

**SPECIAL MEETING – April 12, 1999**

BE IT REMEMBERED, that on this 12th day of April, A.D., 1999, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present,

to-wit:

HONORABLE JOSE ELOY PULIDO	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JUAN ROSEL	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:

## **COMMISSIONER'S COURT**

The Honorable Juan Rosel, County Commissioner for Precinct Three, called the Commissioner's Court meeting to order, whereupon the following proceedings were had, to-wit:

### **REGULAR AGENDA**

#### ITEM 1. ROLL CALL:

Commissioner Juan Rosel announced that there was a quorum of all members being present with the exception of Judge Pulido, who was absent.

NO ACTION.

#### ITEM 2. PLEDGE OF ALLEGIANCE

Valde Guerra, Administrative Assistant to the County Judge, led the Court in the Pledge of Allegiance.

NO ACTION.

#### ITEM 3. PRAYER

Monica Badillo, Commissioner's Court Agenda, Coordinator, gave the invocation.

NO ACTION.

### **CONSENT AGENDA**

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS AND BILLS – COUNTY AUDITOR  
(See Exhibit A)

#### ITEM 2. LINE ITEM TRANSFERS:

- A. D.P.S. – Highway Patrol - \$371.56
- B. Adult Probation – Gen. Fund - \$2,000.00
- C. Adult Probation – Community Corrections - \$1,175.00
- D. Computer Department – (Refer to Regular Agenda)
- E. J.P. Pct. #2. Pl. 1 - \$300.00

- F. J.P. Pct #4, Pl. 2 - \$135.00
  - G. Pct #2 – Paved/unpaved - \$150.00
  - H. Pct #3 – Landfill (2) - \$300.00 & \$500.00
  - I. Pct #3 – Parks - \$100.00
  - J. Pct #3 Paved/unpaved - \$30,000.00
  - K. Pct #4 – Landfill - \$20,000.00
  - L. Pct #4 – Adm. - \$100.00
  - M. 332<sup>nd</sup> District Court - \$101.85
  - N. Planning Department - \$717.35
  - O. County Judge - \$71.00
  - P. Impact Court (2) – (Refer to Regular Agenda)
  - Q. General Litigation - \$10,000.00
- (See Exhibit B)

### ITEM 3. MONTHLY FEE REPORTS

- A. District Clerk - \$195,255.49 – March 1999
  - B. District Attorney - \$16,923.42 – December 1998
  - C. District Attorney - \$15,379.74 – January 1999
  - D. District Attorney - \$19,083.08 – February 1999
- (See Exhibit C)

### ITEM 4. RIGHT OF WAY:

- A. Pct #1:
    - 1. City of Weslaco
    - 2. Southwestern Bell Telephone
  - B. Pct #3:
    - 1. Southwestern Bell Telephone
  - C. Pct #4:
    - 1. Southwestern Bell Telephone
- (See Exhibit D)

### ITEM 5. PLANNING DEPARTMENT:

- A. Final Plat Approval with Letter of Credit
  - B. Old La Blanca Terrace – Pct #1
- (See Exhibit E)

### ITEM 6. URBAN COUNTY

- A. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (1 Family)
  - B. Extension on “Letter of Commitment” to Mortgage Company on HOME “First-Time Homebuyer Contract Agreement” (1 Family)
- (See Exhibit F)

Commissioner Rosel introduced the Consent Agenda and asked if there were any questions and/or comments. Gilbert Garza, from the Auditor's Office, indicated that they had some concerns with regards to Item 2/B and 2/P and he asked that they be pulled from the Consent Agenda. A motion was then made by Commissioner Rosel and seconded by Commissioner Garza to Approve the Consent Agenda with the changes.

MOTION CARRIED.

## **REGULAR AGENDA**

ITEM 2. LINE ITEM TRANSFERS (from the Consent Agenda)

D.Computer Department - \$1,000.00

P.Impact Court - \$900.00 \$ \$10,000.00

2/D

Pete Rivera, Systems Administrator, informed the Court that he wanted to transfer monies in order to purchase some secretarial chairs for his staff. He indicated that the ones he has presently are very old. A motion was made by Commissioner Garza and seconded by Commissioner Palacios to approve.

MOTION CARRIED.

(See Exhibit B)

2/P

Commissioner Rosel informed the Court that this item was with regard to the Impact Court. Valde Guerra, Administrative Assistant to the County Judge, informed the Court that there was no problem with the \$900.00 line item transfer. A motion was made by Commissioner Garza and seconded by Commissioner Palacios to approve.

