

REGULAR MEETING – DECEMBER 17, 2002

BE IT REMEMBERED, that on this 17th 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 17, 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 Elaine McDonald to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Elaine McDonald led the Court and Audience in Prayer.

4. Open Forum

Jose Garza made a presentation on the Census Litigation update.
Mrs. Noelia Perez made a presentation on some outstanding invoices.

At this point, the Court proceeded with item 15.A.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to recess the Commissioners' Court meeting and continue with the Drainage District Agenda.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to reopen the Commissioners' Court Agenda.

The Court proceeded with the Consent Agenda.

5. County Auditor: (SEE EXHIBIT G)

A. Presentation on Certificates of Obligation Series 2001, Fund 1331 (CIP) and Certificates of Obligations 2002, Fund 1332 (CIP) at November 30, 2002

Presentation made. NO ACTION taken on this item.

6. Budget Officer: (SEE EXHIBIT H)

A. Criminal Auxiliary Court:

1. Requesting approval to create line item 339 (Professional Services)

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

2. Requesting approval of line item transfer - \$ 225.00

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

B. Constable Pct. #5:**1. Approval of line item transfer from salaries - \$ 1,000.00**

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

C. Human Services:**1. Approval to appropriate unreserved fund balance of the Indigent Health Care Fund for \$ 409,716.12 into Indigent Health Care Expenditures**

For the Record as per Valde Guerra, Budget Officer: There was a transposed error. It should be actually \$490,716.12.

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

At this Point, the Court proceeded with item #18.

Commissioner Palacios excused himself from the meeting.

D. Sheriff Department (Jail Project):

- 1. Approval to create obj. #661 (minor office equip.) – Acct. #2-1330-421-00-110-051-0**
- 2. Approval to create obj. #664 (minor equipment) – Acct. #2-1330-421-00-110-051-0**
- 3. Approval to create obj. #661 (minor office equip.) – Acct. #2-1330-421-00-110-050-0**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 6.D.1-3.

4. Approval of line item transfer - \$ 2,940.33

For the Record as per Valde Guerra: It was account #1330, and not General Fund.

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

E. Approval to unappropriate \$ 600.00 from Risk Management Acct. & appropriate to J.P. Pct. #1, Pl. 1 Acct.

Valde Guerra for the Record: *Item E is keeping in line with the Court's order to no budget amendments.*

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

F. Planning Department:**1. Approval of line item transfer - \$ 2,376.00**

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

7. County Court #2: (SEE EXHIBIT I)**A. Requesting approval of budget amendment**

NO ACTION taken on this item.

- 8. **Approval of Official Bonds: (SEE EXHIBIT J)**
 - A. **Ramon Garcia, County Judge**
 - B. **Rodolfo Gonzalez, County Court at Law #1 Judge**
 - C. **Mary Alice Palacios, J.P. Pct. #4, Pl. 2**
 - D. **Rosa Trevino, J.P. Pct. #2, Pl. 2**
 - E. **Omar Guerrero, District Clerk**
 - F. **Jaime J. Palacios, County Court at Law #2 Judge**
 - G. **Homero Garza, Probate Court Judge**
 - H. **Federico "Fred" Garza, Jr., County Court at Law #4 Judge**
 - I. **Arnoldo Cantu Jr., County Court at Law #5 Judge**

Due to a possible conflict on #8, Commissioner Palacios stepped away from the Court and did not vote.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.A-I.

- 9. **County Judge: (SEE EXHIBIT K)**
 - A. **Approval to reclassify the following and set salary:**

1. Slot #3 Administrative Assistant to Border Specialist	\$45,587.80
2. Slot #5 Administrative Assistant to Environmental Manager	\$37,000.00
3. Slot #7 Administrative Assistant to Revenue Specialist	\$43,260.00
4. Slot #8 Administrative Secretary to Revenue Secretary	\$24,400.00
5. Slot #13 Research & Development Coordinator to Community Liaison	\$37,000.00

NO ACTION taken on item 9.A. 1-5.

- B. **Approval of Tax Abatement Agreement between Hidalgo County and Vanity Fair Intimates, LP**

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

- 10. **Discussion and possible action regarding land, mineral rights and current mineral leases on Hidalgo County Properties – Godfrey Garza (SEE EXHIBIT L)**

NO ACTION taken on this item.

