

REGULAR MEETING – MARCH 11, 2003

BE IT REMEMBERED, that on this 11th day of March, 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 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
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, MARCH 11, 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 Palacios.

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

-Godfrey Garza made a presentation on illegal dumping in the Drainage Facilities.
-Anthony Covasavich and Thelma Garza made a presentation on behalf of the United Way Board advising that Hidalgo County has been one of the top ten contributors.

5. Approval of Consent Agenda

At this point, the Court continued with the Consent Agenda.

6. Approval of Proclamation proclaiming April 6th – 13th, 2003 as Hidalgo County Crime Victims' Rights Week (SEE EXHIBIT H)

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

7. Approval of Proclamation proclaiming March 28, 2003 as "Cesar E. Chavez Day" (SEE EXHIBIT I)

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

8. Planning Department: (SEE EXHIBIT J)

A. Preliminary Plat Approval:

- 1. Cowboy Subdivision – Pct. #1**
- 2. Luna I Subdivision – Pct. #4**

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

B. Final Plat Approval:

1. **Bluebonnet Village Phase 2 – Pct. #1**
2. **Abelardo Subdivision – Pct. #2**

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

C. Final Plat Approval with Letter of Credit:

1. **A.R.C. Subdivision – Pct. #3**

Raul Sesin, Planning Director stated for the Record: There is a Letter of Credit for \$1,000.00 for Septic Tank included.

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

D. Partial Release of Letter of Credit:

1. **Frontera Heights East Phase I – Pct. #1**
2. **Old La Blanca Terrace Subdivision – Pct. #1**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.D.1 & 2.

E. Release of Letter of Credit:

1. **Rio Bravo Ranch Phase I – Pct. #4**
2. **Polcitrus Subdivision Phase II – Pct. #3**
3. **Tuberville No. 2 Subdivision – Pct. #1**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.E.1-3.

9. HIDTA – Task Force: (SEE EXHIBIT K)**A. Approval of the Federal Equitable Sharing Agreement between HIDTA Task Force and the U.S. Department of Justice**

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

B. Approval to appropriate a budget increase in the amount of \$ 5,000.00 for the HIDTA Command Center

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

C. Requesting approval and authorization for County Auditor to issue payment (after review) in the amount of \$ 5,000.00 to CAPPs Van and Car Rental

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

10. Budget Office: (SEE EXHIBIT L)**A. Authorization and approval to accept Texas Association of Counties check in the amount of \$ 17,966.00 made payable to Hidalgo County and CAPPs Van & Car Rental, endorse same and release to CAPPs Van & Car Rental**

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

B. County Auditor:

1. **Approval to create obj. #661 (minor office equip.) & approval of line item transfer - \$ 1,000.00**

C. 93rd District Court:

1. **Approval to create obj. #608 (household/institutional supplies) & approval of line item transfer - \$200.00**

D. 332nd District Court:

1. **Approval to create obj. #607 (cleaning/janitorial supplies) & approval of line item transfer - \$ 17.82**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 10.B, C, and D.

Commissioner Handy is away from the Court.

E. Approval of budget amendment to transfer 2003 Right of Way funds originally budgeted in Right of Way Fund to each individual Commissioner Pct. R & B Budget

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

F. Approval of budget amendment to transfer out the Right of Way available balances to each County Commissioner Pct. R & B Budget

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

11. Right of Way: (SEE EXHIBIT M)**A. Approval to amend distance on Magic Valley, LP Pipeline permit from 21700' to 26200' (approved by Comm. Court on 05/17/00)**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval. Commissioner Handy was present for this vote.

12. County Judge: (SEE EXHIBIT N)**A. Authorization and approval to delete slots #008 & 015**

Commissioner Handy joined the meeting.

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

B. Authorization and approval to create slots #018, 019, 020 (Budget Control Officer, Administrative Aide I, Administrative Aide II)

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

C. Approval of amended salary schedule for slots 001 through 020

As per Valde Guerra: I will provide the Court Reporter and the County Auditor a copy (of the amended salary schedule).

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

D. Approval of line item transfer

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval. No amount stated.

At this time, the Court proceeded with item #11.A., and then item #10.E.

13. Risk Management: (SEE EXHIBIT O)

Commissioner Garza is away from the Court.

A. Approval to create Risk & Safety Component Director

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

B. Set annual salary at \$ 60,000.00

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

C. Approval of budget amendment

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$59,691.60.

D. Presentation on Workplace Safety**E. Request approval to initiate "Hidalgo County Office Safety Training, Level I"**

NO ACTION taken on item 13.D & E.