MOTION CARRIED.

(See Exhibit B)

Commissioner Rosel noted that they would be further information on the line item transfer in the amount of \$10,000.00 and therefore no action would be taken on this item at this time.

NO ACTION.

(See Exhibit B)

ITEM 4. OPEN FORUM:

Commissioner Rosel announced that no one had signed up for Open Forum.

NO ACTION.

ITEM 5. HEAD START:

- A. Requesting approval of Lease Agreement for Weslaco III Head Start Center
- B. Report of the Federal Monitoring Team Visit:

5/A

Santiago Alanis, Head Start Director, informed the Court that he had brought additional information on the lease for the Weslaco III Head Start Center. He was recommending that this Court approve the lease in order to continue having the program in that area. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the lease agreement presented.

MOTION CARRIED.

(See Exhibit G)

Mr. Alanis reported to the Court that the Head Start Program does an annual assessment of the work and the goals that are being accomplished. He added that an assessment was done in the spring of 1998 that involved the volunteers and people from the program. He added that a federal team came in and monitored the program, which he noted was a first for the State of Texas. Mr. Alanis then proceeded to give some highlights of the report. After some discussion, he stated that he was presenting this assessment report to the Commissioners' Court for their consideration. A motion was then made by Commissioner Garza and seconded by Commissioner Handy to accept the report from the Federal Monitoring Team.

MOTION CARRIED.

(See Exhibit G)

ITEM 6. URBAN COUNTY:

- A. Approval to amend contract to correct the name from Habitat for Humanity – La Frontera Initiative to Habitat for Humanity – Exodus, Inc.
- B. Approval of TCDP Water Improvement Construction Contract Aware Colonia Construction Funds Project No. 717095
- C. Approval of Personal Services Contract Self Help Center Contract #716023 – 1998 Need Assessment Project
- D. Approval of a Construction Contract with Mission Paving Co. Inc. – Hidalgo County Pct.\$ - Street Improvements – Urban County Year 11 (FY1998)
- E. RESOLUTION – Texas Department of Housing of Housing and Community Affairs 1999 Colonia Construction Fund Application
- F. City of La Villa – HOME Housing Rehabilitation Program – Construction Contract Award
- G. City of Granjeno – Home/CDBG Housing Rehabilitation Program – Construction Contract Award

H. Approval of an Agreement between the County of Hidalgo and Texas A&M University to establish a Community Resource Center in San Carlos

6/A

Anthony Covacevich, Urban County Director, informed the Court that no action would be required on this item at this time.

NO ACTION.  
(See Exhibit H)

6/B

Mr. Covacevich indicated that this was a request for a bid award for the construction contract for the Colonia Construction Funds Project No. 717095. He added that the sole bidder was J&M Construction and the amount of the contract is \$60,313.00. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the request, as presented.

MOTION CARRIED.  
(See Exhibit H)

6/C

Mr. Covacevich noted that this was for approval of personal services contract for the Self Help Center Contract #716023. He stated that a single quote was received from S. Wessman Fernandez Associates in the amount of \$7,500.00. Their job consists of doing a need assessment for the area of El Paraiso, Los Ebanos, Casa De Los Vecinos, Linda Visa, and Tierra Estates. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the request as presented.

MOTION CARRIED.  
(See Exhibit H)

Mr. Covacevich indicated that there would be no action required on this item.

NO ACTION.  
(See Exhibit H)

6/E

Mr. Covacevich reported that he was requesting approval of a resolution authorizing them to submit an application to the Texas Department of Community Affairs for funding for the 1999 Colonia Construction Program. He stated that as part of this program they had submitted a letter to the water supply corporations and to date they had received requests from North Alamo Water Supply Corporation, Sharyland Water Supply Corporation and La Joya Water Supply Corporation which had submitted a request for a booster pump to increase water pressure to the north side of Mile 5 Line area. He did add that this application was due on April 22, 1999. A motion was made by Commissioner Handy and seconded by Commissioner Palacios to approve the resolution as presented.

MOTION CARRIED.  
(See Exhibit H)

6/F

The City of La Villa was requesting approval of a construction contract award under their HOME Housing Rehabilitation Program. He did note that all the bids received were over budget and he was therefore requesting that all bids be rejected and that they be given authority to re-advertise. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the request as presented.