- 11. **Urban County: (SEE EXHIBIT M)**
 - A. **Approval of a Professional Services Contract with Javier Hinojosa Engineering – Hidalgo County Pct. #3 – Street Improvements – UCP Year 14 (2001)**

NO ACTION taken on this item.

- B. **Authorization to allow the City of Alamo to commit future Urban County allotments to re-pay Certificates of Obligation**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, subject to HUD's approval.

- 12. **Public Defenders: (SEE EXHIBIT N)**
 - A. **Approval to delete slot #1 Court Appointments Coordinator**
 - B. **Approval to delete slot #2 Secretary**

NO ACTION taken on item 12. A & B.

13. Indigent Defense Program: (SEE EXHIBIT O)

A. Approval to create the following positions and set the salary

(3) Pre-Trial Services Coordinators	\$25,000.00
(1) Compliance Monitor	\$31,000.00
(1) Grant Auditor – County Auditor’s Office	\$34,000.00
(1) Systems Integrator – Computer Dept.	\$31,000.00
(1) Special Prosecutor – D.A. Office	\$45,000.00

NO ACTION taken on item 13. A.

At this point, Commission Palacios joined the meeting.

14. Head Start: (SEE EXHIBIT P)

A. Requesting approval of exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (c) utilizing the State of Texas Cooperative Purchasing Program of the General Service Commission (GSC) for a Maximum of two (2) 2003 Chevrolet Cargo Vans and two (2) Small Tractors with implements —cost of the two (2) vans is \$ 32,792.00 – cost for two (2) Tractors with implements is \$ 42,176.00

Commissioners’ Garza and Handy are away from the Court for this item.

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

B. Requesting approval of request authorizing to purchase two (2) Chevrolet Cargo Vans through the State of Texas Cooperative Purchasing Program of the General Service Commission (GSC) vendor is Lawrence Marshall Car Dealership from Hempstead, Texas for a total price of \$ 32,792.00 and the two (2) small tractors with implements from Barbee Nehaus located in Weslaco, Texas for a total price of \$ 42,176.00

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

Commissioners’ Garza and Handy are away from the Court for this item.

C. Requesting approval to advertise for bids for the following:

- 1. Kitchen Equipment**
- 2. Classroom Supplies**
- 3. Janitorial Supplies**
- 4. Computers**
- 5. Fax Machines**
- 6. Monitoring of Alarm System**
- 7. Monitoring of Fire Systems**
- 8. Installation of Security/Classroom Cameras**
- 9. Vehicle Maintenance & Repair**
- 10. Bus Maintenance & Repair**
- 11. Equipment & Supplies necessary for Maintenance of Facilities**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 14.C.1-11.

Commissioners’ Garza and Handy are away from the Court for this item.

D. Discussion and possible action authorizing payment to All Pro Contractors, Inc. in the amount of \$24,700.00

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

Commissioners' Garza and Handy are away from the Court for this item.

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

A. Approval to adopt Resolution honoring Judge Jaime Garza, County Court at Law #2 for his distinguished commitment to public service

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

All members of the Court were present for this item.

The Court took a recess at this point.

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

A. Discussion and approval of Mission's Fontana Motor Hotel Demolition Project Agreement

Commissioners' Garza and Handy joined the meeting.

For the Record as per Steve Crain, Legal Counsel: *The Agreement was revised by the Firm of Calame, our delinquent tax attorney's. One major concerns I have with the agreement that Calame did put in is that they're putting some specifications on the required insurances for this contractor that MEDC has. Apparently there are no requirements for that Contractor, that's potentially a direct liability to all the taxing bodies, and if I would, since the Firm of Calame made the revisions to the agreement, I'd like them to address the other concerns stated in the letter.*

Discussion made. NO ACTION taken on this item.

17. Pct. #4: (SEE EXHIBIT S)

- A. Approval of line item transfer CIP – in the amount of \$2,000.00**
- B. Approval to create line item #122 temporary employee (part-time) in the Pct. #4 R & B Acct.**
- C. Approval of line item transfers – in the amount of \$54,5000.00 total**
- D. Approval to accept Tennessee Gas Pipeline Company request for an additional Pipeline Easement across tracts located in Blocks 42 & 43 of the Santa Cruz Gardens Subdivision #2 in Hidalgo County**

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

18. Human Services: (NO EXHIBITS)

- A. Discussion and/or action, including, but not limited to the following items:**
 - 1. Indigent Health Care expenditures**
 - 2. Modify Services being provided**
 - 3. Report and Recommendations regarding Indigent Health Care**

NO ACTION taken on this item.

