

REGULAR MEETING – JANUARY 21, 2003

BE IT REMEMBERED, that on this 21st day of January, A.D., 2003, 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 RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE 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
RAMON GARCIA
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, JANUARY 21, 2003 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. Commissioner Flores arrived after commencement of the meeting.

2. Pledge of Allegiance

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

3. Prayer

Commissioner Handy led the Court and Audience in Prayer.

4. Open Forum

Noelia Perez made a presentation on some Safety Codes.

At this time, the Court went into Executive Session.

The Court then continued with item #12, and then resumed with Open Session.

5. Juvenile Probation: (SEE EXHIBIT H)

A. Request authorization to submit C.J.D. Juvenile Justice Accountability Block grant application for 2004 FY Funding (June 01, 2003 thru May 31, 2004) in the amount of \$ 96,849.00 – local match required is \$9,685.00

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

6. Head Start: (SEE EXHIBIT I)

A. Discussion and possible action requesting acceptance and approval for payment request No. 7 in the amount of \$ 1,101.98 to Cotera, Kolar, Negrete & Reed Architects in connection with the construction of Edinburg V Head Start

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

B. Discussion and possible action requesting acceptance and approval for payment request for payment No. 10 in the amount of \$ 41,420.00 to All Pro Contractors, Inc. in connection with the construction of Edinburg V Head Start

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

C. Discussion and possible action requesting approval to surplus vehicles and numerous pieces of equipment for auction under the Texas Local Government Code, Section 263.152 (a)(1) as detailed on Exhibit A attached hereto

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

7. County Auditor: (SEE EXHIBIT J)

A. Approval to create the following object numbers for all funds, departments, and programs if applicable: 114, 115, 116, 117, 119, 122, 132, 212, 290, 312, 320, 336, 343, 412, 413, 421, 423, 424, 425, 434, 523, 525, 532, 533, 534, 582, 583, 584, 602, 623, 624, 625, 626, 631, 661, 662, 672, 674, 741, 742, 745, 746, 747, 852, 854, 862, 866, 870, 891, 899

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

8. Budget Office: (SEE EXHIBIT K)

A. Approval of budget amendment (to cover negative balances)

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

B. Approval of line item transfer (to cover negative balances)

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval in the amount of \$32,418.54.

C. Jail Project:

1. Approval of line item transfer - \$ 2,027.36

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

2. Approval of budget amendment - \$ 6,570.70

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

D. Buildings & Grounds:

1. Approval to create obj. #441 (bldg. rental)
2. Approval of line item transfer - \$ 44,800.00

E. R & B – Administration:

1. Approval to create obj. #432 (equipment repairs)
2. Approval of line item transfer - \$ 500.00

F. Constable Pct. #3:

1. Requesting approval to create obj. 622 (electricity)

G. J.P. Pct. #5, PL. 1:

1. Request approval to create obj. 584
2. Approval of line item transfer - \$ 60.00

H. County Judge:

1. Request approval to create obj. # 583, 584, 747, 745
2. Approval of line item transfer - \$ 13,000.00

I. Constable Pct. #1:

1. Approval to create obj. #602, 606, 533, 583, 584
2. Approval of line item transfer - \$ 1,300.00

Budget Office Continued:**J. Sheriff Department:**

1. Approval to create obj. #608, 747
2. Approval of line item transfer - \$ 1,200.00

K. Tax Office:

1. Approval to create obj. #631, 661, 672, 341, 413, 745, 746, 602, 532, 533, 583 & 584
2. Approval of line item transfer - \$ 50,320.00

L. Fire Marshal:

1. Approval to create obj. #434, 532, 533, 583, 584, 602, 606, 661 & 747
2. Approval of line item transfer - \$ 9,800.00

M. 389th District Court:

1. Approval to create obj. #583, 584, 602, & 442
2. Approval of line item transfer - \$ 6,200.00

N. District Clerk:

1. Approval to create obj. #583, 584, 602, 661, 745, 746 & 747
2. Approval of line item transfer - \$ 43,500.00

O. Computer Department:

1. Approval to create obj. 412, 532, 534, 602, 745, 746, 747 & 631
2. Approval of line item transfer - \$ 67,800.00

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 8.D-0, with corrections on item 8.N.