14. Urban County: (SEE EXHIBIT P)**A. Approval of budget and program amendments – City of Alamo – UC Years 13 & 15 (2000 & 2002)**

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

B. Approval of budget and program amendment – City of Weslaco – UCP Year 13 (2000)

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

Commissioner Garza joined the meeting.

C. Consider awarding bid for the demolition of the existing structure; and the reconstruction of one (1) new unit in the City of San Juan to GMH Construction in the amount of \$ 32,900.00

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

15. Head Start: (SEE EXHIBIT Q)

- A. Requesting approval of the Western Road Head Start Lease Agreement between Hidalgo County Head Start Program and the Roman Catholic Diocese of Brownsville, San Martin de Porras Catholic Church of Alton, Texas in the amount of \$ 400.00 per month**

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

16. County Auditor: (SEE EXHIBIT R)

- A. Discussion and action on creating the position of PC Specialist**
B. Approval of budget amendment
C. Set salary

NO ACTION taken on item 16.A, B, & C.

- D. Approval of line item transfer for CO's 2002 – County Auditor office furniture in the amount of \$ 3,000.00**

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

17. WIC: (SEE EXHIBIT S)

- A. Approval to pay back wage payment for overtime worked during the period 10/07/00 to 07/06/03 for 152 employees**
B. Approval to create obj. 131 in Acct. #3-1292-441-00-350-001-3 & line item transfer - \$ 22,709.59

NO ACTION taken on item 17.A. & B.

18. Sheriff Department: (SEE EXHIBIT T)

- A. Approval to appropriate the December 31, 2002 fund balance (unreserved) in the amount of \$ 52,135.78 in the Sheriff's Inv. Fund 104**

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

- B. Approval to appropriate the December 31, 2002 fund balance (unreserved) in the amount of \$ 12,303.43 in the Sheriff's Inv. Fund 102**

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

- C. Discussion and action to change the work week of Law Enforcement Personnel from 86 hours a week to 80 hours a week**

On motion of Commissioners' Handy, and Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval, effective March 24, 2003.

- D. Approval of budget amendment for Adult Detention Facility - \$ 27,595.03**

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

19. Health Department: (SEE EXHIBIT U)

- A. Approval to rescind action taken on agenda item 9A of 2/25/03 Comm. Court Meeting "Authorization and approval to delete slot #4 – TB Outreach Worker and slot #6 – TB Clerk Adm. Program Income Acct. #3-1293-441-00-340-017-3-113**
- B. Authorization and approval to delete slot #6 – TB Outreach Worker and slot #7 – TB Clerk Administration Program Income Acct. #3-1293-441-00-340-005-0**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve item 19.A & B.

20. Pct. #1: (SEE EXHIBIT V)

- A. Authorization to advertise for construction bids for the Colonia Access Program – Wes-Mer Subdivision road improvements**

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

Commissioner Handy is away from the Court.

21. Pct. #2: (SEE EXHIBIT W)

- A. Approval of line item transfer - \$ 2,000.00 (CRC Project)**
- B. Approval to create obj. 425 (pest control) and line item transfers for the following:**
 - 1. R & B Countywide - \$ 300.00**
 - 2. R & B Adm. - \$ 500.00**
 - 3. R & B - \$ 10,300.00**
 - 4. Parks - \$ 3,200.00**
 - 5. Sanitation - \$ 300.00**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 21.A & B.1-5.

22. Human Services: (NO EXHIBITS)

- A. Discussion and/or action, including, but not limited to the following items:**
 - 1. Authorization to pay 2002 claims: \$609,920.59**

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

- 2. Authorization to pay 2003 claims: \$101,146.45**

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

- 3. Indigent Health Care expenditures**
- 4. Modify Services being provided**
- 5. Report and Recommendations regarding Indigent Health Care**

Presentation made. NO ACTION taken on item 22.A.3-5.

Commissioner Handy joined the meeting.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to recess, and continue with the Drainage District Meeting.

After concluding the Drainage District Meeting, the Court continued with the Purchasing Department on the Regular Agenda.

23. Purchasing Department: (SEE EXHIBIT X)

A. HIDALGO COUNTY -

1. Present Hidalgo County Jail:

Total inmate population:	<u>1033</u>
a) Physical Count:	<u>536</u>
b) Out of County Count: La Villa Facility (LCS):	<u>242</u>
Brooks:	<u>255</u>
Other	<u>0</u>

- c) **Presentation for discussion, consideration, acceptance and approval of a claim/invoice #3502, dated 4-16-02 in the amount of \$5047.50 from Delta Air Conditioning in connection with an “immediate emergency repair” of a walk-in freezer unit at the County Jail and authority for County Auditor to issue payment;**

Presentation made. NO ACTION taken on this item.