Commissioner Palacios is away from the Court for this item.

19. Human Resources: (SEE EXHIBIT T)

- A. Approval to appoint or re-appoint members to Hidalgo County Civil Service Commission**

Presentation made. NO ACTION taken on this item.

20. Purchasing Department: (SEE EXHIBIT U)
A. HIDALGO COUNTY –

Judge Pulido is away from the Court.

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

a) Present Hidalgo County Jail-Total inmate population	1015
• Physical Count:	498
• Out of County Count: La Villa Facility (LCS):	255
Brooks:	262

2. Current inter-local(s) and/or 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);

NO ACTION taken on item 20.A. 2 & 3.

Judge Pulido joined the meeting.

b) Requesting approval of a modification to the contract with Superior Alarms for the installation of additional cable drops required for the New Adult Detention Facility and Law Enforcement Center in the amount of \$6,115.00;

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

Commissioner Garza is away from the Court.

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

Requisition No.	Vendor	Structure/Building	Total
#06	Corporate Express	Law Enforcement Center	2,482.72
#06a	Tony’s Business Interiors	same as above	1,755.00
#06b	Jones & Cook	same as above	2,641.00
#07	Corporate Express	same as above	196.32
#07a	Tony’s Business Interiors	same as above	845.45
#08	Corporate Express	same as above	2,140.78
#08a	Jones & Cook	same as above	186.00
#09	Corporate Express	Law Enforcement Center	11,842.00
#10	same as above	L-E Training Facility	1,437.21
#13	Corporate Express	same as above	796.75
#19	LFD Home Furnishing	Law Enforcement Center	2,406.95
#20	Sears Roebuck & co.	same as above	999.98
#21	Int’l. Medical Supplies	Adult Detention Facility	68.25
#22	Airgas Southwest	same as above	35,488.28
#23	TX. Correction Industries	Law Enforcement Center	11,651.00
#24-24a	Int’l Medical Supply	Adult Detention Facility	33,705.63
#25-25a-25b	same as above	same as above	9,409.75
#26-26a-26b	same as above	same as above	4,964.01
#27	same as above	same as above	1,628.63
#28	same as above	same as above	150.00
#29	same as above	same as above	135.00
#30-30a	Hest Fitness Products	same as above	43,641.05
#31-31a	same as above	same as above	

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 20.3.c, subject to possible corrections being made by the Purchasing Department.

Purchasing Continued:

- d) **Report and Recommendations from Consulting Architect:**
- 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 item 20.A.3. d & e.

4. **Requesting authority to advertise and approval of specifications as attached hereto for: Hidalgo County - "Record and Delay Broadcast of Hidalgo County Commissioners' Court Meeting"**

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

5. **Requesting approval of a correction on the current contract with Delta Specialties Supply to reflect the initial terms effective as of July 30, 2002 and not July 30, 2003 as shown on the Requirements Agreement. (approved on July 23, 2002)**

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

6. **Presentation for consideration, discussion, acceptance and approval with authority for Auditor to pay (after review, verification and processing procedures completed) Application and Certificate for payment number two (2) in the amount of \$68,780.00 (dated 12-07-02) from Finco Construction, Inc. and as certified by project architect, George A. Garcia, AGADC and with all applicable documentation provided in connection with the remodeling and renovations at the basement of the Hidalgo County Courthouse for the Sheriff's Dept. Sub-station;**

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

7. **Presentation for consideration, discussion, acceptance and approval with authority for Auditor to pay (after review, verification and processing procedures completed) invoice number six (6) in the amount of \$6,085.00 for architectural services in connection architectural services for the Sub-Station remodeling and renovation project at the Hidalgo County Courthouse basement from George A. Garcia, (AGADC), project architect.**

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

8. **Requesting approval of the final negotiated "Letter of Engagement" with Burton, McCumber & Cortez, L.L.P. in connection with independent audit services including GASB 34 for fiscal year 2002 for an amount not to exceed \$ 110,000.00 for Hidalgo County**