P. Auxiliary Court:

1. Approval to create obj. 442, 531, 535, 581, 601 & 744
2. Approval of line item transfer - \$ 15,400.00

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

Q. County Court #5 – CIP 2002:

1. Approval to create obj. 664 (minor equipment)
2. Approval of line item transfer - \$ 691.90

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 8.Q. 1 & 2.

R. Budget Office:

1. Approval to create obj. 442 (rental of equipment)
2. Approval of line item transfer - \$ 3,552.00

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

9. Juvenile Justice Court: (SEE EXHIBIT L)

Commissioner Garza Abstained and left the Courtroom.

A. Review Juvenile Justice Accountability Project – Grant Application for Fifth Year funding of the Hidalgo County Juvenile Justice Court

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. NO VOTE: Commissioner Garza

B. Approve Resolution for submission of grant application to the Office of the Governor for fifth year funding

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. NO VOTE: Commissioner Garza

C. Authority to submit grant application in the amount of \$516,875.00

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. NO VOTE: Commissioner Garza

D. Approval of cash match - \$ 268,775.00

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, with conditions as stated. NO VOTE: Commissioner Garza

E. Approval of Resolution

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. NO VOTE: Commissioner Garza

10. J.P. Pct. #4, Pl. 2: (SEE EXHIBIT M)

Commissioner Garza joined the meeting.

A. Authority to submit grant application in the amount of \$ 414,951.00**B. Approval of cash match in the amount of \$ 153,532.00****C. Approval of Resolution**

Paul Vanzaldua stated for the Record: *In the event that you approve it, I would come back to this Commissioners' Court in 45 days and give you all a report of the reaction from the Superintendent and possibly even the cities. I met with Mr. Jesse Lemma from the City of Mission on this particular project. They are willing to loan us facilities in Mission if the J.P.'s are going to do Truancy hearings or some sort of counseling service in Mission. There's people out there that want to help, but I would suggest if I may come back in 45 days to give you all a report of how the Superintendents on how they reacted.*

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

11. LLEBG: (SEE EXHIBIT N)

Commissioner Garza is away from the Court.

A. Approval to delete slot #8 (vacant position)

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

B. Approval to create slot #10 (DCM Coordinator)

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

C. Approval to set salary

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

12. Indigent Defense Program: (SEE EXHIBIT O)

- A. Approval to delete slot #1 Court Appointments Coordinator > Public Defenders**
B. Approval to delete slot #2 Secretary > Public Defenders

Steve Crain stated for the Record: *If the issue is supplanting, that means you got the extra money from the grant to add to the program. If you delete those two slots, outlined on what the grant said, aren't you in effect reducing the budget, aren't you in effect supplanting?*

Paul Vazaldua advised the Court: *No, Not reducing the budget. In other words we have grant funds and we're taking General Fund monies to improve the system.*

Commissioner Garza later questioned: *Can you terminate a position while they're out on workman's comp., even though they are civil?*

Judge Garcia clarified that Ester Cortez, Personnel Director stated: Yes.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on item 12. A & B, effective January 31, 2002. NO VOTE: Commissioner Flores was not present for this vote.

13. Approval of Proclamation proclaiming the week of January 20-24, 2003 as "Kick Out Hunger Week"
(SEE EXHIBIT P)

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

14. Urban County: (SEE EXHIBIT Q)

- A. Request to cancel contracts between the City of Donna – UCP and Sub-recipients Easter Seals of the Rio Grande Valley and Planned Parenthood Association under the UCP Year 14 (2001-2002)**

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

- B. Approval of a Construction Contract with Mercer & Ussery, Inc. – City of Progreso Lakes – Water/Sewer Improvements Urban County Years 2001 & 2002**

