management:

1. **Approval to create obj. #606 (maps, plans & plats)**
2. **Approval of line item transfer - \$ 265.80**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to of approve 7.D.1 & 2.

E. J.P. Pct. #2, Pl. 2:

1. **Approval of line item transfer - \$ 2,486.38**

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

8. Commissioners' Court: (SEE EXHIBIT L)**A. Authorization and approval to amend 2002 Holiday Schedule**

-Dairen Cedillo proposed to have the County close ½ day on Tuesday, December 24, 2002, and all day Friday, December 27, 2002 off for Christmas Holidays, in addition to our present schedule.

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

-Later during the meeting, Valde Guerra proposed to include New Years Eve. That would be an additional ½ day on Tuesday, December 31, 2002.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. Commissioner Garza is away from the Court and did not vote on this item.

B. Road & Bridge – Adm.:

1. **Approval of line item transfer**
2. **Approval to set salary**

NO ACTION taken on item 8.B. 1 & 2.

9. Sheriff Department – Jail: (SEE EXHIBIT M)

- A. **Approval to appropriate budget amendment for \$ 232,798.12 for the Jail Commissary (salaries & fringes benefits)**
- B. **Set salaries for seven (7) employees assigned to the Jail Commissary**

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

10. Urban County: (SEE EXHIBIT N)**A. Approval of budget & program amendment – City of Peñitas – UC Year 15 (2002)**

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

B. City of La Joya – Water/Sewer Improvements – UCP Yr. 14 (2001) Approval of amendment no. 1 to Professional Services Contract with Hinojosa Engineering, Inc. – Rehabilitation of the Elevated Water Tank

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

C. Approval of a Sub-recipient Agreement with the following public service agency for UCP Year 15 (2002) – Hidalgo Youth Center (youth services) \$ 10,000.00 – Pct. #2

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

11. HIDTA – Command Center: (SEE EXHIBIT O)

A. Approval to appropriate a budget increase for the Hidalgo County HIDTA Command Center in the amount of \$ 54,689.00 (no county funds will be used)

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

12. Approval of Agreement between Hidalgo County and Hidalgo County Drainage District #1 for Sharing cost of Planning, Aerial Photographic Mapping, and Engineering Designs and use of plans, Aerial Photographic Maps and Engineering Designs by Political Subdivisions in Hidalgo County (SEE EXHIBIT P)

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve, subject to final review by legal counsel.

Commissioner Garza is away from the Court.

13. Planning Department: (SEE EXHIBIT Q)

A. Preliminary Plat Approval:

- 1. La Homa Estates North Subdivision – Pct. #3**
- 2. Buena Vida Subdivision Phase II – Pct. #3**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 13.A.1 & 2.

B. Final Plat Approval with Letter of Credit:

- 1. Cibolo Estates Subdivision – Pct. #4**

For the Record: *This item has been approved by the Subdivision Advisory Board.*

Commissioner Garza is away from the Court, and did not vote on this item.

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

C. Requesting budget amendment for office supplies to prepare application postings and notices

Commissioner Garza is away from the Court and did not vote.

NO ACTION taken on this item.

14. Pct. #1: (SEE EXHIBIT R)

A. Request for payment No. 1 to S & G Paving for CIP Group III paving project

Commissioner Garza is away from the Court and did not vote.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of 190,974.60.

15. 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.

16. Purchasing Department: (SEE EXHIBIT)

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>1058</u>
	i. Physical Count	<u>516</u>
	ii Out of County Count:	
	La Villa Facility (LSD):	<u>266</u>
	Brooks	<u>276</u>

Commissioner Garza joined the meeting.

2. Current inter-local(s)/contract(s) for the Housing of Inmates

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 item 16.A. 2 & 3.a.

- b) Requesting authority to engage the services of a qualified professional HVAC Facilities Maintenance Consultant as recommended by Consulting Architect, Reynaldo Vargas, and as provided under consulting architect's contract, article 7.1, in connection with indoor air quality and mechanical equipment operational performance testing in an amount not to exceed \$24,765.00.**

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

- c) Requesting authority to purchase the following goods/products and procured through awarded vendors, solicited quotes, or state awards, catalogue of purchasing programs for the structures on site of the New Adult Detention Facility, Law Enforcement Center, Maintenance and Motor Pool Building and Law Enforcement Training Facility and as detailed in the requisition below:**

<u>Requisition No.</u>	<u>Vendor</u>	<u>Structure/Building</u>	<u>Total</u>
#11	Corporate Express	L-E Training Facility	699.18
#12	Same as above	same as above	155.98
#14	L.F.D. Furnishing	Motor Pool & Maintenance Bldg	399.95
#15	Corporate Express	same as above	242.78
#16	L.F.D. Furnishing	L-E Training Facility	299.95

Purchasing Department Continued: Item 16.A.3.c.

