

**REGULAR MEETING – DECEMBER 31, 2002**

BE IT REMEMBERED, that on this 31<sup>st</sup> day of December, 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 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 31, 2002 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**1. Roll Call**

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

**2. Pledge of Allegiance**

At this time, Judge J. E. Pulido called on Virginia Townsend to lead the Court and Audience in reciting the Pledge of Allegiance.

**3. Prayer**

Virginia Townsend led the Court and Audience in Prayer.

**4. Open Forum**

- Judge Pulido wished the Court and Public a Happy New Year.
- Fern McClarity made a presentation on the Roll Back Petition.
- Virginia Townsend also made a presentation on the Roll Back Petition.
- Frank Vallejo discussed the Roll Back Petition. He stated for the Record, Why vote? Nothing changes. It's always gonna be the same.
- Judge Pulido discussed changes in growth, taxes, and unemployment made within the last four years.

**5. County Auditor: (SEE EXHIBIT C)**

**A. Approval to create two (2) Border Colonia Positions for the County Auditor effective date January 01, 2003**

- 1. Border Colonia Accountant**
- 2. Border Colonia Clerk**

For the Record as per Antonio Sandoval, County Auditor: *Today's fund balance is 897,530.00.*

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 5.A.1 & 2.

**B. Set salaries for two (2) Border Colonia Positions (effective date January 01, 2003)**

- 1. Border Colonia Accountant - \$ 32,000.00**
- 2. Border Colonia Clerk - \$ 20,000.00**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 5.B.1 & 2.

**6. Budget Officer: (SEE EXHIBIT D)**

**A. Juvenile Justice Court:**

- 1. Request for approval to create line item 540 (advertisement)**

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

**2. Request for line item transfer - \$ 391.00**

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

**B. Elections Department:****1. Approval to create obj. #890 (other) – Acct. #2-1100-414-00-130-001-0**

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

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

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

**C. Authorization and approval to unappropriate \$ 3,000.00 from Acct. #2-1100-444-00-240-002-0-339 (pauper burial) and appropriate same into Acct. #2-1100-444-00-240-001-0-531 (telephone)**

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

**7. County Judge: (SEE EXHIBIT E)****A. Approval of Amendment to Interlocal Cooperation Agreement between the County of Cameron and the County of Hidalgo**

For the Record as per Steve Crain, Legal Counsel: *There is one typo on the first, whereas it falls on the first page of the Amendment, that date should be December 14, 2001, and not 2002.*

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

**B. Approval of Tax Abatement Agreement between Hidalgo County and HTP Rio Grande, L.P.**

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

**8. Approval of Official Bond: (SEE EXHIBIT F)****A. Espiridion Jackson, J.P. Pct. #5, Pl. 1**

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

At this point, Judge Pulido dismissed himself and left all of the Commissioners' Court proceedings to Commissioner Handy.

**9. HIDTA Command Center: (SEE EXHIBIT G)****A. Program Income Funds:****1. Approval to appropriate FY 2003 budget in the amount of \$ 587,800.00 for the HIDTA Command Center (no county funds will be used)**

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

**2. Approval to set salaries for 2003**

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

**B. Grant Funds:**

- 1. Requesting approval to amend the Cooperative Agreement between Hidalgo County and the Executive Office of the President (HIDTA) – extending the grant period for award number I2PSSP573 from January 01, 2002 – December 31, 2002 to January 01, 2002 – June 30, 2003**

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

Judge Pulido joined the meeting.

- 2. Acceptance and approval of the Cooperative Agreement Amendment between Hidalgo County and the Executive Office of the President Grant Number I2PSSP573; the Office of the President awarded an additional \$ 31,410.90 in the Hidalgo County HIDTA Task Force for the Grant period of January 01, 2002 to June 30, 2003**

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

- 3. Approval to appropriate the budget in the amount of \$ 31,410.90**
- 4. Approval to create a position**
- 5. Set salary (no county funds will be used)**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 9.B.3, 4, and 5.,

**10. Health Department: (SEE EXHIBIT H)**

**A. Request approval of modifications to the following TDH Contracts:**

Name	Current	Modification	Balance
1. Title V Fee/FP	\$ 341,584	<\$ 171,327>	\$ 170,257
2. Title V Fee M & CH	\$ 274,040	<\$ 119,045>	\$ 154,995
3. TB Control	\$ 176,632	<\$ 108,967>	\$ 67,665

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 10.A.1-3.