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

- C. HOME Housing Rehabilitation Program Rejection of Bids for six (6) units – Cities of: Hidalgo, Mercedes, San Juan and County Wide Area**

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

- D. HOME – Housing Rehabilitation Program Cancellation of Application City of Hidalgo (Pedro Cisneros)**

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

- E. Approval of Resolution for designating the authorizing bonded signatories for all Office of Rural Community Affairs (ORCA) – Texas Community Development Program Funds (TCDP); and all Texas Department of Housing Community Affairs (TDHCA) – Office of Colonia Initiative (OIC) Shelf Help Center Program Funds (SHC)**

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

15. WIC: (SEE EXHIBIT R)

- A. Approval to create obj. #312 – Acct. #3-1292-441-00-350-002-3**
B. Approval of line item transfer - \$ 8,065.00
C. Approval to create obj. #424, 425, 434, 532, 534, 583, 631, 749 & 533
D. Approval of line item transfer - \$ 34,351.00

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 15.A-D.

- E. Approval to create new budget and set new acct. #3-1292-441-00-350-005-3**

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

- F. Budget amounts for new line items: 113, 220, 211, 230, 250, 260, 744, 664, 531, 662, 411, 431, 441 & 350 & set 3 new positions**

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

- G. Approval of additional cellular phone for WIC Area Coordinator**

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

16. District Clerk: (SEE EXHIBIT S)

- A. Approval to increase slot #003 Administrative Assistant/Auditor to \$ 40,248.20 (not Gen. Fund)**

For the Record as per Commissioner Palacios: This is for “additional duties as outlined.”

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

17. Right of Way: (SEE EXHIBIT T)

- A. Authorization to enter into an Advanced Funding Agreement between the Texas Department of Transportation and the County of Hidalgo for the widening of an off-system project on “I” Rd. US 281 south to SH 495**

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

18. County Judge: (SEE EXHIBIT U)

- A. Appointment to the Urban Counties Policy Committee**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to appoint Judge R. Garcia as a Representative.

19. Planning Department: (SEE EXHIBIT V)

A. Partial Release of Letter of Credit:

1. Frontera Heights East Phase I – Pct. #1

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

B. Release of Letter of Credit:

1. Abram Acres Subdivision Phase III – Pct. #3

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

C. Approval to create obj. #584 – Acct. #3-1100-419-10-210-001-0

D. Approval of line item transfer - \$ 2,125.00

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval of item 19.C & D.

E. Public Hearing pursuant to Chapter 366 of the Texas Health and Safety Code regarding adoption of proposed amendment to the County's existing on-site sewage facilities order (OSSF Order)

Judge Garcia opened the Public Hearing.

The following made a presentation under Public Hearing.

Raul Sestin
Noelia Perez
Mike Keenan

Judge Garcia closed the Public Hearing.

F. Adoption of OSSF Order

NO ACTION taken on this item.

G. Variance Request for encroachment on swale and utility easement for Lot 15, Pena Blanca Estates Subdivision - Pct. #3

NO ACTION taken on this item.

20. Approval of Resolution honoring Joe Cabrera for his dedication and service to Hidalgo County (SEE EXHIBIT W)

NO ACTION taken on this item.

At this time, the Court took and lunch break, and is to return at 1:30 p.m.

Upon return, Judge R. Garcia stated that all members of the Court were present, with the exception of Commissioners' Garza and Flores.

21. Elections Administration: (SEE EXHIBIT X)

Approval, discussion and possible action on the following, but not limited to:

A. Approval to delete slot #2 and slot #13

B. Approval to create slot #14 Executive Assistant and slot #15 Data Processor (part-time 25 hours max./week)

C. Approval to set salary for slot #14 @ \$ 35,000.00 and slot #15 @ \$ 7.50/hr.

NO ACTION taken on item 21.A, B, and C.

D. Approval to create objects #434, 532, 533, 534, 584, 602, 631, 661, 745, 746 & 640**E. Approval of line item transfer - \$ 11,700.00**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 21.D & E.