MOTION CARRIED.  
(See Exhibit H)

6/G

He was also requesting authorization to re-bid for the City of Granjeno under their HOME/CDBG Housing Rehabilitation Program. He added that the bids received were 18% over the estimated budget. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the request as presented.

MOTION CARRIED.  
(See Exhibit H)

6/H

Mr. Covacevich informed the Court that he was requesting approval of an agreement between the County of Hidalgo and the Texas A&M University. This agreement is to establish a community center within the San Carlos area. It would be on land owned by the County in front of San Carlos facility. This would be a commitment by Texas A&M for \$155,250.00 and the County will commit only a minimum of \$120,000.00, which will be \$60,000.00 from two years of Urban County funding. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the agreement as presented.

MOTION CARRIED.  
(See Exhibit H)

ITEM 7. PCT #1:

- A. Requesting approval to dedicate a road, known as "Ramo de Flores Road" as per description attached.
- B. Approval to name road "Ramo de Flores Road"
- C. Approval to transfer funds from the County Wide Road & Bridge fund to the Precinct No. 1 Road & Bridge Fund.

7/A

Raul Lozano, Administrative Assistant for Precinct One was requesting approval of a road dedication for “Ramo de Flores Road”. This request was being done, subject to review by legal counsel. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garza to approve road dedication as presented.

MOTION CARRIED.  
(See Exhibit I)

7/B

A motion was made by Commissioner Handy and seconded by Commissioner Palacios to name the road discussed previously, “Ramo de Flores Road”.

MOTION CARRIED.  
(See Exhibit I)

7/C

Mr. Lozano was also requesting the transfer of a mechanic position from the County Wide Road & Bridge to the Precinct One Road & Bridge Fund. Their justification for this request was that instead of creating this position, the previous commissioner had transferred a position from Precinct One into the County Wide Fund. The present Commissioner just wanted to correct this problem by transferring the position back to the Precinct One budget, at a pro-rated amount for the remainder of the year. After some discussion a motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit I)

#### ITEM 8. PURCHASING DEPARTMENT:

##### A. HIDALGO COUNTY

1. Discussion and possible action on acceptance of an offer by Master Fibers, Inc. for the purchase of Hidalgo County Paper Products at \$.015 a pound due to no responses received for the “Purchase of Hidalgo County’s Paper Products” RFB.
2. Recommending approval of the contract for “Purchase of Hidalgo County’s Paper Products” with Master Fibers, Inc.
3. Requesting authority to advertise for a Request For Proposal (RFP) and approval of requirements as attached hereto for: “Humane Services” for Hidalgo County.

- ##### B. HIDALGO COUNTY PRECINT NO. 1 – Requesting authority to purchase “One (1) 1999 Ford – F150 Pick Up Truck” through the Interlocal Agreement with the Houston –Galveston Area Council (H-GAC) – (Vendor: Philpott Motors, Inc., Port Neches, Texas) The total price of the vehicle will be \$20,104.00 which includes the Administration fee and the delivery change in

accordance with the “customized Product Pricing Summary based on Contract” form

- C. HIDALGO COUNTY PREINCT NO. 1 – Requesting approval of proposed final draft contract from negotiations with the first ranked engineering firm (from RFQ’s submitted on 03/17/99 and ranked by C.C. on 03/30/99) with R. Gutierrez Engineering for Precinct No. 2

8/A/1

Martha Salazar, County Purchasing Agent, informed the Court that no action would be required on this item.

NO ACTION.

(See Exhibit J)

8/A/2

Mrs. Salazar also reported that no action would be required on this item.

NO ACTION.

(See Exhibit J)

8/A/3

A motion was made by Commissioner Handy and seconded by Commissioner Palacios to authorize the advertising for bids for “Human Services” for Hidalgo County.

MOTION CARRIED.

(See Exhibit J)

8/C

Mrs. Salazar was requesting approval of a proposed final draft contract from negotiations with the first ranked engineering firm with R. Gutierrez Engineering for Precinct No. 2. She stated that this would be a contract formatted under standard form approved by the County legal counsel with an added work order component to the contract subject to any objections by the engineer. A motion was made by Commissioner Palacios and seconded by Commissioner Garza to approve the proposed final draft contract as presented.

MOTION CARRIED.

