

COUNTY OF HIDALGO COMMISSIONERS' COURT

**BE IT REMEMBERED that on the 2<sup>nd</sup> day of  
December,**

**1997 after notice duly having been given, a Special Meeting of  
the**

**Commissioners' Court and Drainage District #1 was begun  
and**

**holden in the Commissioners' Courtroom, in the County**

**Administration Building, in the City of Edinburg, County of  
Hidalgo,**

**State of Texas, with the following being members of said  
Court:**

**HONORABLE RENATO CUELLAR  
COUNTY JUDGE**

**HONORABLE SYLVIA HANDY  
COUNTY COMMISSIONER, PRECINCT 1**

**HONORABLE ABELARDO "LALO" ARCAUTE  
COUNTY COMMISSIONER, PRECINCT 2**

**HONORABLE JUAN ROSEL  
COUNTY COMMISSIONER, PRECINCT 3**

**HONORABLE GUADALUPE "LUPE" GARCES**

## **COUNTY COMMISSIONER, PRECINCT 4**

**and where the following proceedings were had to-wit:**

### **DRAINAGE DISTRICT #1**

The Honorable Renato Cuellar, County Judge, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had, to-wit:

### **CONSENT AGENDA**

#### **ITEM 1. DRAINAGE DISTRICT #1**

##### **A. Line Item Transfers**

1. Drainage District #1 - Administration - \$100.00
2. Drainage District #1 - Main Drain - \$65,000.00

(See Exhibit A)

The County Judge introduced the Consent Agenda and asked if there were any changes. There being none, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve.

MOTION CARRIED.

### **REGULAR AGENDA**

#### **ITEM 1. DRAINAGE DISTRICT #1**

- A. Authorization to pay engineering bill as per contract
- B. Appropriation of proceeds of auction \$1,232.65 into Account #7-090-433-200-95
- C. Authorization to enter into Inter Local Agreement with Pct. #4 for Janitorial Service and for Execution of sum

1/A

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to pay an engineering bill in the amount of \$20,608.00 as per the contract with Sigler, Winston and Greenwood.

MOTION CARRIED.  
(See Exhibit )

1/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the appropriation of proceeds in the amount of \$1,232.65 from the auction, into account #7-090-433-200-95.

MOTION CARRIED.  
(See Exhibit )

1/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to enter into an interlocal agreement with Precinct Four for janitorial services.

MOTION CARRIED.  
(See Exhibit )

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Garces and seconded by Commissioner Rosel that said meeting be hereby adjourned.

MOTION CARRIED.

## **COMMISSIONERS' COURT**

The Honorable Renato Cuellar, County Judge, called the Commissioners' Court meeting to order whereupon the following proceedings were had, to-wit:

### **CONSENT AGENDA**

**ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS/BILLS - HIDALGO COUNTY AUDITOR**

**ITEM 2. LINE ITEM TRANSFERS**

- A. County Judge - Administration County Wide - \$300.00
- B. County Judge - General Litigation - \$8,000.00
- C. Commissioner Pct. 2 - County Wide Shop - \$600.00
- D. Commissioner Pct. 2 - Parks - \$2,000.00
- E. Commissioner Pct. 2 - Paved & Unpaved - \$75,000.00
- F. Commissioner Pct. 3 - Administration - \$1,800.00
- G. Commissioner Pct. 3 - Paved/Unpaved - \$1,000.00
- H. Commissioner Pct. 4 - Landfill - \$500.00
- I. Commissioner Pct. 4 - Road & Bridge - \$17,200.00
- J. Commissioner Pct. 4 - Administration - \$2,700.00
- K. Constable Pct. 4 - \$1,500.00
- L. 139<sup>th</sup> District Court - \$150.00
- M. County Court at Law #2 - \$200.00
- N. Elections Department - \$500.00
- O. Human Services - \$2,750.00
- P. J.P. Pct. 2 Pl. 1 - \$50.00
- Q. J.P. Pct. 3 Pl. 1 - \$250.00
- R. J.P. Pct. 4 Pl. 1 - \$1,000.00
- S. J.P. Pct. 5 Pl. 1 - \$234.24
- T. Buildings & Grounds - \$1,362.26
- U. Extension Service - \$46.00
- V. Jail Impact Court - \$200.00
- W. Purchasing Department - \$600.00
- X. District Clerk's Office - \$1,394.79