F. HB-3295, Help America Vote Act (Update on Legislation) & purchase of new voting system

Presentation made. NO ACTION taken on this item.

22. Pct. #1: (SEE EXHIBIT Y)**A. Request approval of payment application no. 6 & 7 to Asago LLC for the Monte Alto Community Park Project construction**

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

B. Request approval to accept contributions from the following subdivisions and appropriation of funds to Pct. #1 Acct. #3-1201-431-00-121-005-0-433:

- | | |
|--------------------------------|---------------|
| 1. Country Village Subdivision | - \$ 9,456.00 |
| 2. South Donna Subdivision | - \$ 97.00 |

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

C. Request approval to dedicate and name the following roads as per petition:

1. Gate-way Drive (Gate-way Subdivision)
2. Palma Street (Waterfall Subdivision)
3. Huisache Street (Waterfall Subdivision)
4. Ramos Street (Waterfall Subdivision)
5. Flores Street (Waterfall Subdivision)
6. Eastland Street (Eastland Park Subdivision)
7. Francisco Peralez Drive (Mo-Tex Subdivision)

For the Record as per Steve Crain, Legal Counsel: *It has been cleared with 911.*

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

23. Pct. #2: (SEE EXHIBIT Z)

Commissioner Flores joined the meeting.

A. Authorization to amend the County of Hidalgo Parks and Recreation Master Plan

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

B. Approval to resubmit Indoor Grant Application to the Texas Parks and Wildlife

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

Judge Garcia commented that *Commissioner Flores is now in attendance.*

24. Pct. #3: (SEE EXHIBIT AA)

A. Discussion and approval of Agreement between County of Hidalgo and the Texas Department of Transportation for Maintenance of Illumination System

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

B. Requesting acceptance and approval of invoice #3948 in the amount of \$ 883.56 (dated 12-20-02) from Ballenger Construction Co. for material rendered with authority for Auditor to issue payment

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

C. Requesting approval to unappropriate \$ 750,000.00 from 2002 C.O. Pct. #3 Heavy Equipment and appropriate same into Pct. #3 Buildings

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

D. Requesting authorization to transfer Pct. #3 - 2001 Series available balances to Pct. #3 - 2001 Series New Roads

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

25. Human Services: (SEE EXHIBIT BB)

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

1. Authorization to transfer out funds from General Fund to Indigent Health Care Fund

NO ACTION taken on this item.

2. Authorization to pay 2002 claims

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval, except hospitals that do not require DRG file.

3. Indigent Health Care expenditures

NO ACTION taken on this item.

4. Modify Services being provided

NO ACTION taken on this item.

5. Report and Recommendations regarding Indigent Health Care

Report made. NO ACTION taken on this item.

26. Purchasing Department:

A. HIDALGO COUNTY -

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

a) Present Hidalgo County Jail-Total inmate population	1109
• Physical Count:	561
• Out of County Count: La Villa Facility (LCS):	252
Brooks:	296
Other	0

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 Facility (LETF) and as detailed in the requisitions below;**

<u>Requisition No.</u>	<u>Vendor</u>	<u>Structure/Building</u>	<u>Total</u>
No. 40	Grainger	Law Enforcement Center	\$ 4,615.00
No. 014	Glass & Mirror	Adult Detention Facility	912.50
No. 030	The Carpet Place	same as above	1,114.86

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

c) **Acceptance, approval and authority for Auditor and Certificate for Payment No. 5 (dated 1-15-03) by Fierro Industries, Inc. in the amount of \$14,175.00 and as certified by project engineer, TEDSI, in connection with the construction of the off-site improvements (lift station) with all applicable documentation provided and subject to Auditor's review, audit and processing procedures completed;**

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

d) **Report and Recommendations fro Design/Builder, Consulting Architect and/or other on-site projects Architect in connection with the completion, turn-over, occupancy and transition into the New Adult Detention Facility and Law Enforcement Center including certification of the jail portion and other structures under the construction on site.**

Report made. NO ACTION taken on this item.

e) **Report by Hidalgo County Sheriff's Department on the Transition and Occupancy of the New Adult Detention Facility and Law Enforcement Center Project;**

Report made. NO ACTION taken on this item.

f) **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.

g) Report of Hidalgo County Sheriff's Department on the Transition and Occupancy of the New Adult Detention Facility and Law Enforcement Center Project.