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

9. **Requesting authority to advertise an RFQ/P for independent audit services with an initial term of engagement to include fiscal years 2003 & 2004 with the County's option to renew for an additional two (2) fiscal years engagement (years 2005 & 2006)**

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

Purchasing Continued:

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting authority to advertise for Hidalgo County Precinct No. 1 - RFB- "Rail Guard Beam Installation and Materials"**

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

C. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Requesting authority to advertise for and approval of specifications as attached hereto for: "GEO-GRID REINFORCEMENT MATERIAL"**

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

2. **Requesting approval to cancel the re-advertisement previously approved on December 03, 2002 for: "South I Road Project". (Will request authority to advertise under the Hidalgo County Drainage District No. 1).**

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

D. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Requesting authority to advertise for: "Reconstruction of La Home Road from one (1) Mile Line to Three (3) Mile Line. (Project carried by Hinojosa Engineering, Inc.)"**

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

2. **Requesting authority to advertise and approval of specifications as attached hereto for: " One (1) New 2003 Pup Trailer"**

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

3. **Requesting authority to purchase "One (1) New 2003 Brush Chipper" for a total purchase price of \$ 23,000.00 through the Interlocal Agreement with the Texas Building and Procurement Commissions (TBPC) State Awarded Program. Vermeer Equipment of Texas Inc., Donna, Texas. (See Attached Vermeer Equipment Inc., Product Pricing through (TBPC).**

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

4. **Requesting authority to re-advertise for: "Hauling Services of Type-D Hot Mix - (Gravel and/or Limestone)", due to no bids received**

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

E. HIDALGO COUNTY - JUVENILE JUSTICE COURT -

1. **Presentation for consideration, discussion and approval for purposes of ranking the sole response received from (Border Visions), as "qualified" in connection with the RFQ/P - for: "Character Education and Responsibility Training, " for Juvenile Justice Court - Hidalgo County.**
2. **Requesting of approval of a contract with "Border Visions," for Character Education and Responsibility Training Services. Note: A fully executed copy of the lease agreement will be forwarded to the Hidalgo County Auditor's Office.**

NO ACTION taken on item 20.E.1 & 2.

Purchasing Continued:

Commissioner Flores is away from the Court.

F. HIDALGO COUNTY PURCHASING -

1. **Requesting approval to create object 745 (computer equipment), Account #2-1100-415-18-160-001-0-745 under the general fund.**

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

2. **Requesting approval of line item transfer (\$2,200.00) from Account # 2-1100-415-18-160-001-0-311 to Account # 2-1100-415-18-160-001-0-745.**

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

3. **Requesting approval of line item transfer (\$7,500.00) from Account # 2-1332-415-18-160-002-0-741 to Account # 2-1332-415-18-160-002-0-745.**

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

4. **Requesting approval of line item transfer (\$2,000.00) from Account # 2-1332-415-18-160-002-0-746 to Account # 2-1332-415-18-160-002-0-745.**

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

5. **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 Building and Procurement Commission, a.k.a., General Services Commission, Catalogue Purchasing Program.**

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

6. **Requesting authority to purchase Computer Equipment and Peripherals on 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, a.k.a., General Services Commission, Catalogue Purchasing Program.**

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

G. HIDALGO COUNTY WIC PROGRAM -

1. **Requesting authority to advertise and approval of specifications attached hereto for: "Lease space WIC-Clinic #3 in the City of McAllen" RFB**

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

21. Closed Session:

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

Commissioner Handy left the Court.

Closed Session Continued:

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. Potential Litigation**
- C. Cause No. T-062-97-F; City of Donna, Donna Independent School District, Hidalgo-Kennedy County Education District No. 10, Hidalgo County and South Texas Community College vs. Guillermo Morales aka Guillermo C. Morales aka Willie Morales, et al**
- D. Cause No. T-962-97-C; Donna Independent School District, Hidalgo-Kenedy County Education District No. 10, City of Donna, Hidalgo County and South Texas Community College vs. Amalia Fonseca**
- E. Cause No. T-1113-97-A; Donna Independent School District, Hidalgo-Kenedy County Education District No. 10, City of Donna, Hidalgo County and South Texas Community College vs. Jose Manuel Cruz, et al**
- F. Cause No. T-192-98-C; Donna Independent School District, Hidalgo-Kenedy County Education District No. 10, City of Donna, South Texas Community College and Hidalgo County vs. Catarino V. Padilla**
- G. Cause No. T-033-99-E; City of McAllen, McAllen Independent School District, Hidalgo-Kenedy County Education District No. 10, Hidalgo County and South Texas Community College vs. Nelly Graciela Guerra, et al**
- H. Cause No. T-390-99-E; McAllen Independent School District, City of McAllen, Hidalgo-Kenedy County Education District No. 10, Hidalgo County and South Texas Community College vs. F.G. Subdivision Homeowners, Inc.**
- I. Cause No. T-1018-97-C; Pharr-San Juan-Alamo Independent School District, City of San Juan, South Texas Community College and Hidalgo County vs. Fortino Garza, et al**
- J. Cause No. T-369-99-E; City of Elsa, Edcouch-Elsa Independent School District, Hidalgo-Kenedy County Education District No. 10, South Texas Community College and Hidalgo County vs. Lorenzo Cabreles, et al**
- K. Cause No. T-478-98-B; Weslaco Independent School District, Hidalgo-Kenedy County Education District No. 10, South Texas Community College and Hidalgo County vs. Joe Richard Gonzalez, et al**

Commissioner Handy joined the meeting.

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

Commissioner Garza is away from the Court.

22. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

B. Potential Litigation

Mr. Rex Leech proceed as instructed.

- C. Cause No. T-062-97-F; City of Donna, Donna Independent School District, Hidalgo-Kennedy County Education District No. 10, Hidalgo County and South Texas Community College vs. Guillermo Morales aka Guillermo C. Morales aka Willie Morales, et al**
- D. Cause No. T-962-97-C; Donna Independent School District, Hidalgo-Kenedy County Education District No. 10, City of Donna, Hidalgo County and South Texas Community College vs. Amalia Fonseca**
- E. Cause No. T-1113-97-A; Donna Independent School District, Hidalgo-Kenedy County Education District No. 10, City of Donna, Hidalgo County and South Texas Community College vs. Jose Manuel Cruz, et al**
- F. Cause No. T-192-98-C; Donna Independent School District, Hidalgo-Kenedy County Education District No. 10, City of Donna, South Texas Community College and Hidalgo County vs. Catarino V. Padilla**

- G. Cause No. T-033-99-E; City of McAllen, McAllen Independent School District, Hidalgo-Kenedy County Education District No. 10, Hidalgo County and South Texas Community College vs. Nelly Graciela Guerra, et al**
- H. Cause No. T-390-99-E; McAllen Independent School District, City of McAllen, Hidalgo-Kenedy County Education District No. 10, Hidalgo County and South Texas Community College vs. F.G. Subdivision Homeowners, Inc.**

NO ACTION taken on this item.

- I. Cause No. T-1018-97-C; Pharr-San Juan-Alamo Independent School District, City of San Juan, South Texas Community College and Hidalgo County vs. Fortino Garza, et al**
- J. Cause No. T-369-99-E; City of Elsa, Edcouch-Elsa Independent School District, Hidalgo-Kenedy County Education District No. 10, South Texas Community College and Hidalgo County vs. Lorenzo Cabreles, et al**
- K. Cause No. T-478-98-B; Weslaco Independent School District, Hidalgo-Kenedy County Education District No. 10, South Texas Community College and Hidalgo County vs. Joe Richard Gonzalez, et al**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 22. C thru K, with the exception of item H.

23. Closed Session:

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

NO ACTION taken on this item.

24. 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
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 17, 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 to approve all items on the Consent Agenda, with the exception of items 2.M, Q, T, V, and CC.

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

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

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

NO ACTION was taken on item 2.T and 2.V.

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

2. Line item transfers: (SEE EXHIBIT A)

- A. J.P. Pct. #3, Pl. 1**
- B. J.P. Pct. #3, Pl. 2**
- C. Purchasing Department**
- D. Pct. #1 – Adm.**
- E. Pct. #1 – R & B**
- F. Pct. #1 – Parks (2)**
- G. Pct. #1 – Landfill (3)**
- H. Computer Department**
- I. Pct. #4 – Landfill**
- J. 93rd District Court**
- K. WIC**
- L. J.P. Pct. #4, Pl. 2**
- M. County Court #2**
- N. Pct. #3 – Park**
- O. Buildings & Grounds**
- P. 92nd District Court**
- Q. County Clerk (4) Gen. fund**
- R. County Clerk (2)**
- S. Sheriff Department (2)**
- T. Constable Pct. #5 (CIP)**
- U. Elections Department**
- V. Risk Management**