(See Exhibit C)

**ITEM 3. RIGHT OF WAY DEPARTMENT**

- A. Permits
  - 1. Pct. #1 - Southwestern Bell Telephone

(See Exhibit D)

**ITEM 4. PLANNING DEPARTMENT**

- A. Subdivisions
  - 1. Greener Pastures Family Mobile Home Park Unit #1 - Pct. 1

2. Zapata Heights Subdivision- Pct. #3
3. HEB Subdivision #2 - Pct. #4
4. Hidagjes Subdivision - Pct. #4
5. Monte Cristo Manor Subdivision - Pct. #4

(See Exhibit E)

The County Judge introduced the Consent Agenda and asked if there were any questions and/or comments. There being none, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve.

MOTION CARRIED.

## **REGULAR AGENDA**

### **ITEM 1. PLANNING DEPARTMENT**

- A. Preliminary Plat Approval
  1. Mesquite Hollow Subdivision - Pct. 3
- B. Final Plat Approval
  1. Morocco Subdivision - Pct. 4

1/A

Emilio Garcia, Chief Planner, came before the Court requesting preliminary plat approval of Mesquite Hollow Subdivision. It is in Precinct Three located on the northwest corner of U.S. Business 83 and east Goodwin Road. Preliminary approval is being recommended subject to the street signs, traffic control devices and testing of streets; final letter from the Water corporation or city; affidavit regarding drainage facilities; and the property owners for Lots 2, 3, 29 and 30 are responsible for the installation of the culvert pipes before septic tanks are approved by the Hidalgo County Health Department or the issuance of the letter for water and electricity hook-ups. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.  
(See Exhibit F)

1/B

Mr. Garcia was also requesting final plat approval for Morocco Subdivision. It is in Precinct Four located approximately 660 feet south of State Highway 107 and on the west side of La Blanca Road. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve.

MOTION CARRIED.  
(See Exhibit F)

## **ITEM 2. RIGHT OF WAY DEPARTMENT**

- A. Authorization to enter into Inter Local Agreement with the Cities of McAllen and Pharr regarding acquisition of right of way on Jackson Road
- B. Authorization to execute the above local agreement

2/A

Vona Walker, Right of Way Director, came before the Court requesting approval of an interlocal agreement with the Cities of McAllen and Pharr for the acquisition of right of way along Jackson Road. She indicated that this was on a state contract with the Texas Department of Transportation. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve.

MOTION CARRIED.  
(See Exhibit G)

2/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the County Judge to execute the interlocal agreement between the County of Hidalgo and the Cities of Pharr and McAllen for right of way acquisition along Jackson Road.

MOTION CARRIED.  
(See Exhibit G)

## **ITEM 3. HEALTH DEPARTMENT**

- A. Approval of application and certificate #4 for payment of G.A.S. Enterprise for Pulmonary Clinic
- B. Approval of payment to G.A.S. Enterprises for the amount of \$56,189.00 for Pulmonary Clinic
- C. Line Item transfer in the amount of \$8,381.00 from salaries and office supplies to operating line items (mobile clinic account)

3/A

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approval the application and certificate #4 for payment to G.A.S. Enterprises for the pulmonary clinic for the Hidalgo County Health Department.

MOTION CARRIED.  
(See Exhibit H)

3/B

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize payment to G.A.S. Enterprises in the amount of \$56,189.00.

MOTION CARRIED.  
(See Exhibit H)

3/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a line item transfer in the amount of \$8,381.00 for the Health Department.