Nothing to report. NO ACTION taken on this item.

4. Requesting authority to advertise and approval of requirements as attached hereto for "Engineering Services-Hidalgo County" Request for Qualifications.

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

5. Requesting authority to advertise for: "Public Pay Telephones"

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

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. Requesting acceptance and approval with authority for Auditor to process payment (after review, audit and processing procedures completed) claims/invoices totaling \$5,325.00, for hauling of "Rap Material".

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

C. HIDALGO COUNTY PRECINCT NO. 3 -

1. Requesting authority to advertise for: "Solid Waste Collection Services"

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

D. HIDALGO COUNTY PRECINCT NO. 4 -

1. Requesting authority to proceed to seek and solicit a Request for Offer from a qualified vendor(s) under the Texas Building & Procurement Commission's (fka, GSC) state awarded Certified Master Bidders List (CMBL), to perform the scope of services as developed and supervised by the project engineer, J.E. Saenz & Associates, in accordance with the Final Closure Plan submitted to the Texas Commission on Environmental Quality (fka, TNRCC) for approval (with notification pending). The services required as drafted by project engineer would be titled: RFO for "Construction of Final Cover for Precinct No. 4's Landfill".

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

E. HIDALGO COUNTY BUDGET OFFICER -

1. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) for the amount of \$444.56 to CACC-Carolyn Arnold Communications Consultant (an adjustment posted to December 2002 invoice for service orders billed in error on August 2002 bill) commission refund due for services (see attachment):

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

F. HIDALGO COUNTY WIC PROGRAM -

1. Requesting authority to advertise and approval of specifications attached hereto for: "Inspection & Replacement of A/C Filters for WIC Clinics" RFQ

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

2. Requesting authority to advertise and approval of specifications attached hereto for: "Lease Space WIC Program Off Premises Storage Area" RFB

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

27. 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. NO VOTE: Commissioner Flores was not present for this vote.

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 – Courthouse Projects**
- C. Potential Litigation – Planning Department**

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

28. Open Session:

A. Real Estate Acquisition

1. Parcel #8, located on Sugar Road, belonging to Jose J. Cantu and wife, Ofilia Cantu, was appraised at \$14,550. Settlement offer is in the amount of \$15,495.00.
2. Parcel #10, located on Sugar Road, belonging to Jose J. Cantu and wife, Ofilia Cantu was appraised at \$4,500.00. Settlement offer is in the amount of \$6,960.00.
3. Parcel #4, located on Mile 3 North Road Project in Pct. #3, was appraised at \$69,000.00. Settlement offer is in the amount of \$76,000.00.
4. Parcel #3, located on Mile 3 North Road Project, belonging to Manuel Angel Flores and wife, Arceli Flores, was appraised at \$43,913.00. Settlement offer is in the amount of \$50,000.00.

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 28.A.1-4. NO VOTE: Commissioner Flores was not present for this vote.

- B. Potential Litigation – Courthouse Projects**
- C. Potential Litigation – Planning Department**

NO ACTION taken on item 28.B & C. Commissioner Flores was not present.

29. Closed Session:

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

NO ACTION taken on this item.

