

SPECIAL MEETING – JUNE 22, 1999

BE IT REMEMBERED, that on this 22nd day of June, 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:

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
HIDALGO COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 22, 1999, 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:

The Court began this day's meeting with the DRAINAGE DISTRICT Agenda.

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

On motion of Commissioner Garza, seconded by Commissioner Handy, the court made a UNANIMOUS vote to approve the Consent agenda, with exception to the following:

Line item #2/D
Line item #2/M

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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Buildings & Grounds**
 - B. J.P. Pct. #3, Pl. 1**
 - C. County Treasurer**
 - D. HIDTA - Task Force (2) – No action on this item**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to have this item corrected.

- E. Adult Probation - Community Corrections**
- F. Elections Department**
- G. Law Library**
- H. County Clerk**
- I. Criminal Auxiliary Court**
- J. Pct. #2 - Parks**
- K. District Clerk**
- L. D.P.S. - Highway Patrol**
- M. Health Department - Adm. Program Income – No action on this item**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to have this item corrected.

- N. Health Department - Mobile Clinic**
 - O. District Attorney**
 - P. J.P. Pct. #5, Pl. 1**
- Right of Way - Permits: (SEE EXHIBIT B)**
- A. Pct. #3 - National Energy & Trade, LLC**

- B. Pct. #4 - Southwestern Bell Telephone - Sprague from Depot
- C. Pct. #4 - Southwestern Bell Telephone - Dillion and FM 1423
- D. Pct. #4 - Southwestern Bell Telephone - Wisconsin Rd. east of U.S. Hwy. 281
- E. Pct. #4 - North Alamo Water Supply

Planning Department: (SEE EXHIBIT C)

- A. Final Plat Approval:
 - La Homa Groves Estates No. 4 - Pct. #3

5. Urban County: (SEE EXHIBIT D)

- A. HOME "First-Time Homebuyer Contract Agreement" and Letter of Commitment to Mortgage Company (2 families)

6. Purchasing Department: (SEE EXHIBIT E)

- A. Hidalgo County Treasurer: Requesting approval of maintenance agreement for copy machine with Xerox Corp. effective 4/9/99 to 4/9/00.
- B. Hidalgo County Veteran's: Requesting approval of lease purchase agreement for copy machine utilizing The State Of Texas G.S.C. purchase awarded contract dated 2/1/98 to 1/31/00.

At this time the court discussed the Regular Agenda.

COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 22, 1999 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.

2. Pledge of Allegiance

3. Prayer

At this time Judge Pulido called on Manuel Cavazos, Hidalgo County Auditor, to lead the Court and Audience in reciting the Pledge of Allegiance and Invocation.

4. Open Forum

No presentation was made under the Open Forum.

5. Review and acceptance of Hidalgo County Independent Audit for year ended December 31, 1998 (Juan Nunez) (SEE EXHIBIT F)

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

6. Sheriff Department: (SEE EXHIBIT G)

A. Approval of budget amendment - \$ 1,022.30 - acct. # 9-010-423-100 (equipment)

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

B. Approval of budget amendment - \$ 9,900.00 - acct. # 9-010-421-100 (office equipment & building repair)

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

C. Approval of line item transfer in the amount of \$ 209,534.00 for boarding of prisoners

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

D. Unappropriate \$ 87,876.00 from object numbers 03,06,08,10 (Sheriff Department) for the boarding of prisoners

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

E. Budget amendment in the amount of \$ 87,876.00 for the boarding of prisoners from the unappropriated Sheriff's Department funds

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

F. Budget amendment in the amount of \$ 152,590.00 from the General Fund for the boarding of prisoners

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

7. Urban County: (SEE EXHIBIT H)

A. Award of Contract to S & G Paving for Cottonwood Avenue Project - City of La Villa - Street Improvements - Urban County Year 9 (1996)

NO ACTION was taken on this item.

