

COUNTY OF HIDALGO COMMISSIONERS' COURT

BE IT REMEMBERED that on the 24th day of November, 1998 after notice duly having been given, a Special Meeting of the Commissioners' Court and the Drainage District #1 Board 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 GARCES, JR.
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. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS AND BILLS - COUNTY AUDITOR

ITEM 2. LINE ITEM TRANSFER - \$100.00 (See Exhibit A)

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 Arcaute and seconded by Commissioner Garces to approve.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. AUTHORIZATION TO ENTER INTO AGREEMENT WITH MS. VONA WALKER FOR ASSISTANCE IN THE PLANNING OF HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 MASTER PLAN EXPANSION THROUGH HIDALGO COUNTY AND WILLACY COUNTY

Godfrey Garza, Drainage District Director, came before the Board requesting authorization to enter into an agreement with Ms. Vona Walker for assistance in the planning of the Hidalgo County Drainage District No. 1 Master Plan expansion through Hidalgo County and Willacy County. He then went on to justify the reason for the request and he added Ms. Walker did not want to receive compensation for this service. Mr. Garza was recommending that the District at least pay for calls made on her cell phone in respect to this project and also for mileage on her vehicle. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit B)

ITEM 2. AUTHORIZATION TO REQUIRE PRELIMINARY PLANNING FOR EXPANSION OF HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 MASTER PLAN THROUGH HIDALGO AND WILLACY

Mr. Garza was also requesting authorization to require preliminary planning for the expansion of the Hidalgo County Drainage District No. 1 Master Plan through the Counties of Hidalgo and Willacy. He added that they were trying to prepare some preliminary schematics in order to present them to the Board or whoever would request them. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit B)

ITEM 3. APPROVAL OF 1998 TAX ROLL TOTALS

Armando Barrera, County Tax Assessor-Collector, came before the Board to request approval of the 1998 tax roll totals. He stated that the net taxable value was \$9,952,154,491.00; a tax rate of .0410 and the total amount of the levy was \$4,080,398.63. He also noted that there was late agricultural use penalties of \$83.41 for a grand total of \$4,080,482.04. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve the 1998 tax roll totals for the Drainage District #1, as presented.

MOTION CARRIED.
(See Exhibit C)

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Handy and seconded by Commissioner Arcaute 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 AND BILLS - COUNTY AUDITOR

ITEM 2. PLANNING DEPARTMENT

- A. Final Plat Approval
 - 1. Lighthouse Subdivision - Pct. 1
 - 2. Manuel & Esperanza Subdivision - Pct. 4

(See Exhibit D)

ITEM 3. LINE ITEM TRANSFERS

- A. Adult Probation - \$2,000.00
- B. J.P. Pct. 2, Pl. 2 - \$269.37
- C. J.P. Pct. 5, Pl. 1 - \$100.00
- D. Youth Village - \$4,000.00
- E. Elections Departments - \$12,000.00
- F. HIDTA Task Force - \$10,000.00
- G. Health Department - Sanitation - \$1,500.00
- H. Pct. #2 - Paved/Unpaved - \$18,000.00
- I. Pct. #2 - County Wide Shop - \$5,000.00
- J. County Judge - \$9,369.82
- K. Planning Department - \$213.00
- L. Constable Pct. #1 - \$1,263.18

(See Exhibit E)

ITEM 4. APPROVAL OF MINUTES

- A. October 13, 1997
- B. October 14, 1997
- C. October 21, 1997
- D. October 28, 1997

ITEM 5. URBAN COUNTY PROGRAM

- A. HOME "First-Time Homebuyer Contract Agreement" and Letter of Commitment to Mortgage Company (5 families)

(See Exhibit F)

ITEM 6. RIGHT OF WAY

- A. Permits
 - 1. Pct. #1 - City of Weslaco
 - Southwestern Bell Telephone
 - 2. Pct. #2 - Vastar Resource Inc.
 - 3. Pct. #3 - Western Geophysical
 - Coastal Oil & Gas Corp.
 - 4. Pct. #4 - North Alamo Water Supply - water line south of Mile 19 on Brushline Rd.