MOTION CARRIED.  
(See Exhibit H)

#### **ITEM 4. COUNTY JUDGE**

- A. Approval of Retirement Plan Changes
- B. Order amending Personnel Policy Manual
- C. Acceptance of Independent Audit for Year ending December 31, 1996 - Juan Nuñez
- D. Approval to pay accrued annual leave

- E. Approval of proposed 1998 holidays
- F. Authorization to pay \$8,000.00 towards settlement issued by TAC in reference to Civil Action #C-1279-96 - E. Salinas vs Hidalgo County - Raymond Aguilar

4/A

Joseph Crow, from the Texas County & District Retirement System, came before the Court and indicated that they had held a workshop where plan changes were discussed. Commissioner Rosel brought up the issue of vesting and the lowering of the retirement to seventy-five (i.e. years of service plus age). After some discussion, a motion was made by Commissioner Rosel to change the retire plan to include the thirty years of service and to change the vesting from ten years to eight years and to reduce the total years of service from eighty to seventy-five. During discussion, Commissioner Rosel also indicated that the County's match would remain at 2.6 to 1. This resulted in further discussion, after which the motion died for lack of a second. A motion was then made by Commissioner Garces and seconded by Commissioner Arcaute to stay with the thirty years of service, eight year vesting, rule of "seventy-five" and that the County match be at two to one.

MOTION CARRIED.  
(See Exhibit I)

4/B

Steve Crain, the County legal counsel, indicated that this had to do with the issue of an employee resigning in order to run for political office. He was recommending that the order be adopted in order to reflect the Court's action. The order stated that if an employee ran for elective office, they must take a leave of absence without pay or resign. The change was as follows:

" An employee who elects to take a leave of absence, rather than resign, may at the employee's option be paid any accrued vacation time otherwise due to such employee before the employee's employment status is changed to 'leave of absence without pay'".

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the change as requested.

MOTION CARRIED.  
(See Exhibit I)

4/C

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to accept the independent audit for the year ending December 31, 1996.

MOTION CARRIED.  
(See Exhibit I)

4/D

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to pay accrued annual leave to Paul Vazaldua in the amount of \$2,268.60.

MOTION CARRIED.  
(See Exhibit I)

4/E

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve ten holidays for 1998.

MOTION CARRIED.  
(See Exhibit I)

4/F

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize payment of \$8,000.00 for the settlement issued by TAC in reference to civil action C-1279-96-E, Salinas vs. Hidalgo County.

MOTION CARRIED.  
(See Exhibit I)

**ITEM 5. COMMISSIONER PCT. #4**

- A. Approval of Inter Local Agreement between Drainage District #1 and Hidalgo County Pct. #4 (sharing janitorial personnel)

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve an interlocal agreement between Drainage District #1 and Hidalgo County Pct. #4 for janitorial services.

MOTION CARRIED.  
(See Exhibit J)

**ITEM 6. COMMISSIONER PCT. #1**

- A. Budget Amendment in the amount of \$13,627.05 - Appropriate from Pct. 1 Capitol Projects Unreserved fund balance to Pct. 1 Paved/Unpaved
- B. Budget Amendment in the amount of \$33,000.00 Appropriate from Pct. 1 Park Fund to Pct. 1 Paved/Unpaved

6/A

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a budget amendment in the amount of \$13,627.05 for Precinct One and the appropriation of same.

MOTION CARRIED.  
(See Exhibit K)

6/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$33,000.00 and the appropriation of same for Precinct One.

MOTION CARRIED.  
(See Exhibit K)

**ITEM 7. J.P. PCT. 2 PL. 1**

- A. Authorization to decrease elected official salary by \$3,000.00 and increase employees' salary \$2,000.00 to Court Coordinator and \$1,000.00 to Assistant Court Coordinator

The County Judge indicated that no action would be required on this item at this time.

NO ACTION.  
(See Exhibit L)

**ITEM 8. TAX OFFICE**

A. Tax Refund for Sylvia Guerra in the amount of \$3,402.38

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize a tax refund in the amount of \$3,402.38 to Sylvia Guerra.

MOTION CARRIED.  
(See Exhibit M)

**ITEM 9. COMMISSIONER PCT. #3**

A. Discussion and action on the designation of the American Heritage River Initiative

Lisa Saucedo, Administrative Assistant to the County Judge, informed the Court that the deadline to submit an application is December 10 and she was requesting the Court's consideration on this matter. After some discussion, it was recommended that no action be taken on this matter at this time.