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

Presentation made. 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);**

Presentation made. NO ACTION taken on this item.

- b) **Acceptance, approval and authority for Auditor to pay Application and Certificate for Payment No. 25 (dated 11-30-02) by Landmark Organization, L.P. in the amount of \$1,730,416.93 with all applicable documentation provided and subject to Auditor’s review, audit and processing procedures completed;**

NO ACTION taken on this item.

- c) **Acceptance, approval and authority for Auditor to pay Requests for Payment #8 in the amount of \$1,705.16 (01-1006A0) and \$4,326.42 (01-1006B) in connection with the design and construction of the and Maintenance & Motor Pool Building and the Law Enforcement Training Facility 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 Flores, the Court made a UNANIMOUS vote of approval.

- d) **Requesting rescission of award (by CC on 3-4-03) of solicited quote to Lafayette Instrument in the amount of \$675.00 for the New Law Enforcement Center in as much as vendor did not include freight/shipping charges and award to next lowest quote reflected in item D below;**

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

- e) **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. 42	Axciton Systems, Inc.	Law Enforcement Center	\$ 710.00

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

No. 44a Midway Auto Supply Maintenance & Motor Pool Bldg \$44,315.67

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

- f) **Report and Recommendations from Design/Builder, Consulting Architect and/or other on-site projects Architect in connection with 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 construction on site;**
- g) **County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**
- h) **Report of Hidalgo County Sheriff's Department on the Transition and Occupancy of the New Adult Detention Facility and Law Enforcement Center Project.**

Presentation made. NO ACTION taken on item 23.A.3.f, g, & h.

- 4. **Recommending award of bid for "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products" to sole bidder.**
- 5. **Requesting approval of Contract for: "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products" to sole bidder. Note: A fully executed copy of the contract will be forwarded to the Hidalgo County Auditor's Office.**

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 23.A.4 & 5., to Oil Patch.

Commissioner Garza is away from the Court.

- 6. **Presentation for discussion, consideration, acceptance and approval for the purpose of ranking by Hidalgo County Commissioner's Court as "Qualified", the sole response received to the RFQ&P in connection with "Consulting Services Turnkey Solution/Compliance with HIPAA-Hidalgo County", project from Border Visions.**

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

- 7. **Requesting authority for Purchasing Department to negotiate a contract with "Border Visions," as "Qualified" for Consulting Services Turnkey Solution/Compliance with HIPAA – Hidalgo County.**

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

- 8. **Requesting approval of a short-term contract (90 days) with Package & Postal Connection, L.C. for Mailing Services so as not to have a lapse in services while completing the procurement process.**

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

- 9. **Requesting authority to participate in and enter into a Fuel Card contract with Voyager, awarded contractor, under the Texas Building and Procurement Commission**

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

B. HIDALGO COUNTY PRECINCT NO. 1 –

1. **Requesting consideration, acceptance and approval with authority for Auditor to issue payment (after review, audit and payment procedures completed) of claims/invoices (#s0081, 0082, 0083, 0084) totaling \$25,752.00 to S.D.S., Inc., dba, Pothole Solutions. Said invoices reflect services rendered during a period of time that contracted vendor experienced a lapse of insurance coverage through an oversight from 1-14-03 to 2-21-03.**

Commissioner Garza joined the meeting.

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

C. HIDALGO COUNTY PRECINCT NO. 3 –

1. **Requesting approval of a short-term contract with BFI Waste Systems of Texas, LP for Solid Waste Collection Services for Hidalgo County Precinct No. 3.**

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

2. **Requesting authority to advertise for: “Construction of Storm Drain In Friendly Acres Subdivision and Schuerbach Road” (Project carried by Hinojosa Engineering)**

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

D. HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY -

1. **Requesting exemption from competitive bidding requirement under Texas Local Government Code §262.024(a) (9)(C), “...a state agency of this state”, Texas Correctional Industries (TCI);**
2. **Requesting authority to purchase Panels and acoustical tiles from Texas Correctional Industries total purchase \$1,700.00.**

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

At this time, Marty Salazar requested a to make a correction on the Consent Agenda on item 7.B.1.