B. Approval of Reimbursable Expenses for Alcocer Garcia Design Consulting - City of La Villa - Neighborhood Facilities - Urban County Year 11 (1998)

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

C. Approval of an Amendment to the Subrecipient Agreement with the Alton Boys & Girls Youth Club - City of Alton - UCP Year 11 (1998)

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

D. Approval of an amendment to the Subrecipient Agreement with Bee Healthy - Pct. #1 - Health Services - Urban County Year 11 (1998)

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

8. County Auditor: (SEE EXHIBIT I)

A. Discussion and approval of line item transfer for outstanding invoice from IBM for computer training in the amount of \$ 3,595.00

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

9. Pct. #1: (SEE EXHIBIT J)

A. Request approval for payment of road improvement engineering services and authorize Auditor to make payment to Rodriguez Engineering

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

B. Approval of Interlocal Cooperation Agreement between Cameron County and Hidalgo County

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

C. Request approval of revised Resolution for a Grant Application to the Rio Grande Valley Empowerment Zone Corporation

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

10 Pct. #2: (SEE EXHIBIT K)

A. Appoint a Liaison from Commissioners' Court to each of the following departments:

- OET
- Head Start
- WIC
- Community Service Agency
- Urban County

NO ACTION was taken on this item.

At this time the Court discussed line item #14.

11. Pct. #3: (SEE EXHIBIT L)

A. Approval to create a Landfill Supervisor position and set salary

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

B. Approval of budget amendment

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

C. Approval to re-classify slot #6 and set salary (convert from Receptionist/Clerk to Landfill Maintenance position)

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

D. Approval of budget amendment

On motion of Commissioner Rosel, seconded by Commissioner Garza, the court made a UNANIMOUS vote of approval.

12. Health Department: (SEE EXHIBIT M)

A. Request to accept and approve contract changes on the contract with the Texas Department of Health Hidalgo County Health Department for the period of 09/01/97 to 08/31/98 (the Texas Department of Health increased the total funds awarded under this contract)

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

13. Planning Department: (SEE EXHIBIT N)

A. Preliminary Approval with Variance Request:

- San Carlos Gardens Subdivision - Pct. #4

NO ACTION was taken on this item.

14. Presentation by Management & Training Corporation regarding the proposed 2,000 bed correctional facility to be constructed in Hidalgo County (SEE EXHIBIT O)

Presentation made by James Parkee, Consultant to Management Training Corporation.

At this time the Court discussed line item #11.

15. County Judge: (SEE EXHIBIT P)

A. Discussion of Parking needs for Hidalgo County Courthouse

DISCUSSION ONLY.

16. Purchasing Department: (SEE EXHIBIT Q)

A. HIDALGO COUNTY - Requesting approval of modification to current lease agreement with Larry Dittburner for additional 1000 sq. ft. of office space at same price of \$550.00 per month.

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

B. HIDALGO COUNTY PRECINCT NO. 2 -

- 1. Approval to modification of Articles 5 and 8.1 of professional services contract with R. Gutierrez Engineering Corporation (in order to clarify billing procedures and facilitate payment).**
- 2. Authorizing County Auditor to pay payment request submitted, reviewed and approved by Commissioner of Pct. in the amount of \$23,823.24.**

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

C. HIDALGO COUNTY PRECINCT NO. 3 - Requesting approval to re-advertise and approval of draft specifications for "Hidalgo County Precinct No. 3 Crushed Caliche - East of Abraham" due to no bids received on prior bid opening of 06-09-99.

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

D. HIDALGO COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT - Requesting authority to advertise an RFP (Request for Proposals) for: "Turnkey Professional Service Solution on a Management Information System (MIS)."