MOTION CARRIED.

**ITEM 10. URBAN COUNTY PROGRAM**

- A. City of Edcouch - Approval of subrecipient agreement with BEE Healthy - Public Services FY 1997
- B. City of Mercedes - Approval of subrecipient agreement with Amigos Del Valle, Inc., Year 10 - 1997
- C. Precinct #2 - Budget Amendment Year 8, 1995 and Year 10, 1997
- D. Precinct #4 - Approval of a Budget Amendment for Year 1996
- E. Precinct #4 - Approval of a Professional Service Contract with Quintanilla, Headley and Associates for a PFI-Parks, Recreational Facilities, Year 8 1995

F. HOME/Homeowner Occupied Housing Rehab Application - 1  
Family

10/A

The City of Edcouch is requesting approval of a subrecipient agreement with BEE Healthy in the amount of \$10,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve

MOTION CARRIED.  
(See Exhibit N)

10/B

The City of Mercedes is requesting approval of a subrecipient agreement with Amigos Del Valle in the amount of \$10,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit N)

10/C

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve a budget amendment under Year 8 for Precinct Two.

MOTION CARRIED.  
(See Exhibit N)

10/D

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a budget amendment under Year 9 for Precinct Four.

MOTION CARRIED.  
(See Exhibit N)

10/E

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a professional service contract with Quintanilla, Headley and Associates in the amount of \$800.00.

MOTION CARRIED.

(See Exhibit N)

10/F

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approval an application under the HOME/Homeowner Occupied Housing Rehabilitation Program.

MOTION CARRIED.

(See Exhibit N)

#### **ITEM 11. PURCHASING DEPARTMENT**

##### A. District Clerk

1. Requesting authority to enter into a purchase agreement to replace (2) Xerox Copiers presently installed
2. New copiers will be purchased utilizing GSC cooperative purchase program

##### B. Sheriff's Department

1. Requesting authority to advertise for Soft Body Armor (Ballistic Vests)

11/A

Martha Salazar, County Purchasing Agent, indicated that no action would be required on these items at this time.

NO ACTION.

(See Exhibit O)

11/B

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize the advertising for bids for soft body armor (body vests) for the Sheriff's Department.

MOTION CARRIED.

(See Exhibit O)

**ITEM 12. JAIL PROJECT**

- A. Discussion on status report to be presented to the Texas Commission on Jail Standards on December 04, 1997 (no backup info)

The County Judge indicated that he would not be able to attend the meeting with the Texas Commission on Jail Standards in Austin. He announced that Commissioner Arcaute would be making the presentation and he would be accompanied by Commissioners Rosel and Garces, as well as the County Auditor. A discussion then ensued with comments from Commissioner Rosel as to what should be included in the report to Austin. It was then recommended that no action be taken on this item at this time.

NO ACTION.

There being no further business to come before the Commissioners' Court, a motion was made by Commissioner Arcaute and seconded by Commissioner Garces that said meeting be hereby adjourned.

MOTION CARRIED.

**There being no further business to come before  
said**

**Court, the meetings of Commissioners' Court and Drainage  
District**

**#1 were hereby adjourned.**

**RENATO  
CUELLAR \_\_\_\_\_  
COUNTY JUDGE**

**SYLVIA  
HANDY \_\_\_\_\_ ABSENT \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 1**

**ABELARDO "LALO"  
ARCAUTE \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 2**

**JUAN  
ROSEL \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 3**

**GUADALUPE "LUPE"  
GARCES \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 4**

**Dated this the 27<sup>th</sup> day of September, 1999.**

**JUAN D. SALINAS, III, County Clerk  
Hidalgo County, Texas**

**By: \_\_\_\_\_  
Jennifer Castillo, Deputy**

**Minutes were approved by Commissioners' Court and  
Drainage District #1 on the \_\_\_\_\_ day of  
\_\_\_\_\_, 1999.**