- North Alamo Water Supply – north of State Hwy 107 on Cesar Chavez
- RGV All Valley Construction
- Southwestern Bell Telephone – east of Ramseyer and 1050' north on Kenyon Rd.
- Southwestern Bell Telephone – west of Hwy 281 on Miller Rd.

(See Exhibit G)

ITEM 7. PURCHASING DEPARTMENT

A. Adult Probation

1. Approval of service agreement on HP Laser Jet Printer period covered 10-01-98 through 10-01-99

(See Exhibit H)

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 Arcaute and seconded by Commissioner Handy to approve.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. OPEN FORUM

The County Judge asked if anyone had signed up for the Open Forum and Mr. George Snodgrass approached the Court. Mr. Snodgrass stated that he had requested to be placed on this week's agenda and he was not. Paul Vazaldua, Administrative Assistant to the County Judge, indicated that Mr. Snodgrass' request was requiring this Commissioners' Court to take action on other land acquisition for the proposed adult detention facility and this Court was not prepared to take this action. Steve Crain, the County legal counsel, pointed out that this agenda did not indicate that any item by Mr. Snodgrass and therefore his issue could not be discussed. After some discussion, no action was taken on this item at this time.

NO ACTION.

ITEM 2. PLANNING DEPARTMENT

A. Citrus Hills Subdivision – Pct. 1

Paul Vazaldua, Administrative Assistant to the County Judge, informed the Court that the Planning Department was requesting that no action be taken on this item at this time.

MOTION CARRIED.

(See Exhibit I)

ITEM 3. RIGHT OF WAY

- A. Release of easement out of Lot 2, Block 18 Steele and Pershing Subdivision and set fee for release
- B. Authorization to allow Ms. Vona Walker to obtain required right of way on FM 3072 (Dicker Road) Expansion Project

3/A

Godfrey Garza, Drainage District Director, came before the Court and requested that no action be taken on this item at this time, as they were having a hard time in getting an appraisal on this property.

NO ACTION.

(See Exhibit J)

3/B

Mr. Garza was also requesting that this Court authorize Ms. Vona Walker to obtain the required right-of-way on the FM 3072 (Dicker Road) Expansion Project. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve.

MOTION CARRIED.

(See Exhibit J)

ITEM 4. J.P. PCT. 3, PL. 2

- A. Approval of salary increase for clerical position
- B. Approval of budget amendment
- C. Approval to set salary

4/A

Commissioner Rosel was requesting that this item be brought back for re-consideration at the next meeting. Manuel Cavazos, the County Auditor then recommended that this Court not approve any more budget amendments for the remainder of the year.

NO ACTION.

(See Exhibit K)

4/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a budget amendment in the amount of \$2,500.00 for the Office of the Justice of the Peace for Precinct Three Place Two for telephone services.

MOTION CARRIED.

(See Exhibit K)

4/C

Commissioner Rosel reported that no action would be required on this item at this time.

NO ACTION.

(See Exhibit K)

ITEM 5. BUILDINGS & GROUNDS

A. Approval of budget amendment

Paul Vazaldua, Administrative Assistant to the County Judge, stated that the Buildings & Grounds Department was requesting no action on this item at this time.

NO ACTION.

(See Exhibit L)

ITEM 6. PCT. #3

A. Approval of budget amendment

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a budget amendment in the amount of \$2,987.23 for Precinct Three for telephone and electricity.

MOTION CARRIED.

(See Exhibit M)

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a transfer in the amount of \$20,000.00 for Precinct Three for maintenance supplies.

MOTION CARRIED.

(See Exhibit M)

ITEM 7. CONSTABLE PCT. #4

A. Approval of budget amendment

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a budget amendment in the amount of \$851.00 less \$250.00 deductible for the Constable Precinct Four, which was an insurance claim for vehicle repair.

MOTION CARRIED.

(See Exhibit N)

ITEM 8. URBAN COUNTY PROGRAM

- A. Approval of a Professional Service Contract with Universal Engineering Corporation – City of Donna – Water/Sewer Improvements – Urban County Year 10 (1997)
- B. Approval of Sub recipient Agreement with Donna Boys and Girls Club – City of Donna – Youth Services – Urban County Year 11 – 1998
- C. Approval of Sub recipient Agreement with Donna Boys and Girls Club – Pct. #1 – Youth Services – Urban County Year 11 (1998)

8/A

The City of Donna was requesting approval of a professional services contract with Universal Engineering Corporation. The amount of the contract is \$24,860.00. A motion was made by Commissioner Handy and seconded by Commissioners Arcaute and Garces to approve.