#17	same as above	same as above	12.99
#18	Grainger	same as above	1,129.50

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

d) Report and Recommendations of Owner’s Consulting Architect:

Nothing to report. NO ACTION taken on this item.

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

Nothing to report. NO ACTION taken on this item.

4. Requesting authority to exercise the sixty (60) day grace period under current contract with Discount Oils, Lubricants & Fuels, Inc. for Gasoline & On & Off Highway Diesel Fuel Products so as not to have a lapse in service & allow ample bid process to be completed.

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

5. Requesting authority to advertise for: Gasoline & On & Off Highway Diesel Fuel Products.

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

6. Requesting approval to issue payment for ‘03 annual dues with authority for County Auditor to process a manual check in the amount of \$3,352.80 to Texas Building and Procurement Commission in order to participate in the State Travel Management Program (STMP), as provided by Senate Bill 204 for Hidalgo County.

Commissioner Garza is away from the Court and did not vote.

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

B. HIDALGO COUNTY PRECINCT #1 -

1. Requesting approval of a Water Service Agreement with North Alamo Supply Corporation and Hidalgo County Precinct No. 1 in connection with the installation of the water meters for the Rollo Townsite Subdivision with authority for Hidalgo County Judge Jose E. Pulido to sign service agreement.

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

C. HIDALGO COUNTY PRECINCT #3 -

1. Requesting exemption from competitive bidding requirements for professional/architectural services in connection with the design and construction of a multipurpose center for Precinct #3;

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

2. **Requesting authority to negotiate an architectural services agreement with Alcoser Garcia & Associates Design Consultants for the design and construction of a multipurpose center in Precinct #3.**

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

D. HIDALGO COUNTY PRECINCT #4 -

1. **Requesting exemption from competitive bidding under the Texas Local Government Code 262.024(a) (4) for professional engineering services with J.E. Saenz & Associates, Inc. in connection with the R&B CIP-Several Road Projects of Precinct No. 4. (CORRECTED)**

Commissioner Garza is away from the Court and did not vote.

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

2. **Requesting approval of a professional engineering services contract, subject to legal review, with J.E. Saenz & Associates, Inc. for the R&B CIP-Several Road Projects of Precinct No. 4.
NOTE: Fully executed copies of the contracts will be forwarded to the Hidalgo County Auditor's Office, before the commencement of any work or presentation of any invoices for payment. (CORRECTED)**

Commissioner Garza is away from the Court and did not vote.

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

3. **Requesting authority to advertise for Tierra Buena 1 & 2 Paving Improvements-CIP Projects.**

Commissioner Garza is away from the Court and did not vote.

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

4. **Recommending bid award to low bidder meeting all requirements for Oxford Road Paving Improvements - Capital Improvement Project.**

Commissioner Garza is away from the Court and did not vote.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve Mission Paving.

5. **Requesting approval of contract for Oxford Road Paving Improvements - Capital Improvements Project to low bidder meeting all requirements.
NOTE: Fully executed copies of the contracts will be forwarded to the Hidalgo County Auditor's Office.**

Commissioner Garza is away from the Court and did not vote.

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

E. HIDALGO COUNTY COMPUTER DEPARTMENT -

1. **Requesting authority to purchase computer hardware and peripherals from The Software Group, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a, General Services Commission, Catalogue Purchasing Program:**

Continued: Item 16. E. HIDALGO COUNTY COMPUTER DEPARTMENT

1)	18mm cleaning cartridge	\$19.95	\$19.95
2)	1 Freight	26.95	26.95
3)	40 IBM 20/40 GB 8mm 170mm Data Cartridge	72.95	2,918.00
4)	40 IBM dds3 12gb 4mm Data Cart Tape	16.95	678.00
5)	1 Ultrium External Drive	6,411.00	6,411.00
		TOTAL	<u>\$10,053.90</u>

Commissioner Garza is away from the Court and did not vote.