E. HIDALGO COUNTY BUDGET OFFICE-

1. **Discussion, consideration and approval of an invoice (#03125, dated 2-23-03) in the amount of \$120.00 from CACC-Carolyn Arnold Communications Consultant for an adjustment issued by Cingular for taxes billed in error since account was opened in December 2000 with authority for County Auditor to issue payment (after review, audit, and processing procedures completed.) See Attachment:**

Invoice No. 03125-Dated 02-23-03	
Total adjustment	\$400.00
	<u>X 30% commission due for services.</u>
Total due CACC	\$120.00

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

F. HIDALGO COUNTY PURCHASING DEPARTMENT –

1. **Approval of line item transfer from account #3-1332-415-18-160-002-0-741 (vehicle) to account #3-1332-415-18-160-002-0-747 (software).**

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

G. HIDALGO COUNTY SHERIFF'S DEPARTMENT -

1. **Requesting authority to advertise and approval of draft specifications as attached hereto for: "Hidalgo County Sheriff's Department" – Uniforms (Section I).**

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

2. **Requesting authority to exercise the sixty (60) day grace period under the current contract for: "Pharmaceutical and Infirmary Medical Supplies", so as to have no lapse in service while bid process is on going.**

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

3. **Requesting ratification of the renewal of the Interlocal Agreement between Brooks and Hidalgo Counties for one (1) additional year (as provided in Article 10 of the current agreement) in connection with the Housing of Hidalgo County prisoners in the Brooks County Jail.**

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

4. **Discussion, consideration, approval and acceptance of a "donation/gift" consisting of one New Compressed Air Foam System (referred to as CAFS unit) from Mike and Josie Harvey the proprietors of O.F.B. International LTD for the new Hidalgo County Sheriff's Department, Jail Facility.**

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

At this time Commander Cantu addressed the court with a report on the status of the jail.

H. HIDALGO COUNTY WIC PROGRAM -

1. **Recommending bid award to sole bidder meeting all specifications attached hereto for: "Lease space WIC Clinic in the City of La Joya"**
2. **Requesting approval of contract to sole bidder meeting all requirements & specifications for: "Lease space WIC"**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 23.H.1 & 2, and award the bid to Felix Alaniz Jr.

24. Closed Session:

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

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, 551.072 & 551.074 to discuss the following:

- A. **Real Estate Acquisition**
- B. **Cause #T-390-99-E; McAllen Independent School District, et al vs. F.G. Subdivision Homeowners, Inc.**
- C. **Duties and evaluation of Interim Fire Marshal**
- D. **Pending and/or potential litigation – Planning Department issue**
- E. **Duties and evaluation of Urban County Director**
- F. **Potential Litigation – ADA Courthouse Project**

NO ACTION taken on this item.

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

Parcel #57, Mile 2 W Rd Expansion, check requested i/a/o \$1,159.00 made payable to Victor Hugo Garcia and spouse Esmeralda Rincon.

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

B. Cause #T-390-99-E; McAllen Independent School District, et al vs. F.G. Subdivision Homeowners, Inc.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$39,000.00.

C. Compensation of/and Interim Fire Marshal status

Per Steve Crain, for the record: Compensation was not discussed in Closed Session.

Adjustment to salary in the amount of \$5,000.00, effective next pay cycle, which will make the salary \$38,600.00.

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the status of Interim Fire Marshal into Fire Marshal.

D. Pending and/or potential litigation – Planning Department issue

Raul Sesin will proceed as directed.

E. Compensation of Urban County Director

Per Steve Crain, for the record: Compensation was not discussed during executive session.

As per previous agreement, the Urban County Director will be compensated with a full salary in the amount of \$85,000.00 per year. Effective date of the pay increase will be next pay period.

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

F. Potential Litigation – ADA Courthouse Project

Proceed as directed.

26. Closed Session:

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

NO ACTION taken on this item.

27. Open Session:

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

NO ACTION taken on this item.

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

**COUNTY OF HIDALGO
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, MARCH 11, 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 Garza, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda.