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

E. HIDALGO COUNTY CONSTABLES -

- 1. Recommending award of bid for "Purchase of 10 Program Vehicles-Hidalgo County Constables" to low bidder.**

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

- 2. Discussion and action on financing of Constables' program vehicles over a three (3) year term.**

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

F. HIDALGO COUNTY COUNTY CLERK -

- 1. Approval of extension of present contract with Government Records Services, Inc. (GRS) on a month-to-month basis as provided so as to not have lapse in service. Procurement process ongoing through an RFP. Extension will terminate upon award of contract.**

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

- 2. Presentation of “Best and Final Offer” BAFO for: “Computerized Indexing of Land Records” from Government Records Services, Inc.**

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

- 3. Approval of contract with Government Records Services, Inc. for: “Computerized Indexing of Land Records.”**

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

G. HIDALGO COUNTY DISTRICT CLERKS -Requesting approval of modifications to Rochester Armored Car Co., Inc.’s current Armored Car Services Contract to include receiving and receipting for locked or sealed deposit one time daily, Monday through Friday, inclusive from the District Clerk’s Office in Edinburg, TX, and delivering same to client’s elected depository (First National Bank) for Child Support Division (since said funds are for child support and not obligated under County’s depository contract).

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

H. HIDALGO COUNTY WIC PROGRAM –

- 1. Recommending to reject bids for “(2) New 1999 Double Wide Mobile Homes” due to high pricing.**

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

- 2. Requesting authority to advertise & approval of specifications as attached hereto for “(2) New 1999 Pre-fabricated Buildings.”**

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

- 3. Recommending bid award for “Floor Maintenance” to low bidder.**

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

- 4. Requesting approval of contract for “Floor Maintenance” to low bidder.**

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

- I. Requesting exemption from competitive bidding requirements for Professional Services/Entomological Services for the development of: “diseases vector control surveillance program”**

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

J. Approval of a Professional Services contract with Dr. Jack Hayes, PhD. With the Hidalgo County Health Department

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

17. Closed Session:

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court went into Executive session:

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

- A. Real Estate Acquisition**
- B. Potential Litigation - Claim for Interest on Judgment**
- C. Litigation - Ruben Arcaute v. Barron Risk Management Services, Inc. Cause #C-1292-97-D**

18. Open Session:

- A. Real Estate Acquisition**
- B. Potential Litigation - Claim for Interest on Judgment**
- C. Litigation - Ruben Arcaute v. Barron Risk Management Services, Inc. Cause #C-1292-97-D**

Upon return, Judge Pulido certified that NO ACTION was taken in executive session.

19. Closed Session

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

NO ACTION taken.

20. Open Session

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

NO ACTION taken.

On MOTION OF ADJOURNMENT by Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 22, 1999 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**

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the Drainage District 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

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Permits:**
 - A. National Energy & Trade, LLC**
 - B. Central Power and Light Company**

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

(SEE EXHIBIT S)

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, JUNE 22, 1999 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. Authorization to re-classify slot #9 from Shredder Operator to Dozer Operator & Set Salary

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

(SEE EXHIBIT T)

2. Authorization to increase vacant slot #47 in the amount of \$ 2,084.37 & set salary

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

(SEE EXHIBIT T)

3. Appoint a Liaison from Board of Directors to Drainage District #1

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

(SEE EXHIBIT T)

4. Discussion and possible action on Landfill issue regarding BFI

On motion by Commissioner Handy, seconded by Commissioner Rosel, a UNANIMOUS vote was made in favor that Godfrey Garza of the Drainage District, and Commissioner Garza, hold discussion with Jim Darling, Attorney, regarding the Landfill issue with BFI.

An amended motion was made by Commissioner Handy, with an amended second by Commissioner Rosel, that in addition to the original motion made, authorization is given to the Attorney to intervene in motion regarding the lawsuit, and therein possibly include the County of Hidalgo in the lawsuit as well, as may suit the County's best interest.

*Judge Pulido stated for the record that he would love to see mountains of grass in the Hidalgo County rather than mountains of trash, and he is publicly opposed to the Landfill issue regarding BFI.

(SEE EXHIBIT T)

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

At this time the Court discussed the Regular Consent Agenda.

**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 _____
COUNTY COMMISSIONER, PRECINCT 4**

Dated this the 14TH day of June, 1999.

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

**By: _____
Jessica Coder, Deputy**

*Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 26th day of
September, 2000.*