(See Exhibit J)

ITEM 9. COUNTY JUDGE:

- A. Authorization to appoint J.D. Salinas, Hidalgo County Clerk as the Records Management Officer for Hidalgo County.
- B. Approval of the construction document phase on the New Jail Project
- C. Approval of a \$232,960.00 Loan from the General Fund to the New Jail Capital Projects Fund for Architect Services on the construction document phase.

- D. Approval to appropriate loan proceeds in the New Jail Capital Projects Fund for Architect Services
- E. Approval of payment to DiStefano/Santopetro Architects, Inc. for the Construction Document Phase
- F. Approval of a \$1,926.50 loan from the General Fund to the New Jail Capital Projects Fund for ½ of the Architects Insurance previously paid
- G. Approval to appropriate loan proceeds in the New Jail Capital Projects Fund to cover ½ of Architects Insurance costs
- H. Approval of an \$8,500.00 loan from the General Fund to the New Jail Capital Projects Fund for the second Jail site Land Option Contracts & Appraisal Services.
- I. Approval to appropriate loan proceeds in the New Jail Capital Project Fund for the Land Option Contracts & Appraisal Services
- J. Approval of payments on the Land Option contracts
- K. Approval to direct Purchasing Agent to seek for Appraisal Services on new proposed Jail Site
- L. Approval of a budget amendment for fuel expense for Risk Manager in the amount of \$900.00 (April – December 9 months x4 weeks x \$25.00 per week = \$900.00)
- M. Approval of Corrected Warranty Deed between Imogene Kelly and Hidalgo County
- N. Approval to amend Courthouse Parking Assignments:

9/A

A motion was made by Commissioner Garza and seconded by Commissioner Handy to appoint J.D. Salinas, III, Hidalgo County Clerk, as the Records Management Officer for Hidalgo County.

MOTION CARRIED.

(See Exhibit K)

9/B

After some discussion, Valde Guerra, Administrative Assistant to the County Judge, informed the Court that due to lack of documentation no action would be required on this item at this time.

NO ACTION.

(See Exhibit K)

9/C

Mr. Guerra also noted that no action would be required on this item at this time.

NO ACTION.

(See Exhibit K)

9/D

Mr. Guerra also noted that no action would be required on this item at this time.

NO ACTION.  
(See Exhibit K)

9/E

Mr. Guerra stated that this was for the documents phase. After some discussion he added that there was a discrepancy as to the billing date and the suspension date. He wanted to clarify this issue before authorizing the payment. Mr. Guerra was also requesting that no action be required on this item at this time.

NO ACTION.  
(See Exhibit K)

9/F

Mr. Guerra informed the Court that this was a request for a loan from the General Fund in the amount of \$1,926.50 for the County's portion of the architects liability insurance. Martha Salazar, County Purchasing Director, explained that as part of the negotiations with the architect he was to raise his professional liability insurance by \$5 million and the County would pay for half of it because of the size of the project. A motion was made by Commissioner Garza and seconded by Commissioner Palacios to approve the request as presented.

NO ACTION.  
(See Exhibit K)

9/G

Commissioner Garza made a motion and Commissioner Handy seconded it, for authorization to appropriate loan proceeds in the new jail capital projects fund to cover ½ of the architect's insurance costs.

MOTION CARRIED.  
(See Exhibit K)

9/H

This next item was for approval of an \$8,500.00 loan from the General Fun to the Capital Projects Fund. Mr. Guerra stated that this was for the second jail site land option contact and appraisal only. He added that these contracts were approved two meeting ago and the County Auditor agrees with the language but does not want to pay. After some discussion, a motion was made by Commissioner Palacios and seconded by Commissioner Garza for the approval of a loan of \$87,500.00 from the General Fund to the new jail capital projects.

MOTION CARRIED. (Commissioner Handy, Garza and Palacios voted in favor of the  
(See Exhibit K) motion; Commissioner Rosel voted against the motion.)

9/I

This item is to appropriate the loan proceeds in the amount of \$8,500.00 discussed previously, into the proper line items. A motion was made by Commissioner Palacios and seconded by Commissioner Garza to authorize the appropriation of funds, as presented.

MOTION CARRIED.  
(See Exhibit K)

9/L

Mr. Guerra indicated that this next item was for approval of a budget amendment for the Risk Manager for fuel expense in the amount of \$900.00. A motion was made by Commissioner Garza and seconded by Commissioner Palacios to approve the budget amendment as presented.