MOTION CARRIED.

(See Exhibit O)

8/B

The City of Donna was also requesting approval of a sub recipient agreement with the Donna Boys and Girls Club in the amount of \$33,134.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.

(See Exhibit O)

8/C

Precinct One was requesting approval of a sub recipient agreement with the Donna Boys and Girls Club in the amount of \$5,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve.

MOTION CARRIED.

(See Exhibit O)

ITEM 9. HEALTH DEPARTMENT

- A. Request approval of the transfer of property from Hidalgo County Health Department Early Childhood Intervention Program to the Region I Education Service Center/Early Childhood Intervention (E.C.I.) Program

Dr. J. Michael Keenan, County Health Director, was requesting that no action be taken on this item at this time.

NO ACTION.

(See Exhibit P)

ITEM 10. OFFICE OF EMPLOYMENT AND TRAINING

- A. Discussion and possible action based on the recommendation by the Private Industry Council resolution pertaining to the Workforce Investment Area of 1998
- B. Discussion and possible action to approve submission of the PY '97 Annual Governor's Report to the State

10/A

Dick Dickinson, OET Executive Director, came before the Court to present the recommendation by the Private Industry Council for a resolution pertaining to the Workforce Investment Area of 1998. He gave a brief explanation for this request and added that because of this proposed Workforce Investment Act, this SDA would have the option to become a Local Workforce Development Board or a Workforce Investment Area with a Workforce Investment Board. The Court's decision had to be submitted no later than April 1, 1999. He then asked Mr. George A. Lara, the PIC Chairman and Mr. Fred Biehl to continue with the presentation of this item. Mr. Lara was recommending that this Court seek designation as a Workforce Designation Area and he went on to explain how this would be beneficial to the County. After some discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Garces to submit to the Governor that this area be designated a Workforce Investment Area.

MOTION CARRIED.

(See Exhibit Q)

10/B

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to authorize the submittal of the PY '97 Annual Governor's Report to the State.

MOTION CARRIED.
(See Exhibit Q)

ITEM 11. COUNTY JUDGE'S OFFICE

- A. Consider and approve award from the United States Department of Justice, Bureau of Justice Assistance
- B. Approval of budget amendment

11/A

A motion was made by Commissioner Garces and seconded by Commissioners Rosel and Arcaute to approve an award in the amount of \$226,238.00 from the United States Department of Justice, Bureau of Justice Assistance for the operations of the Auxiliary Court.

MOTION CARRIED.
(See Exhibit R)

11/B

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve a budget amendment in the amount of \$15,000.00 for payment on a contract with Syner Images.

MOTION CARRIED.
(See Exhibit R)

ITEM 12. PCT. #1

- A. Acceptance and approval of schematic design and design development documents prepared by Alvarado Architects & Associates for the Weslaco Substation Project

A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to accept and approve the schematic design and design development documents as prepared by Alvarado Architects & Associates for the Weslaco Substation Project.

MOTION CARRIED.

(See Exhibit S)

ITEM 13. PURCHASING DEPARTMENT

A. HIDALGO COUNTY

1. Clarification of action taken at regularly scheduled Hidalgo County Commissioners' Court Agenda of November 9, 1998 and if necessary, discussion and action on the approval of providers for the County of Hidalgo's Cafeteria Plan and the final designation of coordinator/supervisor of said enrollment. Enrollment to commence on or before December 1, 1998
2. Requesting approval of modification of contract(s):
 - a. "Renovation Space Planning to Existing Buildings" – Alvarado Architects & Associates, Inc.
 - b. "Elsa & Alton Health Clinic" – Thomas Design Group
 - c. "Adult Probation Department's Restitution Center" – George A. Garcia
3. Recommendation to award contract for "Mats, Dust Mops & Shop Rags – Janitorial Services" to low bidder AmeriPride Linen & Apparel Services, Corpus Christi, Texas
4. Requesting approval of contract for "Mats, Dust Mops & Shop Rags – Janitorial Services" with low bidder AmeriPride Linen & Apparel Services, Corpus Christi, Texas