30. 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
RAMON GARCIA
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, JANUARY 21, 2003, 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 the Consent Agenda, with the exception of item 2.B.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers – 2002: (SEE EXHIBIT A)**
 - A. J.P. Pct. #4, Pl. 2**
 - B. Computer Department – NO ACTION taken on this item.**
 - C. DPS – Highway Patrol**
 - D. PBX**
 - E. 93rd District Court**
 - F. Constable Pct. #5**
 - G. Pct. #1 – Adm. (2)**
 - H. Pct. #1 – R & B**
- 3. Line item transfers – 2003: (SEE EXHIBIT B)**
 - A. J.P. Pct. #1, Pl. 2**
 - B. 92nd District Court**
 - C. D.A. Inv. Fund**
 - D. Pct. #3 – Landfill**
 - E. Pct. #1 – ROW**
- 4. Planning Department: (SEE EXHIBIT C)**
 - 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)**
- 5. County Clerk: (SEE EXHIBIT D)**
 - A. Court Cost and Fee Monthly Fee Report – December 2002 - \$ 424,732.00**
 - B. Court Cost and Fee Annual Report – 2002**
- 6. Urban County: (SEE EXHIBIT E)**
 - A. Request for approval and classification as a Hardship Case of one (1) applicant under the HOME Homeowner Occupied Housing Rehabilitation Program – One (1) applicant in the County Wide area**
 - B. Cancellation of two (2) Commitment Letters**
 - C. Request for approval to enter a “Homebuyer Assistance Program” Contract under the HOME Program (10 families)**

7. Approval of Minutes: (SEE EXHIBIT F)

A. December 10, 2002

8. Purchasing Department: (SEE EXHIBIT G)

A. HIDALGO COUNTY TAX OFFICE -

1. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) for the amount of \$189.02 to Corporate Express for invoice #25303391.

B. HIDALGO COUNTY J.P. 4 PL 2 -

8. Requesting approval and authorization for County Auditor to issue payment (after review, audit, and processing procedures completed) for the amount of \$275.15 to Corporate Express for invoice #20618538 & #24672607.

**COUNTY OF HIDALGO
RAMON GARCIA
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, JANUARY 21, 2003 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 DD)**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda, with the exception of #4.

On motion of Commissioner Handy, seconded by Commissioners' Palacios and Flores, the Court made a UNANIMOUS vote to approve item #4, subject to change.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge Permit:**
 - A. City of San Juan**
 - B. City of Edinburg**
 - C. City of Donna**
- 3. Line item transfer – Acct. #3-7100-433-00-000-003-0 – \$ 5,600.00**
- 4. Line item transfer – Acct. #3-7100-433-00-000-006-0 – \$ 366,000.00**
- 5. Approval of Minutes:**
 - A. December 10, 2002**

**COUNTY OF HIDALGO
RAMON GARCIA
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, JANUARY 21, 2003 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 EE)**

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.

Commissioner Handy is away from the Court.

3. Approval to create obj. 114, 212, 412, 423, 425, 532, 584, 743, 745, 746, 747 & 602 in Administration Acct.

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

4. Approval of line item transfer - \$ 28,018.84

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

5. Approval to create obj. 118, 212, 343, 434, 585, 611, 623, 626, 672, 742 In Main Drain Acct.

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

6. Approval of line item transfer - \$ 662,788.40

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

Commissioner Handy joined the meeting.

7. Approval to delete obj. codes 344 & 345 from Adm. Acct. #3-7100-433-00-000-003-0

8. Approval to delete obj. codes 331, 332, 344, 345, 584, 744 & 865 from Main Drain Acct. #3-7100-433-00-000-006-0 (obj. codes not required by our department)

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve item 7 & 8.

9. Approval requesting exemption from competitive bidding requirements for professional services/engineering services with Quintanilla, Headley & Associates, Inc.

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

10. Approval of professional services with Quintanilla, Headley & Associates, Inc. for services related to Letter of Map Revision (LOMR) (from North 10th St. to Mon Mack Rd. from State Hwy. 107 to Sprague St.)

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

11. Purchasing Department:

A. Presentation for award and approval of final negotiated contract with the number one ranked company for: "Group Health Insurance, Life with Accidental Death and Dismemberment Plans for Drainage District #1" in fully funded and life w/ a d & d

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve Humana for Group Health Insurance, and Aetna for Life with A D & D.

12. 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.

13. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

14. Closed Session:

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

NO ACTION taken on this item.

15. 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.

RAMON GARCIA _____
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 21st day of January, 2003

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.