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

Commissioner Handy is away from the Court.

F. HIDALGO COUNTY CONSTABLE PRECINCT #2 -

1. **Requesting authority to purchase One (1) New 2003 Ford Police Interceptor 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 \$20,780.00, H-GAC Administration Fees Included.**

Commissioner Garza and Commissioner Handy are away from the Court and did not vote.

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

G. HIDALGO COUNTY CONSTABLE PRECINCT #4 -

1. **Requesting exemption from competitive bidding requirements under Tx. Local Govt. Code, Section 262.024 (a), (9)(C), to purchase three (3) vehicles from Texas Department of Public Safety for Hidalgo County Constable Precinct #4.**

Commissioner Garza and Commissioner Handy are away from the Court and did not vote.

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

2. **Requesting authority to purchase three (3) vehicles from the Texas Department of Public Safety, Surplus Fleet Services for Hidalgo County Constable Precinct #4. Total price: \$16,600.00.**

Commissioners' Garza and Handy are away from the Court and did not vote.

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

3. **Authority for Auditor to issue manual check, to be hand delivered to the Texas Department of Public Safety in the amount of \$16,600.00, by no later than Friday, December 13, 2002 in order to pick-up vehicles.**

Commissioner Handy and Commissioner Garza are away from the Court and did not vote.

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

4. **Requesting exemption from competitive bidding requirements under Tx. Local Govt. Code, Section 262.024 (a), (9)(C), to purchase radio & vehicle equipment from Texas Department of Public Safety for Hidalgo County Constable Precinct #4.**

Commissioners' Garza and Handy are away from the Court and did not vote.

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

5. **Requesting authority to purchase three (3) Motorola Syntor X9000 Radios and three (3) Overhead Light Bars from the Texas Department of Public Safety, Surplus Fleet Services for Hidalgo County Constable Precinct #4. Total price: \$1,425.00.**

Commissioners Garza and Handy are away from the Court and did not vote.

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

6. **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, December 13, 2002 in order to pick-up vehicles**

Commissioner Garza and Commissioner Handy are away from the Court and did not vote.

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

H. HIDALGO COUNTY HEALTH DEPARTMENT –

Commissioner Garza joined the meeting.

1. **Requesting approval of a line transfer from account - 2-1100-441-00-340-003-0-113-Salaries into account -2-1100-441-00-340-003-0-350-Contractual Services for the amount of \$3,500.00.**

Commissioner Handy is away from the Court and did not vote.

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

2. **Requesting exemption from competitive bidding requirements for Professional Service/Licensed Nurse Practitioner for the County Health Department.**

Commissioner Handy is away from the Court and did not vote.

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

3. **Requesting approval of a professional services contract with: Emmalou Keys, R.N., F.N.P., not to exceed twenty (20) hours per week at a rate of \$35.00 per hour.**

Commissioner Handy is away from the Court and did not vote.

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

I. HIDALGO COUNTY PURCHASING DEPARTMENT -

1. Requesting authority to purchase Computer Equipment and Peripherals in the amount of **\$15,257.00** from Dell Computers, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a, General Services Commission, Catalogue Purchasing Program
2. Requesting authority to purchase Computer Equipment and Peripherals in the amount of **\$4,132.91** from CDW-G Computers, a QISV vendor, through the Resolution with the State of Texas Building and Procurement Commission, fka, General Services Commission, Catalogue Purchasing Program.

NO ACTION taken on item I. 1 & 2.

J. HIDALGO COUNTY TAX OFFICE –

1. Requesting approval of an increase of \$ 1,225.03 for the contract with Laser Printers & Mailing Services for: “Printing Tax Rolls, Folding, Inserting, Pre-Sorting and Delivering of Tax Statements for the Year 2002 to the Edinburg Post Office” (original bid was based on an approximate of 300,000 statements)

Commissioner Handy is away from the Court and did not vote.

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

At this point, the Court proceeded with the Addendum.

Commissioner Handy joined the meeting during the Addendum.

17. Closed Session:

Commissioner Flores is away from the Court.

On motion of Commissioner Handy, (second motion inaudible on tape), the Court made a UNANIMOUS vote of approval to go into Executive Session.

Commissioner Garza is away from the Court.

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

18. Open Session:**A. Real Estate Acquisition**

This item was not discussed during Executive Session.