Consent Agenda Continued:

- W. County Judge**
- X. Constable Pct. #2**
- Y. 332nd District Court**
- Z. Constable Pct. #4**
- AA. 370th District Court**
- BB. Civil Service**
- CC. Human Resources**

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 of three (3) applicants under the HOME Homeowner Occupied Rehabilitation Program in the County Wide Area

5. Right of Way: (SEE EXHIBIT D)

- A. North Alamo Water Supply Corp. – north side of Sunrise Circle**
- B. North Alamo Water Supply Corp. – Terry Rd. & Barreda Circle**
- C. North Alamo Water Supply Corp. – M Rd. & FM 1925**
- D. Turner Collie & Braden – I Rd. & Eldora**
- E. City of Edinburg – on Barb Mar Street south of Ingle Rd.**
- F. Synergy Exploration – on Doffing #3 North 185.76' lot 48**
- G. North Alamo Water Supply Corp. – Mile 17 ½ North Rd. & Terry Rd.**
- H. North Alamo Water Supply Corp. – Terry Rd.**
- I. North Alamo Water Supply Corp. – FM 2128**
- J. North Alamo Water Supply Corp. – Zenon Moya Drive & Moya Drive**

6. Tax Refunds: (SEE EXHIBIT E)

TAXPAYER	PAYER	AMOUNT
A. GGZ & ASG Partners	GGZ & ASG Partners	3,603.82
B. Magnum Prod. & Oper. Co.	Magnum Prod. & Oper.	1,786.74
C. Meliton Rodriguez	Meliton Rodriguez	162.17
D. Benito Salinas	Benito Salinas	1,028.59
E. Esteban & Sandra Espinoza	Security Land Title	1,242.44
F. Raul Garcia & Maria	Countrywide Mort.	2,316.54
G. Robert L. Lozano & Laurie	Robert & Laurie Lozano	118.13
H. Micheal & Misty Harris	Wells Fargo Mortgage	376.23

7. Purchasing Department: (SEE EXHIBIT F)

A. HIDALGO COUNTY CHILD WELFARE DEPARTMENT -

- 1. Requesting acceptance and approval of invoices and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) to Action Reporting in the amount of \$205.25 for the services of an Original Deposition done, Cause No. CW-042-01-C.**

B. HIDALGO COUNTY 370TH DISTRICT COURT -

- 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 a.k.a. General Services Commission, Catalogue Purchasing Program; (1) Toshiba Satellite \$2,937.04 and shipping \$31.83 in the total amount of \$2,968.87.**

**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 17, 2002 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

The following items are of a routine or administrative nature. The Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

**DRAINAGE DISTRICT
(SEE EXHIBIT W)**

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Permits:**
 - A. City of Edinburg**
 - B. City of San Juan**
 - C. City of San Juan**
 - D. City of San Juan**
 - E. Tennessee Gas Pipeline**
- 3. Line item transfers - \$ 185,000.00**

**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 17, 2002 at 9:30 A.M., in the Commissioners Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

**DRAINAGE DISTRICT
(SEE EXHIBIT X)**

1. Roll Call

All Members of the Court were counted present.

2. Open Forum

NO ACTION taken on this item.

3. Discussion and possible action regarding land, mineral rights and current mineral leases on Hidalgo County Drainage District #1 properties

Discussion made. NO ACTION taken on this item.

4. Approval of Interlocal Cooperation Agreement between Hidalgo County Drainage District #1 and Hidalgo County for acquisition of land on North "I" Rd. Lateral collection facility (CORRECTED)

For the Record as per Steve Crain: *It won't be the precinct, it'll be the County itself.*

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

5. Approval to amend budget and transfer \$ 200,000.00 from #2-7100-433-00-000-006-0-733 (M&O) to #2-7300-433-00-000-013-0-733 (Alamo Main Canal)

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

6. Purchasing Department:

A. Requesting authority to advertise for: "South I Rd.-Levy Adjustment and Bridge Project"

On motion of Commissioner Palacios, seconded by Commissioner Handy, 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 Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adjourn this 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 17th 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 _____ 2003.