MOTION CARRIED.  
(See Exhibit K)

9/M

Steve Crain, the County legal counsel, stated that this is property next to the current jail, which the County purchased last year. The contract provided that they bought the surface only and the attorney for the seller who drafted the deed mistakenly included the minerals. The request at this time is to correct the deed and comply with the contract as approved by Commissioners' Court. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the amendments to the Courthouse parking assignments.

MOTION CARRIED.  
(See Exhibit K)

ITEM 10. PRESENTATION – TEXAS HEALTHY KIDS CORPORATION BY CARLOS FEMAT, DIRECTOR OF OUTREACH:

Carlos Femat, Director of Outreach, gave a brief presentation in which he was requesting an amount of \$64,332.00 for the Texas Healthy Kids Corporation. After some discussion regarding what funds could be used to assist programs like this, the Commissioner informed him that no action could be taken on this item as it was listed as a discussion item only.

NO ACTION.  
(See Exhibit L)

ITEM 11. CLOSED SESSION:

Commissioner's Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 and 551.072 to discuss the following:

- A. Consultation with Attorney
- B. Deliberation Regarding Real Property

Commissioner Rosel informed the Court that no action would be taken on this item at this time, due to a problem with the language on the agenda.

NO ACTION.

ITEM 12. OPEN SESSION:

- A. Consultation with Attorney
- B. Deliberation Regarding Real Property

Commissioner Rosel indicated there would be no action required on this item at this time.

NO ACTION.  
(See Exhibit M)

THE COMMISSIONER WENT BACK TO ITEM #9

ITEM 9. COUNTY JUDGE:

- J. Approval of payments on the Land Option Contracts
- K. Approval to direct Purchasing Agent to seek for Appraisal Services on new proposed Jail Site.

9/J

Mr. Guerra stated that this was for approval of payment for the land options contract. A motion was made by Commissioner Palacios and seconded by Commissioner Handy for the approval of the payments on the land option contracts.

MOTION CARRIED.  
(See Exhibit K)

9/K

After some discussion, Commissioner Garza recommended that someone who has a MAI certification in order to bring up the standards of this property do this appraisal along with two other appraisers, one of which will be handpicked by the County Auditor. A motion was made by Commissioner Garza and seconded by Commissioner Palacios to direct the Purchasing Director to seek appraisal services on the new proposed jail site.

MOTION CARRIED.  
(See Exhibit K)

The discussion continued with regards to the purpose of the land options contract and Steve Crain, The County legal counsel, explained this. Martha Salazar, the County Purchasing Director, also had a question as to how many appraisals she would need. Commissioner Garza informed her that on the Richard Garza properties, it would be the same acre value, thus one appraisal for both those two parcels. On the Matias Pena, they would want a different appraisal, thus two appraisals on the three properties.

Commissioner Rosel then asked that they should maybe set up a committee to look at other sites in case these parcels did not pan out. This resulted in further discussion with regards to the option contracts and what would happen if the County Auditor did not forward the money on the option contracts.

Commissioner Handy invited the Court to the groundbreaking ceremonies for the new Hidalgo County sub-station in Precint One.

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

MOTION CARRIED.

## **DRAINAGE DISTRICT #1**

The Honorable Jose Eloy Pulido, 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 PAYMET OF CLAIMS AND BILLS – COUNTY AUDITOR

(See Exhibit N)

ITEM 2. LINE ITEM TRANSFER - \$1,000.00

(See Exhibit O)

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

MOTION CARRIED.

### **REGULAR AGENDA**

ITEM 1. APPROVAL TO TRANSFER OUT OF DRAINAGE DISTRICT FUND BALANCE 080 TO CAPITAL PROJECT DRAINAGE DISTRICT FLOODWAY 780

Godfrey Garza, Drainage District Director, informed the Board that this was part of the Mission Inlet Project. He wanted to transfer out these monies in order to bill the cities and reimburse the amount back into the Drainage District budget. A motion was made by Commissioner Palacios and seconded by Commissioner Handy to approve the transfer as presented.

MOTION CARRIED.

(See Exhibit P)

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Handy and seconded by Commissioner Palacios 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 now hereby adjourned.

JOSE ELOY PULIDO \_\_\_\_\_  
COUNTY JUDGE

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

HECTOR (TITO) PALACIOS \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 2

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

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

Dated this the 8<sup>th</sup> day of November, 1999

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

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

Minutes approved by the Commissioners' Court and the Drainage District #1  
Board on

the \_\_\_\_\_ day of \_\_\_\_\_ 1999.