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

Commissioner Garza is away from the Court and did not vote.

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, in the amount of \$4,735.26.

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

For the Record as per Bobby Guerra: *The second installment to be paid by this entity (Hidalgo County) is in the amount of \$50,000.00. The first installment was paid by your insurance carrier. I am requesting formal authority on that from your auditor.*

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

19. Closed Session:

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

NO ACTION taken on this item.

20. 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, DECEMBER 10, 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

Commissioner Handy joined the meeting.

- 1. Indigent Defense Program:**
 - A. Approval of budget acct. #2-1290-412-00-007-003-0**
 - B. Approval to create obj. 743 Office equipment**
 - C. Approval of line item transfer - \$ 45,000.00**

-Correction object code for item 1.B is #749, and not 743.

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

**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 10, 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 Flores, the Court made a UNANIMOUS vote of approval, with the exception of items 2.) B, C, H, K, CC, II, and OO.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 2.) B, subject to change in the amount of \$129.34.

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

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

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

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

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

NO ACTION taken on item 2.OO. b & c.

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

2. Line item transfers: (SEE EXHIBIT A)

- A. Pct. #1 – R & B**
- B. Constable Pct. #1**
- C. Tax Office**
- D. J.P. Pct. #1, Pl. 2**
- E. 370th District Court (2)**
- F. Risk Management**
- G. Buildings & Grounds**
- H. 389th District Court**
- I. Criminal Auxiliary Court**
- J. Child Welfare**
- K. J.P. Pct. #3, Pl. 1**
- L. County Judge**
- M. Constable Pct. #5**
- N. District Clerk**
- O. Fire Marshal**
- P. Pct. #4 – Adm.**
- Q. Health – Clinics**

Continued: Consent Agenda

- R. Health – Adm.
- S. Historical Commission
- T. County Treasurer
- U. Elections Department
- V. Pct. #3 – Landfill
- W. Pct. #3 – Park
- X. Courthouse Security
- Y. 92nd District Court
- Z. Computer Department
- AA. County Extension Service
- BB. Pct. #2 – Adm.
- CC. Pct. #2 – CRC
- DD. Pct. #2 – C/O
- EE. Master Court #1
- FF. Constable Pct. #3
- GG. DPS – Highway Patrol
- HH. J.P. Pct. #3, Pl. 2
- II. HIDTA – Task Force
- JJ. 206th District Court
- KK. Law Library
- LL. Pct. #4 – R & B
- MM. Pct. #1 – Adm.
- NN. Pct. #1 – Landfill
- OO. Purchasing Department
- PP. J.P. Pct. #2, Pl. 2

- 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 (5 families)
 - B. HOME “Homebuyer Assistance Program” Change of Property Location

- 5. **Right of Way:** (SEE EXHIBIT D)
 - A. North Alamo Water Supply – west of FM 493 on Mile 9 North
 - B. North Alamo Water Supply – west of FM 493 on Mile 9 North
 - C. North Alamo Water Supply – west of FM 493 on Mile 9 North
 - D. North Alamo Water Supply – east of FM 493 on Mile 9 North
 - E. Southwestern Bell – along Owassa Rd. west of Tower Rd.
 - F. Southwestern Bell – along Cantu Drive
 - G. North Alamo Water Supply – east of FM 1426 on Sioux Rd.
 - H. Southwestern Bell – along Bentsen Palm Drive north of FM 2221

- 6. **Monthly Fee Reports – October:** (SEE EXHIBIT E)

A. J.P. Palacios	46,251.76
B. J.P. Espinoza	52,382.65
C. J.P. Morales	24,886.88
D. J.P. Ochoa	50,747.21
E. J.P. Saenz	27,839.78
F. J.P. Trevino	47,461.96
G. J.P. Garza	53,074.06
H. J.P. Contreras	18,299.29

Continued: Consent Agenda

I. J.P. Jackson	15,967.93
J. Law Library	2,386.75
K. Sheriff Escalon	74,952.69
L. Anzalduas Park	1,432.11
M. Delta Lake	1,476.00
N. Constable Aguirre	2,130.00
O. Constable Alaniz	840.00
P. Constable Gallardo	1,220.00
Q. Constable Cerda	665.00
R. Constable Bazan	610.00