Per Marty Salazar, correction to item 7.B.1., should read "two (2) FAX MACHINES" instead of copiers.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve item 7.B.1., with corrections

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT B)**
 - A. Court Reporters**
 - B. Pct. #4 – Adm.**
 - C. Pct. #1 – Parks**
 - D. Pct. #1 – ACS Grant**
 - E. Computer Department**
 - F. J.P. Pct. #2, Pl. 1**
 - G. Risk Management**
 - H. County Court #1**
 - I. Tax Office**
 - J.**
 - K. Elections Department**
 - L. Buildings & Grounds**
 - M. County Judge**
 - N. J.P. Pct. #2, Pl. 2**
 - O. Planning Department**
 - P. Pct. #1 – Landfill**
 - Q. Lunacy Trials**
 - R. J.P. Pct. #3, Pl. 1**
 - S. Constable Pct. #5**
 - T. County Clerk**
 - U. Budget Office**
 - V. District Clerk**
 - W. 332nd District Court**

3. **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)**
4. **Urban County:** (SEE EXHIBIT D)
 - A. **Request for approval of two (2) applicants for assistance under the HOME Homeowner Occupied Housing Rehabilitation Program – City of Alton**
5. **Monthly Fee Reports – February:** (SEE EXHIBIT E)
 - A. **District Clerk - \$ 325,773.35**
6. **Right of Way – Permits:** (SEE EXHIBIT F)
 - A. **North Alamo Water Supply – east of 3rd St. on Mile 17 ½ North**
 - B. **North Alamo Water Supply – Mile 10 North and east of FM 1015**
 - C. **North Alamo Water Supply – west of Kenyon Rd. on Mile 19**
 - D. **North Alamo Water Supply – Mile 2 West & SH 107**
 - E. **North Alamo Water Supply – SH 107 & Mile 2 West**
 - F. **BP America, Inc. – Dicker Rd.**
 - G. **North Alamo Water Supply – Mile 14 ½ west of Mile 6 ½**
 - H. **North Alamo Water Supply – Mile 12 North on Mile 3 ½**
 - I. **North Alamo Water Supply – Mile 12 North on Mile 4**
 - J. **North Alamo Water Supply – I Rd. on Minnesota Rd.**
 - K. **Dewbre Petroleum Corporation – Mile 2 ½ West & Mile 12 North**
7. **Purchasing Department:** (SEE EXHIBIT G)
 - A. **HIDALGO COUNTY PRECINCT NO. 1 -**
 1. **Requesting approval of a lease agreement with Ikon/Ios Capital for a Canon Copier in the amount of \$780.00 per year. Effective March 11, 2003 thru March 10, 2006. (36 month lease)**
 - B. **HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY-**
 1. **Requesting approval of a maintenance agreement with Ikon for two (2) copiers for the amount of \$410.00 per year. Effective December 24, 2002 thru December 24, 2003.**
 2. **Requesting approval of a maintenance contract with Jones & Cook for five (5) Lathem Time Stamps in the total amount of \$450.00 per year. Effective January 06, 2003 thru January 06, 2004.**
 - C. **HIDALGO COUNTY TAX OFFICE-**
 1. **Requesting approval of a maintenance contract with Banking Systems International for an accu count money counter in the amount of \$75.00 per year. Effective January 01, 2003 thru December 31, 2003.**
 - D. **HIDALGO COUNTY WIC PROGRAM -**
 1. **Requesting approval of a maintenance contract with Ikon Office for a Canon Copier in the amount of \$1116.00 for nine (9) months. Effective January 01, 2003 thru September 31, 2003**

**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, MARCH 11, 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 Z)**

Commissioner Palacios was not present for this meeting.

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

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

- 2. Discharge Permits:**
 - A. City of McAllen – Bentsen Royale Estates**

- 3. Line item transfers - \$ 10,000.00**

**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, MARCH 11, 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

1. Roll Call

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

2. Open Forum

NO ACTION taken on this item.

3. Approval of Consent Agenda

At this point, the Court proceeded with the Drainage District Consent Agenda.

4. Approval to unappropriate \$ 50,000.00 (SEE EXHIBIT AA)

5. Approval to amend budget by \$ 50,000.00 into legal acct. #3-7100-415-00-000-001-0-333

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 4 & 5.

6. Purchasing Department: (SEE EXHIBIT BB)

A. Requesting consideration, acceptance and approval of "Gift Property", Warranty Deed, Settlement Statement HUD-1, Non Funds/IRS (Closing Documents) and authority for County Judge to execute "Closing Documents including all other applicable documents related to the "Gift Property" from Oscar G. Tauber, Trustee of the Oscar G. Tauber Living Trust.

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

B. Requesting authority to participate in and enter into a Fuel Card contract with Voyager, awarded contractor, under the Texas Building and Procurement Commission

On motion of Commissioner Garza, seconded by Commissioner Flores and 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 Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to adjourn this day's meeting.

On motion of Commissioner Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to return to Regular Agenda and continue with discussion on items for Purchasing Department.

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 _____ **ABSENT**
COUNTY COMMISSIONER, PRECINCT 2

JOSE FLORES _____
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA JR. _____
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 11th day of March, 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.