B. HIDALGO COUNTY PRECINCT NO. 2

1. Requesting to declare surplus two (2) vehicles and numerous miscellaneous equipment

C. HIDALGO COUNTY PRECINCT NO. 3

1. Recommending to terminate contract with Sascon, Inc. for "Linda Vista Subdivision Improvements"
2. Requesting authority to re-advertise for "Linda Vista Subdivision Street Improvements"

D. HIDALGO COUNTY DISTRICT ATTORNEY

1. Requesting eight (8) vehicles and fifteen (15) miscellaneous items be declared surplus

E. HIDALGO COUNTY DISTRICT CLERK

1. Recommending Bid Award for "Off-Premises Storage, Records Management, Pickup & Delivery" to The Document Storage Company, f/k/a Valley DocuServe
2. Recommending approval of contract for "Off-Premises Storage, Records Management, Pickup & Delivery" to The Document Storage Company, f/k/a Valley DocuServe

F. HIDALGO COUNTY JUVENILE PROBATION

1. Discussion and possible action on report of final contract negotiations for Architectural/Engineering Services with Alvarado Architects & Associates, Inc. – Johnson/McKibben Architects, Inc.

2. Discussion and possible action on approval of final proposed contract for Architectural/Engineering Services with Alvarado Architects & Associates, Inc. – Johnson/McKibben Architects, Inc.

G. HIDALGO COUNTY LIBRARY SYSTEM

1. Requesting to declare surplus numerous pieces of office equipment

H. H.I.D.T.A. TASK FORCE

1. Requesting to declare surplus one (1) 1998 Ford Pickup (VIN #2FTJW35G8JCB16969)

I. HIDALGO COUNTY SHERIFF'S DEPARTMENT

1. Requesting authority to advertise and approval of specifications as attached hereto for "Uniforms"

J. HIDALGO COUNTY WIC PROGRAM

1. Requesting authority to reject all bids for "Rental Space in the City of Mercedes"
2. Requesting authority to re-advertise and approval of specifications as attached hereto for "Rental Space in the City of Mercedes"

13/A/1

Martha Salazar, County Purchasing Director, came before the Court requesting clarification of action taken at regularly scheduled Hidalgo County Commissioners' Court Agenda of November 9, 1998 and if necessary, discussion and action on the approval of providers for the County of Hidalgo's Cafeteria Plan and the final designation of coordinator/supervisor of said enrollment. She stated that this item had been brought before the Court previously and it was a procedure that was normally taken care of by the Risk Management Department. She said the concern was with regards to whether the provider issue had been addressed. After some discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Handy that in 1999, Benefit Alliance be named the sole enrollment provider. After further discussion two of the Commissioners asked to listen to some insurance providers regarding this issue. Mario M. Davila, from AFLAC, and Jesse Treviño, from Jesse Treviño Ins./Benefit Alliance, approached the Court and presented their wares to the Court. The motion was then put to a vote and it carried.

MOTION CARRIED. (Commissioner Garces abstained)
(See Exhibit T)

13/A/2

Mrs. Salazar was also requesting approval of modifications of the contracts for the "Renovation Space Planning to Existing Buildings" with Alvarado Architects & Associates, Inc.; the "Elsa & Alton Health Clinic" with Thomas Design Group; and the "Adult Probation Department's Restitution Center" with George A. Garcia. She mentioned that the only change was the language with regards to the

insurance that will be accepted by this Commissioners' Court. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve.

MOTION CARRIED.
(See Exhibit T)

13/A/3

Mrs. Salazar stated that she had received two bids for "Mats, Dust Mops & Shop Rags – Janitorial Services". She was requesting that the bid be awarded to the low bidder being AmeriPride Linen & Apparel Services, Corpus Christi, Texas. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to award the bid as presented.

MOTION CARRIED.
(See Exhibit T)

13/A/4

A motion was made by Commissioner to approve a contract between the County of Hidalgo and AmeriPride Linen & Apparel Services out of Corpus Christi, Texas for "Mats, Dust Mops & Shop Rags – Janitorial Services".