7. Tax Refunds: (SEE EXHIBIT F)

Taxpayer	Payer	Amount
A. Pedro R. Diaz	Chase Manhattan	2,150.44
B. Rogelio H. & Maria Rodriguez	Rogelio Rodriguez	2,185.22
C. Ricardo Jr. & Arturo Salinas	The Pines Apts.	2,429.46
D. Carlos R. & Lisette Peralta	Trans-Chase Manhattan	2,098.98
E. N. Alamo Water Supply	N. Alamo Water Supply	1,434.50
F. Maria Azucena Guerra	Carmen R. Garcia	507.60
G. Pedro Jr. Requenez	Pedro Jr. Requenez	946.36

8. Approval of Minutes: (SEE EXHIBIT G)

- A. October 15, 2002
- B. October 22, 2002

9. Purchasing Department: (SEE EXHIBIT H)

A. HIDALGO COUNTY COMPUTER DEPARTMENT -

- 1) Requesting authority to purchase Computer software and peripherals from CDW Government, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Services Commission, Catalogue Purchasing Program; (1) Toshiba Satellite, (2) Microsoft Windows XP Professional, (1) Install software, (1) Simple Tech Module = in the total amount of \$2,937.04.
- 2) Requesting authority to purchase Computer peripherals from Microwarehouse, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement a.k.a. General Services Commission, Catalogue Purchasing Program in the amount of \$4,191.16.
- 3) Requesting authority to purchase Small Minitower from Dell Marketing, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement, a.k.a. General Services Commission, Catalogue Purchasing Program in the amount of \$4,239.94.

B. HIDALGO COUNTY 206TH DISTRICT COURT -

- 1) Requesting authority to purchase computer hardware and software from S.J.S. Computer, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement f.k.a. General Services Commission, Catalogue Purchasing Program in the amount of \$4,764.00.

C. HIDALGO COUNTY DISTRICT ATTORNEY -

- 1) Requesting authority to purchase computer hardware from CDW Government, a QISV vendor, through the Resolution with the State of Texas, Texas Building and Procurement a.k.a. General services Commission, Catalogue Purchasing Program in the amount of \$712.77.

**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 10, 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)**

Commissioner Garza is away from the Court and did not vote on this item.

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. October 15, 2002**
 - B. October 22, 2002**
- 3. Line item transfer - \$ 9,600.00**

**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 10, 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 V)**

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. Approval of Supplemental Agreement with Quintanilla, Headley & Associates for Aerial Photography Project (additional work, final payment)

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

4. Approval of Agreement between Hidalgo County and Hidalgo County Drainage District #1 for Sharing cost of Planning, Aerial Photographic Mapping, and Engineering Designs and use of plans, Aerial Photographic Maps and Engineering Designs by Political Subdivisions in Hidalgo County

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

5. Authorization and approval to amend 2002 Holiday Schedule

Amend the Holiday schedule to close ½ day on Tuesday, December 24; all day Friday, December 27; and ½ day on New Years Eve-Tuesday, December 31, 2002, in addition to the present schedule.

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

6. Purchasing Department:

A. Recommending award of bid to bidder meeting all specifications for: Aluminum Box Culverts With Aluminum Head - Walls & Wing-Walls.

Commissioner Garza is away from the Court and did not vote on this item.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve Contech Construction.

B. Requesting authority to advertise and approval of draft specifications as attached hereto for: Pipes - Reinforced Concrete, Polyethylene, Heavy Wall Concrete, Corrugated PVC & Steel Storm Sewer Pipes Project.

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

C. Requesting authority to exercise the sixty (60) day grace period under the current contract for: Gasoline, On & Off Highway Diesel Fuel, so as to have no lapse in service while bid process is on going.

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

D. Requesting authority to advertise for: Gasoline, On & Off Highway Diesel Fuel.

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

E. Presentation of the status of the project for: Lease of Land for Mineral Development for consideration, discussion and/or direction from the Board.

Presentation made. NO ACTION taken on this item.

7. Closed Session:

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to go into Executive 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

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

8. Open Session:

A. Real Estate Acquisition

1. Parcel condemnation case, con-1264-D was appraised at \$47,147.00. Settlement offer is in the amount of \$48,323.98.

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

2. Proposed donation from Mr. Oscar Tobbit, on an easement. It is a non-cash charitable donation. Property was appraised at \$61,920.00.

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

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 Handy, seconded by Commissioner Palacios, 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 _____
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 10th 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.