**11. Hidalgo County (Raymondville Drain) – CIP Funds: (SEE EXHIBIT I)**

**A. Approval to amend Capital Improvement Project monies to fund Raymondville Drain**

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

**B. Approval to create obj. codes 339, 334 & 899 in Acct. #2-1332-433-00-000-016-0 to support work authorizations accordingly**

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

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

**A. Approval of Resolutions honoring the following elected officials for their distinguished commitment to public service:**

**1. José Eloy Pulido, County Judge**

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

**2. Pauline Gonzalez, District Clerk**

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

**13. Pct. #4: (SEE EXHIBIT K)**

**A. Rescind action 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 (previously approved on December 17, 2002)**

On motion of Commissioner Garza, seconded motion inaudible on tape, the Court made a UNANIMOUS vote of approval to rescind action.

**14. 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**

Report made. NO ACTION taken on item 14.A.1-3.

**15. Purchasing Department: (SEE EXHIBIT L)**

**A. HIDALGO COUNTY -**

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

a) Present Hidalgo County Jail-Total inmate population	1087
• Physical Count:	551
• Out of County Count: La Villa Facility (LCS):	289
Brooks:	241

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

Nothing to report. NO ACTION taken on this item.

**3. New Adult Detention Facility and Law Enforcement Center Project:**

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

Nothing to report. NO ACTION taken on this item.

**b) Requesting 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 (LETF) and as detailed in the requisitions below; (SEE NEXT PAGE)**

**Purchasing Continued: Item 15.A.3.b.**

<b>Requisition No.</b>	<b>Vendor</b>	<b>Structure/Building</b>	<b>Total</b>
<b>#27</b>	<b>International Medical Supply</b>	<b>Adult Detention Facility</b>	<b>1,152.63</b>
<b>#35</b>	<b>Window Works &amp; Flooring</b>	<b>Law Enforcement Center</b>	<b>1,455.00</b>
<b>#36&amp;#37</b>	<b>CCS Presentations Systems</b>	<b>Law Enforcement Center</b>	<b>860.00</b>
<b>Note: The following are funded thru COPS Grant</b>			
<b>#3</b>	<b>Precision Mounting Tech</b>	<b>Law Enforcement Center</b>	<b>23,625.00</b>
<b>#4</b>	<b>Lodico Electronics</b>	<b>same as above</b>	<b>1,379.00</b>
<b>#5</b>	<b>Video Sound &amp; Lights</b>	<b>same as above</b>	<b>1,715.00</b>
<b>#6</b>	<b>CDW-G Computer Center</b>	<b>same as above</b>	<b>1,546.10</b>
<b>#9</b>	<b>Citadel</b>	<b>same as above</b>	<b>954.18</b>
<b>#10</b>	<b>Q A Systems, Inc.</b>	<b>same as above</b>	<b>90,842.50</b>

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

- c) **Requesting acceptance and approval of Request for Payment no. 9 in the amount of \$20,217.75 from V-A Architecture with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the consulting architect contract for the design and construction of the New Law Enforcement Center and Adult Detention Facility Project;**

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

- d) **Requesting acceptance and approval of Request for Payment No. 10 in the amount of \$24,765.00 from V-A Architecture, as a reimbursable expense to HVAC Facilities Maintenance Consultants as approved by Commissioners Court on 12-10-02, with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the architectural consulting services contract for the New Adult Detention Facility and Law Enforcement Center Project.**

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

- e) **Requesting acceptance and approval of Request for Payment No. 2 (FFE-A,B,C,D,E & dated 12-23-02) totaling \$8,621.92 from V-A Architecture with authority for Auditor to issue payment (after review, audit and processing procedures completed) for additional services related to the furniture, fixtures, and equipment under the architectural consulting services contract for the New Adult Detention Facility and Law Enforcement Center Project;**

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

- f) **Acceptance, approval and authority for Auditor to pay Request for Payment 7 in the amount of \$873.81 in connection with the design and construction of the and Maintenance & Motor Pool Building to V-A Architecture, project architect with all applicable documentation provided and subject to Auditor's review, audit and processing procedures completed;**

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

- g) **Requesting acceptance and approval of a "Certificate of Substantial Completion" for a portion thereof of the New Law Adult Detention Facility, effective @ 5:00 p.m. on December 31, 2002.**

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

**h) Report and Recommendations from Consulting Architect:**

Report made. NO ACTION taken on this item.

**i) 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.

Commissioner Handy is away from the Court.