MOTION CARRIED.
(See Exhibit T)

13/B

A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to authorize the declaration of two vehicles and numerous miscellaneous equipment from Precinct Two, as surplus.

MOTION CARRIED.
(See Exhibit T)

13/C/1

Mrs. Salazar was recommending the termination of a contract with Sascon, Inc. for "Linda Vista Subdivision Improvements" in Precinct Three. She said that this bid had become stale, since there were some drainage improvements that had taken a long time to finish. After some discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve.

MOTION CARRIED.
(See Exhibit T)

13/C/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the re-advertising for bids for the "Linda Vista Subdivision Street Improvement" project in Precinct Three.

MOTION CARRIED.

(See Exhibit T)

13/D

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the declaration of eight vehicles and fifteen miscellaneous items from the District Attorney's Office be declared surface.

MOTION CARRIED.

(See Exhibit T)

13/E/1

Mrs. Salazar reported that she had received two bids for "Off-Premises Storage, Records Management, Pickup & Delivery" for the District Clerk's Office. She was recommending that the bid be awarded to The Document Storage Company, f/k/a Valley DocuServe, who is the low bidder. A motion was made by Commissioner Handy and seconded by Commissioners Garces and Arcaute to award the bid as presented.

MOTION CARRIED.

(See Exhibit T)

13/E/2

A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve a contract with The Document Storage Company, f/k/a Valley DocuServe for "Off-Premises Storage, Records Management, Pickup & Delivery" for the District Clerk's Office.

MOTION CARRIED.

(See Exhibit T)

13/F/1

Mrs. Salazar presented a report on the final contract negotiations for Architectural/Engineering Services with Alvarado Architects & Associates, Inc./ Johnson/McKibben Architects, Inc. She stated that the architect was recommending that there be some on-site representation and they have negotiated a flat rate of \$16,000.00 for up to eight on-site visits to inclusive of travel and lodging expenses. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the final contract negotiations for

Architectural/Engineering Services with Alvarado Architects & Associates, Inc./
Johnson/McKibben Architects, Inc.

MOTION CARRIED.
(See Exhibit T)

13/F/2

A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve final proposed contract for Architectural/Engineering Services with Alvarado Architects & Associates, Inc./Johnson/McKibben Architects, Inc.

MOTION CARRIED.
(See Exhibit T)

13/G

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize the declaration of numerous pieces of office equipment from the Hidalgo County Library System as surplus.

MOTION CARRIED.
(See Exhibit T)

13/H

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to authorize the declaration of one 1998 Ford Pickup (VIN #2FTJW35G8JCB16969) from the HIDTA Task Force as surplus.

MOTION CARRIED.
(See Exhibit T)

13/I

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to authorize the advertising for bids for "Uniforms" for the Hidalgo County Sheriff's Department.

MOTION CARRIED.
(See Exhibit T)

13/J

Mrs. Salazar indicated that no action would be required on this item at this time.

NO ACTION.

(See Exhibit T)

ADD. 1. CLOSED SESSION

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

A. Litigation

1. Concepcion Soto Zuniga, et al vs Henry Escalon et al – Civil Action No. M-94-086

The County Judge and Commissioners went into Executive Session accompanied by Steve Crain, the County legal counsel.

NO ACTION.

ADD. 2. OPEN SESSION

A. Litigation

1. Concepcion Soto Zuniga, et al vs Henry Escalon et al – Civil Action No. M-94-086

The County Judge reported that no action would be required 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 Rosel and seconded by Commissioner Arcaute that said meeting be hereby adjourned.

MOTION CARRIED.

**There being no further business to come before said Court,
the meetings of the Commissioners' Court and the Drainage
District #1 Board are hereby adjourned.**

**RENATO CUELLAR _____
COUNTY JUDGE**

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

**ABELARDO ARCAUTE _____
COUNTY COMMISSIONER, PRECINCT 2**

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

**GUADALUPE GARCES, JR. _____
COUNTY COMMISSIONER, PRECINCT 4**

Dated this the 15th day of December, 1999

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

**By: _____
Jennifer Castillo, Deputy**

**Minutes approved by the Commissioners' Court and the Drainage District
#1 Board on the 28th day of December 1999.**