**4. Presentation by Mr. Agapito Flores, Health Benefits Consultant, of final recommendation for ranking and award of RFP for "Group Health Insurance-Hidalgo County" for all options received.**

NO ACTION taken on this item.

**5. Authority to direct legal counsel to negotiate a contract for "Group Health Insurance-Hidalgo County." Note: Fully executed copies of the contracts will be forwarded to the Hidalgo County Auditor's Office, before the commencement of any work of presentations of any invoices for payment.**

NO ACTION taken on this item.

**6. Presentation for discussion, consideration and approval to exercise the ninety (90) day grace period option available under current contract with: RGV Educational Broadcasting, Inc. for the Recording and Delay Broadcast of Hidalgo County Commissioners' Court Meeting so as not to have a lapse in services while procurement process is completed.**

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

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

- 1. Requesting exemption from competitive bidding under the Texas Local Government Code 262.024(a) (4) for professional engineering services with Raba-Kistner Consultants, Inc. in connection with "Geotechnical Study-Construction of Multipurpose Center Project-Precinct No. 3"**
- 2. Requesting approval of a professional engineering services contract, subject to legal review, with Raba-Kistner Consultants, Inc. in connection with "Geotechnical Study-Construction of Multipurpose Center Project-Precinct No.3." Note: Fully executed copies of the contracts will be forwarded to the Hidalgo County Auditor's Office, before the commencement of any work of presentations of any invoices for payment.**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 15.B. 1 & 2.

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

- 1. Requesting authority and approval to declare as surplus "Easements Rights Only" for Blocks 42 & 43 of the Santa Cruz Gardens Subdivision #2 in Hidalgo County, located in Pct. #4;**
- 2. Pursuant to Texas Local Government Code, Chapter 272, Section 272.001, (a) requesting authority to advertise sealed bids for the "Sale or Exchange of Easement Rights Only" of the Property described in Item A above and approved for surplus and disposition**
- 3. Requesting approval to obtain a FMV (fair market value appraisal) for "Easements Rights Only"**

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 15.C.1-3.

**D. HIDALGO COUNTY JUVENILE PROBATION -**

1. **Requesting acceptance and approval of Invoice #4381 in the amount of \$24,500.00 (dated 12-05-02) from Quintanilla, Headley & Associates with authority for Auditor to issue payment (after review, audit and processing procedures completed) under the engineering contract for the New Juvenile Justice Center (Detention Center) Project and as forwarded by project architect, V-A Architecture.**

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

At this point, the Court took up the Addendum.

Commissioner Handy joined the meeting during the Addendum.

**16. Closed Session: (NO EXHIBITS)**

On motion of Commissioner Handy, seconded by Commissioner Palacios, 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. Potential Litigation**

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

Commissioner Palacios is away from the Court.

**17. Open Session:**

- A. Real Estate Acquisition**

NO ACTION taken on this item.

- B. Potential Litigation**

NO ACTION taken on this item.

**18. Closed Session:**

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

NO ACTION taken on this item.

**19. 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 Garza, 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 31, 2002 at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**ADDENDUM**  
(SEE EXHIBIT M)

Commissioner Handy joined the meeting.

**1. Line item transfers:**

- A. Jail**
- B. Tax Office**

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

Commissioner Garza is away from the Court.

**2. Purchasing Department:**

**A. Human Services:**

- 1. Presentation for consideration, discussion and approval of the option (as provided under Paragraph 14) to exercise the 30 day cancellation notice with TrueCare Pharmacy**

NO ACTION taken on this item.

**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 31, 2002, at 9:30 A.M., in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda, with the exception of item 2.C.

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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
  - A. County Extension Service**
  - B. Buildings & Grounds**
  - C. County Court #1**
  - D. 92<sup>nd</sup> District Court**
- 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)**

**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 31, 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 the Drainage District Consent Agenda. Commissioner Palacios is away from the Court, and Commissioner Flores is absent.

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

**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 31, 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  
(NO EXHIBITS)**

**1. Roll Call**

All Members of the Court were counted present, with the exception of Commissioners' Palacios and Flores.

**2. Open Forum**

NO ACTION taken on this item.

**3. 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.

**4. Open Session:**

**A. Real Estate Acquisition**

NO ACTION taken on this item.

**5. Closed Session:**

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

NO ACTION taken on this item.

**6. 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 Garza, 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 \_\_\_\_\_ ABSENT  
COUNTY COMMISSIONER, PRECINCT 3

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

Dated this the 31<sup>st</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 \_\_\_\_\_ 2003.